



Impacts of Unilateral Coercive Measures in Developing Countries: the need to end the US embargo on Cuba*

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Introduction

The approval of United Nations (UN) General Assembly resolution 73/8 on November 1, 2018 with a nearly universal vote represents a strong and renewed endorsement by the United Nations of the membership's longstanding call on the United States to end the nearly six decades of unilateral embargo against Cuba and its people. The US

embargo against Cuba has severely impacted all the economic and social sectors in Cuba as well as Cuban commercial and cooperation relations with the world. Its extraterritorial nature, particularly in relation to banking, international trade and international cooperation, imposes restrictions on US companies and third countries and their companies from undertaking any economic transactions with Cuba. The embargo has therefore created ob-

Abstract

On 1 November 2018, the 193 Member States of the United Nations (UN) held the twenty-seventh consecutive annual vote of the General Assembly on a resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed against Cuba."¹ The resolution was adopted with a near unanimous vote of 189 in favor, 2 abstentions (Ukraine and Moldova) and 2 against (United States of America and Israel)². Before the vote and for the first time since the resolution was submitted in 1992, the US presented a set of eight proposed amendments to be considered by the 193 Member States, which were all rejected.

The present policy brief is a summary of the input prepared by the South Centre as a contribution to the 2019 report of the Secretary-General with respect to the imposition of unilateral economic, finance and trade measures by one State against another that is prepared pursuant to UN General Assembly Resolution 73/8.

Le 1^{er} novembre 2018, les 193 États membres de l'Organisation des Nations Unies se sont réunis afin de voter pour la vingt-septième fois consécutive sur la résolution de l'Assemblée générale intitulée « Nécessité de lever le blocus économique, commercial et financier imposé à Cuba par les États-Unis d'Amérique ». La résolution a été adoptée à la quasi-unanimité par 189 voix pour, 2 abstentions (Ukraine et Moldova) et 2 contre (États-Unis d'Amérique et Israël). Avant le vote et pour la première fois depuis la présentation de la résolution en 1992, les États-Unis ont présenté une série de huit propositions d'amendement à examiner par les 193 États membres, qui ont toutes été rejetées.

La présente note d'orientation propose un résumé des commentaires formulés par le Centre Sud à titre de contribution au rapport présenté par le Secrétaire général en 2019 pour donner suite à la résolution 73/8 de l'Assemblée générale et portant sur l'imposition unilatérale par un État de mesures économiques, financières et commerciales à l'encontre d'un autre État.

El 1 de noviembre de 2018, los 193 Estados Miembros de las Naciones Unidas (ONU) celebraron por vigésimo séptima vez consecutiva la votación anual de la Asamblea General sobre la resolución denominada "Necesidad de poner fin al bloqueo económico, comercial y financiero impuesto contra Cuba". La resolución fue aprobada casi por unanimidad, 189 votos a favor, 2 abstenciones (Ucrania y Moldavia) y 2 en contra (EEUU e Israel). Antes de la votación y por primera vez desde que la resolución fuera presentada en 1992, los Estados Unidos de América presentaron una serie de ocho propuestas de enmienda para que fueran consideradas por los 193 Estados Miembros, que fueron todas rechazadas.

El presente informe de política es un resumen del aporte elaborado por South Centre como contribución al informe de 2019 de la Secretaría General respecto de la imposición de medidas económicas, financieras y comerciales unilaterales de un Estado contra otro, elaborado de conformidad con la Resolución 73/8 de la Asamblea General de las Naciones Unidas.

* Summary of the South Centre's input to the United Nations (UN) Secretary-General's report on the implementation of UN Resolution 73/8

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stacles to the achievement of the country's National Plan for Economic and Social Development. It also affects US interests: there is a growing recognition from domestic private businesses, political groups, press, academia, and civil society organizations in the US of the negative impacts of the embargo³.

The US and Israel abstention from the vote in 2016 for the first time since it was tabled in 1992 marked a quite unique moment in the history of multilateralism. In 2016, the resolution was adopted for the first time ever with 191 votes in favor, none against and two abstentions (United States of America and Israel)⁴. The engagement policy had opened the door for important changes in US-Cuba relations, including the withdrawal of Cuba's designation as state sponsor of terrorism in May 2015, the restoration of diplomatic relations in July 2015; and efforts to increase travel, commerce, and the flow of information⁵. However, this engagement policy by the US with Cuba proved to be short-lived.⁶

The resuming of new sanctions on Cuba

The adoption in 2017 and 2018 of new coercive measures⁷ and the reversal of other policies that had been put in place by the previous US administration is leading to the tightening once more of the blockade against Cuba⁸. New sanctions include areas of travel and trade and marked the return to a policy of isolating Cuba with severe impacts on its economy and people.

The UN General Assembly resolution 73/8 adopted in November 2018⁹ reiterated and reflected previous resolutions, reports and declarations adopted by the United Nations and other intergovernmental forums and bodies rejecting the use of unilateral coercive measures such as trade sanctions in the form of embargoes and the interruption of financial and investment flows between sender and target countries, such as the United States embargo on Cuba. Such measures have had negative impacts on the full enjoyment of human rights in the countries concerned, in particular the most vulnerable groups including women, the elderly and children. Such measures have also adversely affected the ability of Cuba to contribute to international development cooperation, such as in the case of Cuba and its well-known international health cooperation programme.

The General Assembly, in its resolution 73/8, reaffirmed the commitment of States to the purposes and principles of the Charter of the United Nations and called upon all States to refrain from promulgating and applying laws and measures such as the embargo imposed against Cuba, contrary to international law and the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs, and freedom of international trade and navigation.

Resolution 73/8 further recalled the statements of the Heads of State or Government of the Latin American and Caribbean Region at the Summit of the Com-

munity of Latin American and Caribbean States which unanimously called for the need to put an end to the economic, commercial and financial embargo imposed against Cuba.

In light of the concerns expressed above, the General Assembly, in paragraph 4 of its resolution 73/8, requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in light of the purposes and principles of the Charter of the United Nations and international law and to submit it to the General Assembly at its seventy-third session.

Decades denouncing the embargo on Cuba

Over the years, the annual report of the Secretary-General has become an important platform for highlighting the adverse impact of the United States embargo on Cuba and, to reaffirm the almost universal call for its end. The report provides a clear picture of the impact of the unilateral coercive measures of the United States embargo in relation to Cuba with contributions of Member States, UN system agencies and other intergovernmental organizations. Some of them, like the World Health Organization and Food and Agriculture Organization, working on the ground, have provided evidence on the consequences of the blockade for the Cuban people. The South Centre has actively contributed to the report over past years.

The tightening of unilateral coercive economic measures against Cuba by the present US administration, after the positive strides made under the previous US administration to normalize relations, is contrary to the sentiment of the international community as seen in their votes on the General Assembly resolution 73/8. The international community has called for an end to unilateral policies which have caused and continue to cause severe socio-economic hardship on the Cuban people. The quantifiable cumulative damage caused by the almost six-decade long blockade amounts to US\$ 933.678 billion, adjusting for the devaluation of the dollar against the price of gold¹⁰. In present-day US dollars, the embargo has caused more than US\$ 134.400 billion in financial damages (including approximately US\$ 4.321 billion in 2017 alone), according to Cuban government figures¹¹. According to a recent report by the UN Economic Commission for Latin America and the Caribbean (ECLAC), the blockade's cost to the Cuban people is estimated to be more than \$130 billion at current prices and "has left an indelible mark on its economic structure"¹².

"The blockade continues to be the main obstacle to the implementation of both the 2030 national plan and the Sustainable Development Goals", said Cuba's Foreign Minister Bruno Eduardo Rodríguez Parrilla when introducing the text of draft resolution A/73/L.3 last 1 November 2018 at the UN General Assembly¹³. An estimated gross domestic product (GDP) growth of 10% a year could have taken place in Cuba with economic and social benefits in the past decades had the embargo not been in place. In 2017, while presenting the same resolution he had al-

ready stated that “there is not a Cuban family or social service that has not suffered the deprivations resulting from the blockade”.¹⁴

For over two decades, the United States has applied the Cuban Liberty and Democratic Solidarity Act adopted on 12 March 1996 (commonly referred to as the Helms-Burton Act)¹⁵ which codifies US sanctions against Cuba into law and tightened the economic blockade. Title III is the most contested part of the act as it entitles US citizens who have property in Cuba confiscated by the state -- including Cuban-Americans who were not US citizens at the time of confiscation -- to file a suit in the United States against persons that may be “trafficking” in that property. The application of this law has extraterritorial effects adversely impacting Cuba’s trade and international cooperation arrangements. On March 4, 2019, the US Government announced the decision to allow the filing of lawsuits before US courts under Title III of the Helms-Burton Act against around 200 Cuban companies included in the list of Restricted Entities issued by the US government in November 2017 allegedly for trafficking in confiscated property.

The Havana Times has stated that “the embargo will make rebuilding efforts and government purchases of building materials both extremely burdensome and costly because multinationals that trade with the US are prohibited from selling to Cuba. Under the US embargo, the island nation is also prohibited from joining the IMF and World Bank, which grant crucial infrastructure loans”¹⁶.

The new restrictions: Title III of the Helms-Burton Act

On March 17, 2019, the US Government announced a package of new restrictions aimed at tightening the embargo against Cuba¹⁷. The new restrictions include limiting nonfamily travel and the volume of remittances sent back by Cuban-Americans to the Caribbean island. The US Government also announced that it would no longer suspend Title III of the Helms-Burton Act, effective from 2nd May 2019. This is the first time since the law was adopted in 1996 that this provision will be implemented after having been waived for 22 years by all previous US governments. This decision allows the initiation of legal action under Title III against Cuban entities or foreign companies which maintain commercial or economic relations with Cuba. This will have the effect of further tightening the impact of the embargo.¹⁸ US and foreign companies investing in Cuba could face a massive amount of lawsuits. This decision will create difficulties to third-country foreign investors in Cuba as it may dissuade international companies from doing business in the island. It also impacts investment already made in the country, including US investments. It could lead also to disputes at the World Trade Organization (WTO) from its allies such as the European Union (EU) and Latin American countries that have invested in Cuba over the

past decades.

The Government of Cuba considers the decision to activate Title III of the Helms-Burton Act an attack on international law and on Cuban and other States' sovereignty, given the extraterritorial character of Title III, aimed at depriving Cuba of foreign investments, and the threat on potential partners¹⁹.

Illegality in international law of the extraterritorial character of the US embargo

The EU also regretted the United States Administration's decision not to renew the waiver related to Title III of the 1996 Helms-Burton Act. The European Union reiterated its strong opposition to the extraterritorial application of unilateral Cuba-related measures that are contrary to international law. The EU considers that the decision is a “breach of the United States' commitments undertaken in the EU-US agreements of 1997 and 1998, which have been respected by both sides without interruption since then. In those agreements, the US committed to waive Title III of the Helms-Burton Act and the EU, inter alia, suspended its case in the World Trade Organisation against the US”.²⁰

The EU also announced that “it will consider all options at its disposal to protect its legitimate interests, including in relation to its WTO rights and through the use of the EU Blocking Statute”. The Statute prohibits the enforcement of US courts' judgements relating to Title III of the Helms-Burton Act within the EU, and allows EU companies sued in the US to recover any damage through legal proceedings against US claimants before EU courts, the EU said in its statement released following the US announcement.

A new chapter in European Union-Cuba relations began in December 2016 with the signature of the Political Dialogue and Cooperation Agreement in Brussels. The EU has announced it could take measures if the US does not extend the EU’s waiver to the Helms-Burton Act concerning Cuba²¹. In the framework of the common commercial policy, the EU had firmly and continuously opposed such extraterritorial measures.

The Government of Canada also expressed deep disappointment with the decision while announcing it will be “reviewing all options in response to this U.S. decision”. “Since the U.S. announced in January it would review Title III, the Government of Canada has been regularly engaged with the U.S. government to raise our concerns about the possible negative consequences for Canadians – concerns that are long-standing and well known to our U.S. partners”, said the Minister of Foreign Affairs in a statement delivered following the announcement of the decision by the US Government.²²

The extraterritorial character of the US embargo on Cuba is also reflected in the financial restrictions against third countries' banks and the imposition of new fines on the ground that US government regulations regarding Cuba have been violated. This has encouraged many

banks to close Cuban government accounts and adopt measures that obstruct the normal functioning of the banking system in the country. Between April 2017 and March 2018, Cuba was negatively affected by the application of the blockade policy – particularly its extraterritorial character – against more than 128 foreign banks. Transactions of Cuban government contributions to various international organizations have also been delayed due to restrictions on the transfer of payments by the Government of Cuba. Recent decisions of the United States Office of Foreign Assets Control (OFAC) highlight the extent to which the embargo remains in place against Cuba, with third countries, their companies and banks being subjected to the payment of large fines because they maintain trade and finance relations with Cuba²³.

On April 5, 2019, the US Department of State announced that two companies, Ballito Bay Shipping Inc. and ProPer in Management Inc., have been sanctioned for operating in Venezuela's oil sector and the vessel Despina Andrianna used to transport oil to Cuba. Additional vessels, in which Venezuela's state-owned oil company PDVSA has interests, are being identified as blocked property, pursuant to Executive Order 13850²⁴. The US Government is also encouraging companies, banks, and other institutions to refrain from providing services that support Venezuela's government. This decision also has a negative impact on oil supply to the Caribbean Island with the ensuing socio-economic consequences for its population.

Some of the negative effects of the blockade

The blockade violates the rights of the Cuban people in the most sensitive social sectors. Some of the examples showing the negative impacts caused by this policy in the health sector during the period of reference include the following:

Impact on the right to health and life

Cuban hospitals cannot have any state-of-the-art technology or equipment that is exclusively manufactured in the United States to treat certain pathologies. For that reason, and with the purpose of ensuring every citizen, without any distinction, universal, free and quality access to health services, Cuba had to send a group of patients and their companions to foreign hospitals, at a cost of USD 1,066,600. The required technologies could have been imported from the United States, had it not been for the blockade, and those patients could have been treated in their home country²⁵.

Despite the hardship of the embargo, Cuba has achieved an exemplary model of a health system, which could serve as a model for many countries. The World Health Organization recently certified that Cuba has officially become the first country in the world to eliminate mother-to-child transmission of HIV/AIDS and syphilis. Cuba's success is a step in the right direction to reduce the global threat of HIV/AIDS, as called

for in the Sustainable Development Goals²⁶.

Impact on international cooperation

As noted, the embargo not only affects the Cuban people and Cuban commercial and financial transactions, but also the South-South cooperation initiatives that Cuba has been undertaking for decades. Cuba's emergency medical assistance response to the 2010 Haiti earthquake and African countries affected by the Ebola crises in West Africa was recognized worldwide and is a great example of solidarity with the international community. Cuban assistance in addressing the health crisis would have been more extensive had it not been for the embargo. The permanent lifting of the embargo will allow Cuba to cooperate more with other developing countries on health, education, environment and agriculture, among other issues. Both developing and developed countries could greatly benefit from Cuba's outstanding experience in biotechnology, for example.

United Nations entities would also benefit from cooperating with Cuban experts on their projects more frequently, considering that in most cases, difficulties resulting from the embargo make it more complicated for the United Nations to recruit Cuban experts, as explained by several United Nations entities in previous reports, owing to several complications ranging from issues with payment to travel permits²⁷.

As a Caribbean island, Cuba is among one of the most vulnerable countries to climate change impacts. Cuba annually suffers from the hurricane season from July to September which is increasingly becoming severely destructive to the region. In September 2017, Hurricane Irma, a category 5 hurricane, barrelled through Cuba's central and western provinces, causing catastrophic destruction with severe flooding and hundreds of thousands of people affected. In the aftermath of the devastating 2017 hurricane season, it sent 750 doctors and medical professionals to other Caribbean islands to assist with rescue efforts.

Impact on the right to food

The economic, commercial and financial blockade applied by the US has impaired the development of Cuba's agricultural and food processing sectors over the past six decades due to policy impediments to trade, financial credits, investments, access to technologies and building up of human capacity through academic exchanges.

A group of US agriculture and farming processing associations has requested the US Congress to end the blockade and normalize agricultural trade between the two countries.²⁸ Financial transactions and shipping impediments raise the costs to other countries to export to Cuba. For example, the modern deep-water port of Mariel, a result of a modernization project financed by Brazil which aims to create a special economic zone centre near the port, cannot be used because, under US sanctions, any ship that docks in Cuba cannot enter the United States for six months unless it has a US waiver²⁹. This has increased considerably the costs of imports to the Caribbean island, only 90 miles away from Miami. The Cuban companies

responsible for manufacturing food products in the country are forced to import approximately 70 per cent of their fundamental raw materials from different markets, namely, Spain, Brazil, Argentina, Italy, Canada, India, the Dominican Republic and Mexico³⁰. Moreover, so far, as a result of the blockade, Cuba has not been allowed to buy from the US market, which happens to be very attractive, given its prices and its proximity to Cuba. That market also has a varied offer of raw materials, equipment and materials necessary to modernize production lines.

Impact on the right to education

The blockade imposed by the United States affects the Cuban programs aimed at ensuring quality, universal and free education at all levels. The losses are mostly associated with increases in freight rates for the import of school supplies from third countries since it is impossible to buy them in the United States³¹.

In the case of higher education, the application of the blockade has brought about a host of difficulties that have impaired Cuba's access to the necessary technology and equipment for teaching; scientific research; dissemination of information; adequate remuneration of results; acquisition of school supplies, means and tools, as well as the university extension work and local development.

The blockade violates international law

The Foreign Ministers of the Group of 77 (G77) and China³², the largest group of developing countries, at their forty-second annual ministerial meeting held at the United Nations Headquarters in New York on 27 September 2018, reaffirmed once more their strong objection to the embargo.

In paragraph 205 of the declaration adopted on that occasion, the Ministers of the Group of 77 and China expressed their strongest rejection of the implementation of unilateral coercive measures and reiterated their solidarity with Cuba. The Ministers also reaffirmed their call upon the Government of the United States to put an end to the economic, commercial and financial blockade imposed on that sisterly nation for almost six decades that constitutes the major impediment for its full development. At the same time, the Ministers regretted the measures implemented by the government of the United States since November 9th, 2017, which strengthen the blockade³³.

The Ministers of the Group of 77 and China called upon the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries. Egypt's delegation to the United Nations, speaking on behalf of the Group of 77 and China, in the context of the meeting of the General Assembly to vote on resolution 73/8, on 1 November 2018 said that the group regrets that the economic, commercial and financial embargo imposed by the United States on Cuba for

almost six decades remains fully in place and continues to be strengthened. The Group of 77 recalled the positive steps taken by the previous administration between 2015 and 2016, which were still not enough to put an end on the embargo's impact but did focus on a path leading in the right direction. The current policy is a setback to the process of normalizing relations between the two countries. The prolonged negative effects of the embargo such as with economic sanctions and travel restrictions are an issue of deep concern for the group. The impact of the US embargo on Cuba's foreign trade amounted to more than US\$ 4 billion from April 2017 to June 2018³⁴.

The Group of 77 also stated that the limited foreign investment and difficulty of access to development credits translate directly into economic hardship and humanitarian effects for the people of Cuba. The group also recalled the extensive contribution of Cuba to the international community, particularly through its remarkable provision of medical assistance to countries in need. "Cuba's emergency assistance to countries affected by the Ebola crisis in West Africa is a great example of its solidarity with the international community".³⁵

At the 18th Mid-Term Ministerial Meeting of the Non-Aligned Movement (NAM), held in Baku, Republic of Azerbaijan in April 2018, the Ministers of 120 countries, several Observer States and international organizations expressed their regret in paragraph 557 of their Ministerial Outcome document over the measures implemented by the current US administration which has strengthened the economic, commercial and financial embargo against Cuba and entailed a setback in the process of normalization of the bilateral relations between the US and Cuba.

The Ministers of the Non-Aligned Movement again reiterated their call to the Government of the United States of America to put an end to the economic, commercial and financial embargo against Cuba that constitutes a major impediment for Cuba's full development. They also urged the President of the United States to use his broad executive powers to substantially modify the embargo which, in addition to being unilateral and contrary to the UN Charter and international law, and to the principle of neighbourliness, is causing huge material losses and economic damage to the people of Cuba. They once again urged strict compliance with several resolutions of the UN General Assembly³⁶, and adherence to the fundamental principles of sovereign equality, non-interference and non-intervention as enshrined in the Charter of the United Nations. They expressed deep concern over the widening of the extra-territorial nature of the embargo against Cuba and rejected the reinforcement of the financial measures adopted by the Government of the United States, aimed at tightening the embargo³⁷.

Several outcomes of United Nations conferences and other forums adopted between June 2015 and April 2018 have also rejected the use of unilateral coercive measures, including the United States embargo on Cuba. For example, in September 2015, world leaders adopted the 2030 Agenda for Sustainable Development by consensus in

General Assembly resolution 70/1, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”. In paragraph 30 thereof, it is stressed that “States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries”.

Final remarks

A comprehensive analysis of the impact of all the unilateral coercive measures currently being applied on the enjoyment and achievement of human rights in developing countries would be an important contribution. This will be particularly relevant to assess the impact of such measures on the human rights of people living in affected countries, particularly on women, the elderly and children, who are too often the main victims of such measures, as is the case with the restrictions regarding access to medicines and technology for the production of medicines in Cuba and in the Islamic Republic of Iran, two countries affected by embargos imposed by the United States.

The United Nations would be best placed to make such an analysis and assessment on a more regular and substantial basis. In this regard, the appointment of a Special Rapporteur on the negative impacts of unilateral coercive measures on the enjoyment of human rights by the Human Rights Council, in accordance with its resolution 27/21, was an important step forward³⁸. In its resolution, the Human Rights Council also mandated the conduct of a biannual panel discussion on the issue of unilateral coercive measures and human rights. The visit of the Special Rapporteur to Sudan has produced important results contributing to the process that led the US to revisit its policy against Sudan.

In light of the adverse impact of the embargo on human rights and the right to development in Cuba, the long-standing call of the UN General Assembly and all developing countries for the end of the embargo against Cuba as soon as possible, consistent with the UN Charter and international law, should be continuously supported.

Endnotes:

¹ A/RES/73/8, “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”. Available at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/8.

² See “General Assembly Adopts Annual Resolution Calling for End to Embargo on Cuba, Soundly Rejects Amendments by United States”, 1 November 2019. Available at <https://www.un.org/press/en/2018/ga12086.doc.htm>.

³ See “U.S. Agriculture Coalition for Cuba (USACC) to renew

a call for Congress to end the U.S. trade embargo” available at <https://www.usagcoalition.com> and “Most Americans Support Ending Cuba Embargo, Times Poll Finds”, New York Times, March 21, 2016 available at <https://www.nytimes.com/interactive/projects/cp/international/obama-in-cuba>.

⁴ See “As United States, Israel Abstain from Vote for First Time, General Assembly Adopts Annual Resolution Calling for Lifting of United States Embargo on Cuba” available at <https://www.un.org/press/en/2016/ga11846.doc.htm>.

⁵ US policy against Cuba. See “Cuba: U.S. Policy in the 116th Congress”, 29 March 2019. Available at <https://crsreports.congress.gov/product/pdf/R/R45657>.

⁶ See “As General Assembly Adopts Annual Resolution Urging End to United States Embargo on Cuba, Delegates Voice Concern About Possible Reversal of Previous Policy” available at <https://www.un.org/press/en/2017/ga11967.doc.htm>.

⁷ On 16 June 2017 the Presidential Memorandum for National Security was signed by President Trump which represented the tightening of US policy against Cuba. Available at <https://www.federalregister.gov/documents/2017/10/20/2017-22928/strengthening-the-policy-of-the-united-states-toward-cuba>.

⁸ “Cuba: U.S. Policy Overview”, Congressional Research Service In Focus (updated 24 June 2019). Available from <https://fas.org/sgp/crs/row/IF10045.pdf>.

⁹ A/RES/73/8 available at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/8

¹⁰ See intervention by H.E. Bruno Eduardo Rodríguez Parrilla, Minister of Foreign Affairs of Cuba, when introducing the text last 1 November 2018 at the UN General Assembly. Available at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/PV.30.

¹¹ CUBA’S REPORT 2018 on Resolution 72/4 of the United Nations General Assembly entitled “Necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba”. Available from <http://misiones.minrex.gob.cu/en/articulo/cubas-report-2018-resolution-724-united-nations-general-assembly-entitled-necessity-ending>.

¹² “U.S. trade embargo has cost Cuba \$130 billion, U.N. says”, Reuters, 9 May 2018. Available from <https://www.reuters.com/article/us-cuba-economy-un/us-trade-embargo-has-cost-cuba-130-billion-un-says-idUSKBN11A00T>.

¹³ See intervention by H.E. Bruno Eduardo Rodríguez Parrilla, Minister of Foreign Affairs of Cuba, when introducing the text last 1 November 2018 at the UN General Assembly. Available at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/PV.30.

¹⁴ Ibid.

¹⁵ The US Helms Burton Act, named after Republican Senator Jesse Helms (NC) and Representative Dan Burton (IN), was enacted into law in 1996 by then president Bill Clinton. See more at “What is the Helms-Burton Act, and why does Article III matter?”. Available at <https://www.trtworld.com/americas/what-is-the-helms-burton-act-and-why-does-article-iii-matter-24946>.

- ¹⁶ Rebecca Bodenheimer, "Cuba's Response to Hurricane Irma Puts "America First-ism" to Shame," September 20, 2017. Available from <https://www.havanatimes.org/?p=127421>.
- ¹⁷ "Trump Administration Announces New Restrictions on Dealing With Cuba", *New York Times*, 17 April 2019. Available from <https://www.nytimes.com/2019/04/17/world/americas/cuba-trump-travel-law-suits.html?action=click&module=News&pgtype=Homepage>.
- ¹⁸ "Cuba strongly rejects new US tightening of blockade", ACN, 5 March 2019. Available from <http://www.cubanews.acn.cu/cuba/9094-cuba-strongly-rejects-new-us-tightening-of-blockade>.
- ¹⁹ "Cuba: Helms-Burton Act Title III Attacks International Law". Available from <http://www.cubavsbloqueo.cu/en/bloqueo-afectatodos/cuba-helms-burton-act-title-iii-attacks-international-law>.
- ²⁰ European Commission, Joint Statement by High Representative/Vice President Federica Mogherini and Commissioner for Trade Cecilia Malmström on the decision of the United States to further activate Title III of the Helms Burton (Libertad) Act, Brussels, 17 April 2019. Available from http://europa.eu/rapid/press-release_STATEMENT-19-2171_en.htm.
- ²¹ See "EU could take action if derogation from Helms-Burton Act is lifted" available at <https://agenceurope.eu/en/bulletin/article/12229/21>. See also "Spain Rejects Possible U.S. Lawsuits Against Foreign Firms in Cuba" available at <https://www.reuters.com/article/us-spain-usa-cuba/spain-rejects-possible-u-s-lawsuits-against-foreign-firms-in-cuba-idUSKCN1RF2DF>.
- ²² See "Government of Canada will defend interests of Canadians doing business in Cuba" available at <https://www.canada.ca/en/global-affairs/news/2019/04/government-of-canada-will-defend-interests-of-canadians-doing-business-in-cuba.html>.
- ²³ See OFAC webpage on Cuba for more details at <https://www.treasury.gov/resource-center/sanctions/programs/pages/cuba.aspx>.
- ²⁴ "The United States Sanctions Companies Enabling Shipment of Venezuelan Oil to Cuba", US Embassy in Cuba, 10 April 2019. Available from <https://cu.usembassy.gov/the-united-states-sanctions-companies-enabling-shipment-of-venezuelan-oil-to-cuba>.
- ²⁵ CUBA'S REPORT On Resolution 71/5 of the United Nations General Assembly entitled "Necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba" (June 2017). Available from http://www.cubavsbloqueo.cu/sites/default/files/InformeBloqueo2017/informe_de_cuba_sobre_bloqueo_2017_ingles.pdf.
- ²⁶ "Cuba eliminates mother-to-child transmission of HIV and Aids", United Nations Web TV, 27 March 2017. Available from <http://webtv.un.org/news-features/watch/cuba-eliminates-motherto-child-transmission-of-hiv-and-aids/5374392704001#full-text>.
- ²⁷ See A/73/85 "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba: Report of the Secretary-General". Available from https://digitallibrary.un.org/record/1648511/files/A_73_85-EN.pdf.
- ²⁸ U.S. Agriculture Coalition for Cuba. Available from <http://www.usagcoalition.com>.
- ²⁹ Tim Johnson, "U.S.-Cuba diplomatic thaw puts Mariel port back in spotlight," McClatchy, January 21, 2015. Available from <http://www.mcclatchydc.com/news/nation-world/world/article24778774.html>.
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