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Carnival's Maiden Voyage to Cuba Draws Ire and Bias Charges

By Lizette Alvarez
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MIAMI — When two Cuban-Americans here recently tried to book a trip on Carnival Cruise Line's maiden voyage to Cuba — the first American cruise ship to visit in at least 50 years — the result was not what they had in mind. It turns out Cuban law prohibits people born on the island from traveling there by ship, and Carnival rejected their reservation.

The two, Amparo Sanchez and Francisco Marty, responded in the most American of ways: They filed a federal lawsuit accusing Carnival of violating civil rights laws by discriminating against United States citizens. On Monday, with the cruise ship tentatively scheduled to sail from Miami to Cuba on May 1, lawyers for the two filed a request in federal court for a preliminary injunction seeking to bar the company from refusing to sell cruise bookings based on a person's national origin.

As legal and political pressure has continued to mount, Carnival softened its stance on Monday. The company announced that it would begin accepting bookings from Cuban-born people in the hopes that the Castro government will overturn its Cold War-era directive by May 1. The directive prohibits Cubans from traveling to and from Cuba by sea. If Cuba does not rescind the directive — Carnival is

trying to persuade the government to do so — the company said it would delay the May 1 voyage.

“We remain confident that we will reach a positive outcome and we continue to work full speed ahead in preparing for our every-other-week sailings from PortMiami to Cuba,” Arnold Donald, Carnival’s president and chief executive officer, told employees in a letter Monday.

In Miami, which is particularly sensitive to changes in the United States-Cuba relationship, Carnival’s initial decision to move forward with the cruise, despite prohibitions on Cuban-born people, sparked a furor among Cuban-Americans. The first one to highlight the issue was Fabiola Santiago, a Miami Herald columnist, who tried to book a trip on the cruise and was told she could not because she was born in Cuba. She wrote a column about it this month.

Democrats and Republicans alike have criticized the cruise line’s decisions to bar American citizens based on their nationality, saying the company, which is headquartered in nearby Doral and is one of the county’s largest employers, was prioritizing profit over the rights of citizens. Many demanded that Carnival, which became the first American cruise company to obtain Cuban approval to sail to the island in late March, cancel all cruises to Cuba until the government lifts the regulation.

“I think they wanted to be the first ones to go there,” said Mayor Tomás Regalado of Miami, who is Cuban born. “This backfired on them. It’s really a public relations nightmare for Carnival. This is going to haunt them for the future, if they don’t take a very strong position.”

American companies cannot discriminate for any reason, including nationality, Mr. Regalado said. “They have been good neighbors,” Mr. Regalado said of Carnival, “but this is one huge mistake where they valued more the dollar than the moral issue and a legal issue. You cannot discriminate against American citizens.”

Last week, Secretary of State John Kerry weighed in on the issue, telling The Miami Herald that the Cuban government needs to change its directive. “We should not be in a situation where the Cuban government is forcing its discrimination policy on us,” he said.

In his letter to employees, Mr. Donald expressed optimism that the company’s discussions with the Cuban government would lead to a resolution. The weeklong cruises on the Adonia, a 704-passenger luxury ship, are scheduled to call in three cities. Mr. Donald stressed that Carnival simply wanted the same treatment that airlines receive: Cuban-born citizens are allowed to travel to Cuba by air, and more than 400,000 do so regularly.

The Cuban government issued the directive decades ago to thwart Cubans from fleeing the island by boat and to prevent exiles from retuning to create trouble.

This is not the first time a cruise company has faced a similar problem. In 2014, Norwegian Cruise Line learned that around 20 Israeli citizens could not disembark in Tunisia. Soon after, the cruise line stopped going to Tunisia.

Tucker Ronzetti, a lawyer for one of the plaintiffs, said hundreds of Cuban-born citizens have contacted his law office to inquire about the Carnival policy.

“The laws of some other nations that promote discrimination don’t trump the laws of the United States that forbid discrimination,” Mr. Ronzetti said.

Ric Herrero, the executive director of Cuba Now, a group that favors engagement with Cuba, said the showdown should also serve as a cautionary tale to the United States, which until recently limited American travel to Cuba.

“We need to be consistent,” he said. “We should stand against all travel restriction, for Cubans or Americans.”