



***Report by Cuba on Resolution 60/12 of the
United Nations General Assembly***

**“Necessity of ending the economic,
commercial and financial blockade
imposed by the United States of America
against Cuba”**

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INTRODUCTION

The genocidal blockade imposed on Cuba by the United States, which has spanned four decades and has been intensified over recent years, has been condemned by the United Nations General Assembly on 14 consecutive occasions by a practically unanimous vote. Last year, 182 States demanded that it be put to an end and rejected its extraterritorial nature, thus defending the principals and rules of International Law.

The United States Government continues to ignore these demands and reinforces the web of measures and laws aimed at destroying the Cuban Revolution and denying its people their right to self rule. It is worth remembering that the United States has harbored a desire and longing to control Cuba since the very beginning of the American Union.

Since then they have made innumerable attempts to annex Cuba, with the most varied array of methods: from failed purchase attempts to the encouragement and support of annexationist forces within the Spanish colony, and even intervention and direct military occupation.

In the 19th century successive US government failed to acknowledge the Republic of Cuba in arms. On the contrary, they hindered and interrupted whenever possible the support that their people and the Cubans living in that country gave to the redeeming cause.

In 1898 US military intervention robbed the Cuban people of their right to be free. They were denied their sovereignty, something they so deserved after 30 years of unequal battle against Spanish colonialism, when a cartoon republic was established, under the humiliating tutelage of a constitutional appendix, known as the Platt Amendment, through which the nascent US Empire acknowledged their authority to invade and occupy Cuba militarily whenever

Washington deemed it appropriate.

For more than half a century, US administrations subjected the Cuban people to colonial rule, while their monopolies exploited their national heritage with the assent and complicity of successive governments and the imposition of brutal military dictatorships, each time that it became necessary to use violence to silence the just demands and the anti-imperialist convictions of the Cuban people.

With the profound social revolution that began in 1959 as a result of the work of the Cuban people, the circles of power in the United States rapidly came to regard the Cuban Revolution as a blatant defiance of their attempts to dominate the hemisphere and the world as a whole. Successive administrations of republicans and democrats have maintained and, with the passing of the years, intensified an undeclared war, aimed at reimposing their iron grip on the fate of Cuba.

As early as 12 February 1959, action aimed at this end was set in motion. The first example was the decision not to return to Cuba the 424 million dollars of National Bank reserves, stolen by the ringleaders of the Batista dictatorship when they fled and deposited in banks based in the country that gave them protection and impunity.

A few weeks later, in a memorandum from the Department of State dated 24 June, the Secretary of State, Christian Herter, defined these "initial acts" as "economic war measures".

In another document dated 6 April 1960, the imperialist resolve to destroy the revolutionary movement in Cuba was made more explicit. In this it is stated that any conceivable method must be used promptly in order "to withhold funds and supplies to Cuba (...) thereby causing starvation, desperation and the overthrow of the

government”.

This has always been the declared aim and the outline of the genocidal policy applied to Cuba by successive US governments and imposed on three generations of Cubans. Two thirds of the current population of Cuba were born under this policy and have never known any other. The Cuban people have had to suffer, survive and grow under very difficult conditions imposed by the one and only superpower, which with this policy seeks to destroy the resistance and the example of dignity and sovereignty set by Cuba.

Ten administrations have waged this economic war in violation of rights and morals and have forced other States to submit to this policy. They have threatened and repressed US citizens and foreign countries.

One of the consequences of the blockade is that Cuba cannot export any product to the United States, nor can they import any merchandise from this country; Cuba cannot trade with subsidiaries of US companies in third countries; it cannot receive US tourists; it cannot use the dollar in its transactions with foreign nations; it does not have access to credit from multilateral, regional or US financial institutions, and cannot operate with them; its ships and aircrafts cannot touch US soil.

It is with increasing severity that the US government has applied the extraterritorial provisions of the blockade, imposing strict restrictions to international trade, the framework in which the harassment of the commercial operations that could in any way be linked to Cuba is intensified.

It would be impossible to list all of the examples of this long-standing aim, which has been the motivating force behind all regulations, laws or plans approved by the US government regarding Cuba, notable

illustrations of which include the Torricelli Law (1992) the Helms-Burton Law (1996) and the successive and complementary versions of the Plan to Annex Cuba, formulated by the ill titled “Commission for Assistance to a Free Cuba”, which was created by President Bush with the aim of destroying the political, economic and social system endorsed by the Cuban people.

When asked about the policy towards Cuba, former Secretary of State, Colin Powell, first president of the aforementioned Commission, said that the use of tactics such as “isolation, sanctions and pressure” preceded military options, although he explained that, sometimes, there is no other appropriate solution other than the use of military force.

The brutal and merciless harassment of Cuba’s economy and society at the hands of the United States affects each and every of the country’s areas and spheres of activity. This report analyses the main effects that this has had on Cuba between the second half of 2005 and the first half of 2006.

Many of these effects are the result of the strict application of the aggressive and additional measures presented in the aforementioned Plan to Annex Cuba, including the threat to use military force and the persecution of citizens and companies, not only from Cuba but also from the United States and other countries around the world.

The incidents in which companies and citizens from the United States and other countries have been persecuted or reprisals have been taken against them are copious. The financial harassment of any Cuban economic or commercial operation has been stepped up in a wide range of markets; the bans and restrictions placed on travel, the sending of remittances and academic exchanges in the various spheres have been reinforced and punitive measures against

investments and tourism in Cuba have been increased.

The ill titled “Commission for Assistance to a Free Cuba”, the first report of which was approved by the US president on 6 May 2004, has been accompanied by an uncontrolled and irrational escalation of the policy of the economic, commercial and financial blockade on Cuba. The persecution and repression of all those around the world who have any link with Cuba have reached unprecedented heights.

In December 2005, Secretary of State, Condoleezza Rice, who took over from Colin Powell as head of the anti-Cuban commission created by President Bush, announced additional measures aimed at intensifying the negative impact of the action carried out by reason of the first version of the Plan to Annex Cuba.

On 10 July 2006 the second version of the anti-Cuban plan produced by the Commission was presented by the Bush Administration. In it new measures are identified which imply more economic sanctions, more persecution of Cuban companies, more reprisals against those who trade with Cuba and an unprecedented escalation in the financial and material support of action aimed at destroying constitutional order in Cuba.

The Commission’s new report, which confirms and amplifies the 2004 version, recommends measures including the creation of an Interagency Task Force specifically aimed at persecuting the Cuban nickel industry; the reinforcement of the Persecution Group of Cuban Assets; the ban on sales to Cuba of medical products to be used for the large-scale treatment of foreigners, such as the international cooperation program that offers ophthalmologic surgery, known as *Operación Milagro* (Miracle Operation), to be used to train doctors, or to offer aid to other countries when natural disasters hit; the imposition of sanctions on companies that collaborate on the work to drill for and produce oil; and the commencement of sanctions on

countries that supposedly support Cuba in accordance with Title III of the Helms-Burton Law, which would permit suits to be brought in US courts against companies and citizens from third countries.

This time the report includes a secret clause which contains recommendations that have not been published, supposedly due to reasons of “national security and effective implementation”. The Cuban people are no strangers to this type of “undercover” measures and actions that the anti-Cuban commission attempts to conceal, and have suffered their brutal effects for more than four decades. These proposed “secrets” have ranged from mercenary military attacks and terrorist acts to hundreds of plots to assassinate President Fidel Castro and other Cuban leaders.

As demonstrated on repeated occasions, by virtue of chapter (c) of article II of the Convention on the Prevention and Punishment of the Crime of Genocide, of 9 December 1948, Geneva Convention, the blockade is defined as a **genocidal act**, and in accordance with the elements established in the London Naval Conference in 1909, is an **act of economic war**. It is thus an **essential component of the policy of State Terrorism**, implemented in a systematic and inhumane manner by the US government against the Cuban people regardless of sex, age, race, religious creed or social standing.

According to extremely conservative analyses the direct economic damage to Cuba caused by the blockade exceeds **86 108 million dollars**: an annual average of 1 832 million dollars. This figure does not include the direct damage to the country’s economic and social objectives through the use of sabotage and terrorist acts encouraged, organized and financed in the United States, which totals more than 54 billion dollars, nor does it include the value of the products that it was not possible to produce or the damage caused by the onerous credit conditions imposed on Cuba.

In the last year, the direct economic damage to Cuba caused by the blockade exceeded 4 108 million dollars.

**Damage and harm caused to the Cuban economy by
the United States blockade**

(Cumulative figures up to 2005)

- In millions of US Dollars -

Income not earned for exports and services	39 427.5
Losses arising from geographical relocation of trade	19 592.0
Damage to production and services	2 866.2
Technological blockade	8 483.2
Damage to services for the population	1 565.3
Monetary and financial damage	8 640.2
Impact of the brain drain	5 533.8
Total impact of United States embargo	86 108.2

In 2005 at least 38 countries were affected by the extraterritorial provisions of the blockade on Cuba.

The fines handed down by the Office of Foreign Assets Control (OFAC) to US citizens for visiting Cuba and purchasing Cuban goods increased by 54%. Last year the number of Cubans residing in the US who traveled to Cuba directly from this country fell by 54% in relation to 2003, when the additional restrictions established on 30 June 2004 were not in place.

In the first semester of 2006, 73% of the requests for visas made by Cuban officials to visit the US for various work-related reasons were

denied by the Department of State.

For the fiscal year of 2006 alone the US government set aside more than 37 million dollars on illegal radio and television transmissions to Cuba with the aim of stimulating internal subversion. This figure represents an increase of around 10 million dollars with relation to the amount approved under the same heading for 2004 and could be increased as a result of the action proposed for the second version of the Plan to Annex Cuba.

1. Intensification of the blockade by the United States

1.1 Action taken against Cuba

- On 2 June 2005, the Coordinator of the Office of Cuban Affairs of the Department of State, Kevin Whitaker, said that the “Commission for Assistance to a Free Cuba” had made significant progress in the tasks set out and more were planned for the future. He added that since August 2004 the number of trips made by Americans to Cuba has decreased, the country’s income had fallen by almost 60% and weekly flights were made with the purpose of performing the television transmissions, which as we know, are aimed at encouraging internal subversion and violate international treaties on the use of electronic radio space.
- On 27 July 2005, the then Assistant Secretary of State for Western Hemisphere Affairs, Roger Noriega, cynically highlighted the fact that 8 900 000 dollars would be granted by 2005, along with another 15 million dollars by 2006, to be used to implement the recommendations of the “Commission for Assistance to a Free Cuba”.
- On 11 August 2005, the Department of Justice announced that the Foreign Claims settlement Commission had established a second program on Cuba for American corporations and citizens who have fresh claims against the Cuban Government for property nationalized after the previous program came to an end on 1 May 1967.
- On 4 October 2005, the Bureau of Hemisphere Affairs of the Department of State published a press release regarding the main initiatives developed by the Bush Administration in the Americas, including the adoption of a new policy to refuse to grant working visas for the US to Cuban artists whose activities, according to the

report, would bring financial benefits to the “Castro regime”. The cultural exchange between the two peoples has been further hindered.

- In October 2005, Caleb McCarry, appointed by the Department of State as Cuba Transition Coordinator and who in practice is the supposed proconsul for the “change of regime” on the Island, said that in the months following the application of the Plan to Annex Cuba, the reinforcement of the economic embargo caused a total of 500 million dollars worth of losses to the Castro regime.
- On 27 January 2006, the OFAC began to audit travel agencies that offered trips to Cuba, with the aim of commencing a true reign of terror and making the travel ban even stricter. The OFAC spokesperson, Molly Millerwise, announced that this Office would perform around 25 similar audits each year in order to ensure that travel agents followed established stipulations to the letter, to teach them about the need to uphold the restrictions in force and to strengthen the provisions of the OFAC so as to fulfill the sanctions against Cuba. Several agencies have had their licenses to operate revoked.
- On 13 February 2006, new OFAC regulations came into effect regarding the fining system for banking institutions that violate US legislation regarding the sanctions imposed on several countries, including Cuba. The transgressors could undergo a civil investigation, an OFAC evaluation of how they violated said legislation, or a criminal investigation and trial. Although in essence this measure does not alter the current regulations, it puts pressure on banks in compliance with provisions of the blockade.
- On 4 May 2006, the anti-Cuban representative, Ileana Ros-Lehtinen (R-FL), a prime example of the anti-Cuban mafia of Miami, presented draft law H.R. 5292 “To exclude from admission to the United States aliens who have made investments contributing to

the enhancement of the ability of Cuba to develop its petroleum resources, and for other purposes." This project proposes to ban bank credit, specific licenses or export permits and to refuse to grant loans to foreign companies making investments in this field that are valued at 1 million dollars or over.

- On 11 May, the representative of the anti-Cuban mafia in the US Senate, Mel Martinez (R-FL) introduced draft law S. 2795, with the same title and similar content as H.R. 5292, which was presented by representative Ros-Lehtinen (R-FL) a week earlier.

1.2 Ways in which individuals, institutions and NGO's are harassed, threatened and sanctioned

The persecution of and sanctions on citizens and companies have been stepped up, especially for travel agencies, which have been the focus of an auditing program and subsequent sanctions. The pressure exerted on American religious, academic and non-governmental organizations has intensified in an attempt to prevent relations and exchanges between them and their Cuban counterparts from developing.

In 2005 the OFAC fined eight companies and banking institutions a total of 44 225 dollars for supposedly violating various stipulations of the blockade on Cuba. It also fined 487 citizens or residents of the US a total of 529 743 dollars for violating the blockade and specifically the stipulations regarding visits to Cuba, which represents an increase with relation to 2004, a year in which 316 people were fined for a total sum of 497 thousand 780 dollars.

Persecution and reprisals of citizens and companies

- On 12 October 2005, the OFAC announced that six US citizens

had been fined a total of 8 875 dollars for traveling to Cuba and thus violating the stipulations of the blockade. Four of these citizens were fined for the sole crime of staying in accommodation, traveling around and buying food and drink in Cuba. The other two were sanctioned for taking Cuban merchandise into the US. This clause is even applied to persons who enter the US with a simple bottle of rum or a Cuban cigar.

- On this same date, the Archer Daniels Midland company (ADM) was fined 13 750 dollars for supposedly violating stipulations of the blockade on Cuba between February and March 2000. According to the OFAC, the company Finora Canada Ltd, a subsidiary of ADM based in Canada, signed a contract with a Cuban government entity with which they performed exportation transactions.
- On 3 January 2006, the OFAC announced that four US citizens had been fined a total of 4 200 dollars for visiting Cuba and spending their time on the island in a manner characteristic of tourists.
- In January 2006, the OFAC sent its “updated” black list to the Tax Administration Service of Mexico (SAT), requesting that the accounts of companies and persons connected to drug trafficking, financing terrorism and the Cuban government be blocked, adding that the Treasury Department had identified nine companies and nine persons in Mexico with links to the Cuban government.
- In February 2006, the OFAC announced that three people had been fined a total of 3 000 dollars for having supposedly performed travel-related transactions, and for also importing banned Cuban goods.

- In April 2006, as part of the in situ auditing program, implemented by the OFAC, of travel agencies whose destinations include Cuba, sixteen companies lost authorization to offer trips to the Island in March and the figure has now reached twenty six. Four of these companies lost authorization because it was considered that they had “blatantly violated” the conditions established in their licenses. These companies are: Baby Envíos Travel, Fortuna Travel Services, Cubatur Express and La Estrella de Cuba.
- At the end of May 2006, the OFAC suspended the licenses of three of the main agencies providing travel and remittance services to Cuba, namely: La Perla del Caribe, Transeair Travel and Uno Remittance Inc. The latter specialized in sending family remittances.

Pressure on American Religious, Academic and Non-Governmental Organizations.

- In July 2005, officials from the Department of Customs and Border Protection confiscated the 43 boxes containing computer equipment that were to be donated to the children of Cuba as humanitarian aid from the Pastors for the Peace Caravan, an American inter-religious organization, thus preventing this equipment from arriving at its final destination.
- On 22 November 2005, the Treasury Department refused to renew the licenses to travel to Cuba of the National Council of Churches USA.
- In December 2005, the US Department of Commerce refused to grant the license requested by the American NGO, USA/CubaInfoMed, to donate 126 computers to Cuba for use in teaching and assistance work, compiling and analyzing

information and teaching televised classes in five hospitals of the national public health system.

- In 2005 the policy of denying US universities licenses to develop academic activities in Cuba was stepped up. A notable example of this is the University of Harvard which was twice refused authorization to bring groups of postgraduate students to Cuba to conduct research. It is worth mentioning that according to the draconian measures adopted in 2004 such activities are in theory permitted, although the necessary licenses were not granted by the OFAC.
- Hundreds of members of the Venceremos Brigade and the American Organization, Pastors for the Peace, were threatened by US federal authorities with being fined for traveling to Cuba.

1.3 Opposition to the blockade within the United States

Despite the extreme pressure and measures adopted, the increase in the federal funds set aside for this and the reinforcement of the aggressive behavior of the anti-Cuban lobby established by the terrorist mafia of Miami in cahoots with the representatives of the aggressive and annexationist policy for Cuba within the circles of power in the US, it has been impossible to silence the voices that speak out for change in the US policy regarding the Island. Among the activists campaigning for change are distinguished political figures, business sectors, state governments, religious leaders and non-governmental organizations which openly state their opposition to the blockade.

On 21 June 2005, the Assignment Committee of the House of Representatives of Congress of the United States approved an amendment to the “Law of Assignments for the Transport, Treasury and Housing Departments, year 2006”, which prohibits the use of

funds set aside to administer or implement the OFAC measure of 22 February 2005, which made the concept of advanced payments for the purchase of food products from Cuba to the United States more restrictive. This proposal, which was also approved in the Senate, did not become law as president Bush threatened to veto it.

On 30 June 2005, the democrat minority leader of the Senate Finance Committee issued a press release ratifying his decision to block any nominations for high ranking positions in the Treasury Department as long as the Administration continued to impose restrictions on trade with Cuba.

On 8 July 2005, as proof of the growing interest of US sectors to normalize commercial relations between the two countries, the USA-Cuba Trade Association sent a letter, signed by 62 national associations, organizations and agricultural companies based in 20 states, to more than 20 senators, including members of the Assignment Committee, demanding that action be taken to relax the restrictions imposed on the sale of agricultural products to Cuba.

Between 1 and 5 November 2005, some 360 businessmen from thirty US states traveled to Cuba to take part in the International Fair of Havana, in representation of 169 companies. Numerous state authorities also attended this event.

On 3 March 2006, 105 members of congress sent a letter to the Secretary of the Treasury, questioning the measures taken by this Department to “prevent several religious organizations’ from visiting Cuba”. Some days later important American religious leaders sent communiqués to the Secretary of State and the Secretary of the Treasury, expressing their profound objection to the new OFAC policy of refusing to renew the licenses to visit Cuba of national churches and ecumenical agencies , and to demand that the rights that they have enjoyed for many years in this regard be respected.

On 29 March 2006, the Council of Detroit approved the “Resolution to Support the Five”, which besides requesting that the Five Cuban Heroes unjustly imprisoned in US jails be freed, also demands that the blockade be lifted, that travel and trade liberties relating to Cuba be restored, and that renowned terrorist, Luis Posada Carriles, be extradited to Venezuela.

On 6 April 2006, Alabama State Legislature passed Joint Resolution HJR, “urging Congress to eliminate trade, travel and financial restrictions placed on Cuba”.

On 13 April 2006, a seminar entitled *Doing Business in Cuba*, took place in Orlando, Florida, and was attended by 54 representatives of American companies interested in embarking on or increasing trade relations with the Island. The event was organized by the USA-Cuba Commercial Association (USCTA) with the aim of officially establishing a section in Florida.

During the 29th Annual Legislative Conference of the National Black Caucus of State Legislators (NBCSL), a Resolution was passed “demanding that President Bush lift the embargo on Cuba and requesting that diplomatic relations be re-established” with our country.

On 11 May 2006, Draft Law S.2787, *Western Hemisphere Energy Security Act 2006* was presented to the Senate which allows US citizens or foreigners with permanent residence in the US to take part in the exploration and extraction of hydrocarbons anywhere within the foreign maritime exclusive economic zone, contiguous to the US exclusive economic zone; to export any equipment necessary to explore and extract hydrocarbons without the need for licenses; and which allows persons involved in the aforementioned activities to travel from and within Cuba.

On this same day, Draft Law H.R. 5353, “Western Hemisphere Energy Security Act”, was introduced to the Chamber of Representatives, which also demands that the blockade be relaxed in terms of the restrictions placed on trips and investments related to the energy sector in Cuba.

Despite the increase in travel restrictions, the US government has been unable to curb the interest shown by many political representatives, businessmen, religious followers and people from other fields, to visit our country and hold a frank and unbiased exchange based on mutual respect. In the period covered by this report, Cuba received visits from 2 Governors, 1 Vice-Governor, 1 Senator, 1 Representative, 2 Congress assistants, several State figures and more than 360 businessmen representing more than 30 States.

2. The extraterritorial nature of the blockade policy

During this period the extraterritorial application of laws related to the blockade on Cuba continued to affect States, citizens and companies from third countries. This policy prohibits:

- Subsidiaries of American companies in third countries from carrying out any kind of transaction with Cuban companies.
- Companies from third countries from exporting products of Cuban origin or products containing any Cuban component part to the US.
- Companies from third countries from selling goods or services to Cuba whose technology contains more than 10% of US component parts, even though the owners are nationals of these

countries.

- Vessels transporting products to or from Cuba from entering US ports, regardless of the country of registration.
- Banks from third countries from opening accounts in US dollars with legal or natural persons from Cuba or from performing financial transactions in said currency with Cuban entities or persons.
- Businessmen from third countries from performing investments or business agreements with Cuba in property which is the subject of claims from US citizens or persons born in Cuba who have been naturalized.

Anyone who fails to fulfill these stipulations could incur serious fines or sanctions from the US government.

2.1 Persecution and punitive measures against Cuban financial assets

Thanks to the new regulations adopted by the OFAC at the beginning of 2006, aimed at financially harassing Cuban assets, the application of sanctions on third countries which violate its provisions was made standard procedure by way of the US bank regulatory bodies.

During the period covered by this report, there was a marked increase in the pressure on foreign banks to cut correspondence relations with Cuban banks. This action, extraterritorial in nature, has been fundamentally directed at banks that have maintained stable relations with Cuban entities. To give some examples:

- In October 2005, the Union Bank of Switzerland (UBS)

discontinued the current account in dollars and Swiss francs that it provided to the Cuban banking system and began to reject all operations with the country's banks out of fear that the new US sanctions would be imposed on them.

- In September 2005, the London Bank, HSBC, took the unilateral decision to close the dollar account that the Banco Metropolitano had opened with them. This bank's branch in Canada returned payments to the sum of one million Canadian dollars and 819 900 euros sent by way of the Banco Internacional de Comercio S.A. (BICSA), citing the reasons for this action as being the anti-Cuban regulations of the OFAC. In February 2006, this same bank refused to process a transfer of 15 500 Canadian dollars to Cuba for the same reasons.
- On 7 November 2005, the Natexis Banques Populaires of France informed the Banco Internacional de Comercio S.A. that they were unwilling to notify a non-confirmed letter of credit for a sum of 903 900 dollars, payable in euros, which brought about the cancellation of credit and forced them to transfer to another bank.
- The Republic Bank, whose central office is based in Trinidad and Tobago, phoned the BICSA to inform them that they were unwilling to continue to process the payments that Cuba makes to US farmers, for sales made by this country to the Island, which affects transfers made by Cuban importation company, ALIMPORT, to American exporters of payments duly authorized by license.
- On 21 February 2006, the Deutsche Bank Trust Company Americas of New York confiscated a remittance of 330 dollars deposited in the Union National Bank of Abu Dhabi, United Arab Emirates, for a Cuban citizen, so that this person could carry out

procedures to request a passport in the Cuban Embassy in Egypt, citing the provisions of the blockade as the reason for their action.

- In February 2006, the Argentinean company, FURBIA INTERNATIONAL S.A. (Export-Import) was forced to close its bank accounts in Discount Bank in Uruguay, as well as its accounts in the US, through which they had operated for more than 35 years. The reason for this was the banking entity was sent orders from the central office located in the US. It was claimed that the name of the President of the company was registered on the List of Specially Appointed Nationals due to his long-standing commercial links with Cuba.
- In March 2006, the Jamaican branch of the Bank of Nova Scotia, Canada, informed the Cuban Embassy in Jamaica that it would be unable to maintain the account of this mission open or perform transfers of funds in US dollars, in blatant violation of the Jamaican and Canadian legislation. In the latter country, the Foreign Extraterritorial Measures Act (FEMA) is in force, which aims to protect Canadian companies from the extraterritorial provisions of the Helms-Burton Law.
- A bank transfer to the sum of 2 154 euros made by NEDBANK (the Bank of Namibia and South Africa) on behalf of the Cuban company PESPORT, of the Ministry of the Fishing Industry, by virtue of the operations carried out with the Namibian company DRAGNAM, was withheld by an American bank.
- The research group, the Bird Ecology Group, of the Faculty of Biology of the University of Havana, were unable to receive the finance of 30 thousand Sterling Pounds, awarded to them by the UK Non-Governmental Organization, Whitley Fund for Nature, which would have been used to continue a project already

underway. The first bank transfer of 15 thousand Sterling Pounds was made via the HSBC Bank PLC of London, which sent funds by way of New York, which never arrived at their final destination. The bank informed the NGO that these funds had been withheld by the US Treasury Department.

Contributions made by Cuba to multilateral organizations have also been subjected to this perverted harassment. During the first half of 2006, Cuba was unable to pay its fees to two international bodies based in Geneva: the International Union of Telecommunications (UIT) and the World Meteorological Organization (WMO) because the Swiss Bank, UBS, which receives the accounts of both international organizations, refused to receive transfers from Cuba.

Likewise, several international officials from Cuba have received letters requesting that they close their accounts in US dollars with the threat that these could be cancelled. Such was the case of officials hired by the World Health Organization (WHO), the Pan-American Health Organization (PAHO), the World Food Program (WFP), the United Nations Environmental Program (UNEP), the United Nations Population Fund (UNFPA), and the World Intellectual Property Organization, etc.

Banks have behaved in this way against Cuban officials hired as international officials because of the "Process for the application of economic sanctions for banking institution", publicly announced by the OFAC at the beginning of 2006. With these actions the United States also sanctions International Bodies and their staff in yet another display of their total disregard for multilateralism.

In a report sent by the OFAC to the US Congress announced that in 2005 the sum of Cuban assets frozen in US banks as a result of the blockade totaled 268 300 000 dollars.

2.2 Examples of extraterritoriality in other sectors

- In February 2006, the Cuban business delegation participating in the Cuba-United States Conference on Energy, held in Mexico City, was ejected from the Maria Isabel Sheraton Hotel where they were staying, on the orders of the Treasury Department. This facility is owned by the American firm, Starwood Hotels and Resorts Worldwide. The management of this hotel confiscated the deposit made by the Cuban delegation for their stay and sent it to the OFAC, adding it to the Cuban funds frozen by the US government.
- The reparations that it was necessary to make to the Factory of the Moa Nickel Company S.A. were more costly than planned and the schedule was postponed due to the fact that the Brazilian supplier, Orion, had to pull out of the contract for the capital reparation of Turbogenerator No.1 as it was a subsidiary of an American company. As a result, Cuba had to turn to other suppliers to complete the work. This Brazilian company was threatened with reprisals, including possibility that the people in Brazil who had taken part in negotiating the contract with Cuba would be fired.
- Due to the fact that the Canadian company, Cytec, refused to sell the extracting reagent Cyanex 272, which was to be used in the new technology to improve the COREFCO nickel refinery in Canada, this project was delayed by 7 months and the cost of refinement increased by approximately 2.20 dollars per lb of Ni + Co.
- In July 2005, the company, Dresser-Rand Group Inc., ordered its subsidiary in Brazil to halt negotiations with the Cuban-Canadian joint company, Moa Nickel S.A., of the mining sector. This company, which is based in New York and produces turbines and

compressors for the energy industry, publicly announced in April 2006 that it was very probable that the sanctions would be handed down by the US government as a result of the deals that its subsidiary made with the Cuban company.

- In October and November 2005, Spanish hotel chains, in particular Majorcan chains that manage or have invested in hotels in Cuba, began to receive notifications from the US Department of State, informing them that as they were supposedly occupying confiscated property in Cuba and were financing it to their own ends, the owners of the company, the staff, shareholders and family members were prohibited from entering the country. This text was signed by the coordinator of the Office of Cuban Affairs, Stephen G. McFarland.
- A request to the Spanish company, ALCOA, for 2 000 tons of aluminum fixtures needed to make the doors and windows necessary to remodel Cuban polyclinics, hospitals and schools could not be answered as the head office of this company is located in the United States and it was thus unable to supply the material needed.
- The negotiations carried out in January 2006 with the Canadian branch of one of the four main independent record distribution companies in the US, in the framework of the MIDEM Fair in Cannes, France, were interrupted when the company's legal department announced that a very costly "legal investigation was required to determine the mechanisms and legal aspects related to the possibility of selling the Cuban product in Canada, and especially in the United States".
- Raysel Sosa Rojas, a young boy from Cuba and winner of the world painting competition about the environment, sponsored by the United Nations Environmental Program, was unable to

receive his prize as the Japanese company, Nikon, refused to give him a digital camera, the prize awarded to the winners from each region, on the grounds that it was prohibited by the US blockade. Neither has he received the 1000 dollars prize money also due him as the organizers of the competition claim that, due to difficulties that have arisen with some banks, they are still trying to find a way to send it to him.

The extraterritorial nature of the blockade can also be seen in the systematic acts aimed at preventing our country from gaining access to modern technology and breakthroughs in science, as well as at hindering the attempts of our technicians and professionals to enhance their skills:

- A Cuban specialist who works for a foreign company with business in Cuba, and who when on a trip to Canada to receive training for the PLC 5 automated control systems used in his company, was expelled on his second day of training when his nationality was discovered. He was told that his participation in the course violated the “US Export Administration Regulations”.
- Negotiations regarding the Flight Simulator, contracted for Cuba by the International Civil Aviation Organization (ICAO) on behalf of the Canadian firm, ADACEL, could not be finalized as the General Manager and the Financial Manager of this firm, who were American, stated that the laws of their country prevented them from making any type of contractual agreement with Cuba. As there is no Simulator in Cuba, the Cuban Airport and Aeronautical Services Company (ECASA) is obliged to spend approximately 250 000 dollars a year on re-evaluate air transport controllers abroad.
- The Dutch entity that acted as the middleman through which the e-business, ePayment-Cuba, made their payments, announced in June 2005 that it was withdrawing from the business as the laws

of the blockade prevented them from continuing to offer these services to Cuba. This caused business to come to a standstill for 3 months, causing losses of 10 000 dollars.

2.3 The damage caused to foreign trade

During the period covered, old mechanisms created to persecute Cuban funds and commercial operations were strengthened, even in the most diverse markets, supported by the recommendation of the so-called Commission for a Free Cuba, making use of the extraterritorial nature of the laws and regulations of the blockade.

It is paradoxical that in his report from February 2006 (WT/TPR/S/160) issued in the context of the United States Commercial Policy Examination, held from the 22nd to the 24th of that month, the secretary of the World Trade Organization (WTO) would indicate that the US should reduce or relax its trade controls and restrictions for around a dozen countries (several European countries, Iraq and Libya), while with regards to Cuba, the complete opposite happened.

As a result, in 2005 the losses to foreign trade exceeded 945 320 000 dollars, which constitutes an increase of almost 15% in comparison to the year before, and which in absolute value represents 122 720 000 dollars more than the sum recorded in 2004. Cuba's ability to maintain and develop its foreign trade in spite of the difficulties created by the cruel treatment of the government of the United States has once again been put to the test.

Although the greatest damage registered in 2005 was caused by the fact that it was impossible to access the US market, both with regard to exportations and Cuban importations – with a negative impact of 536 790 000 dollars – damage to the financial sector was also caused by the fact that Cuba is thought to be high risk thanks to the

fact that it is a country blockaded by the US, which by its total sum created a very serious negative impact for Cuban foreign trade.

In 2005, this damage amounted to more the 320 765 000 dollars, which reflects the difficult financing conditions imposed on Cuba as a result of the fact that generally speaking loans are granted under terms that are more burdensome than those usually offered on the international market.

In 2005, the limited purchases of agricultural products – including food – from the US caused economic damage to the sum of 66 300 000 dollars. The restrictions and complicated mechanisms established by the US government for the sale of these products to Cuba remained in place, which created additional expenses in the form of currency exchange as transactions are carried out through intermediary banks; delays in the unloading of vessels as a result of the fact that payments made by the Cuban marketing entity were received late; and the increase in freight charges by approximately 20% due to it being impossible to use the Cuban fleet to transport these products and to vessels from the US or other countries participating in these operations being prohibited from transporting loads to Cuba.

Added to this are the difficulties that accompany the issue of export licenses, as well as the most severe application of restrictions of the issue and renewal of travel licenses for executives.

The effects of the blockade have increased as a result of the intense and rapid process of international takeovers, mergers, megamergers and strategic alliances in the context of neoliberal globalization, something in which the United States plays a significant role. This situation intensifies the impact of the blockade in Cuba's now reduced foreign economic space, which is making it increasingly difficult to keep our commercial relations stable and search for new

suppliers. In the period covered by this report alone, Cuba was affected, if by nothing else, by the takeover of 16 companies from third countries by companies from the United States, which for our country meant a loss of markets in 8 countries, which we will not be able to access again.

2.4 Section 211 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 and the new aggression regarding brand names.

In the World Trade Organization, Cuba, for the eighth year in a row, denounced the application by the US government of Section 211 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, which prevents Cuban titleholders or their successors, including foreign companies with interests in Cuba, from being able to acknowledge and enjoy their rights over brands or trade marks that are registered and protected in Cuba and associated with property that has now been nationalized by the Cuban government in the United States.

It is worthwhile remembering that this measure was approved in October 1998 by US Congress, by way of a process which was very secretive and aimed to benefit the Bacardi company, which has considerable influence within the circles of power in the US and a long history of promoting action against the Cuban Revolution. Therefore the application of Section 211 has very negative implications, not only in terms of bilateral relations between Cuba and the United States, but also for multilateral relation.

With regards to bilateral relations, the economic, commercial and financial blockade imposed on Cuba has been intensified in an attempt to prevent the development of foreign investments on the Island, connected to the international marketing of Cuban products, whose brand names and trade names have international prestige.

Up until Section 211 was passed, despite the blockade, both sides had continued to acknowledge the rights of natural and legal titleholders from both countries with regard to intellectual property.

The application of the aforementioned Section by a court in New York prevented a ruling in favor of a company with Cuban and French interests, Havana Club Holding, in a lawsuit that began in 1996, that is to say, before Section 211 was passed.

In fulfillment of their international obligations and despite the policy of blockade and hostility upheld by the US government, Cuba has honored and continues to protect the rights of hundreds of US companies that in the country that still recognize the registration of more than 5 thousand brands, trade marks and patents.

In January 2002, the Appeal Body of the World Trade Organization (WTO) decided, at the request of the European Union, that Section 211 violates the stipulations of the National Treatment and of the Most-Favored-Nation Treatment of the Agreement on the Aspects of Intellectual Property Related to Trade (TRIPs), and urged the United States to adjust said legislation to meet these stipulations within a reasonable amount of time.

The fact that the US government has repeatedly put off complying with the verdict of the competent organ of the WTO has provided irrefutable proof of their lack of political will to resolve this lawsuit.

On 28 July 2006, the Office for the Control of Foreign Assets of the US Treasury Department refused to grant a specific license to the Cuban company, Cubaexport, which would have permitted this entity to renew the registration of the Havana Club brand name before the Office of Brands and Patents of this country.

On 3 August 2006 the Office of Brands and Patents of the United

States announced that they were going to cancel the registration of the Havana Club brand name by the Cubaexport company due to their inability to pay the rate required for the registration.

If Bacardi sells rum under the brand of Havana Club, this constitutes an act that violates the US and international legislation regarding brand names.

Another similar example of the theft of a prestigious Cuban brand name took place on 19 June 2006, when the Supreme Court of the United States refused to review the decision made by the Court of Appeal of the Second Circuit of New York, regarding the prestigious brand of Cuban cigars known as Cohiba. According to the arguments put forth by said Court of Appeal, in the case of Cuba the illegitimate and unilateral rules that regulate the hostile policy of the blockade take precedence over the international obligations of the United States.

This action was encouraged by the US government, which recommended that the Supreme Court not review the case, arguing that the Cuban company owning the rights to the Cohiba brand name could request a license from the US government to register the brand under their name.

When giving their legal view of the situation to the Supreme Court, the US government failed to mention that the Cuban company has already requested said license and had never been given an answer.

The fact that the United States has maintained Section 211 and has implemented other actions aimed at usurping Cuban brand names in the United States with high international profiles protected by international agreements and treaties, could lead to uncertainty and debate regarding these rights, which would be detrimental not only to Cuba, but also to the economic and commercial interests of entities

in the United States.

3. The damage caused to diverse economic and social sectors

3.1 Damage caused to the sectors of greatest social impact and others.

The harmful effects of the blockade on the economy and on the living conditions of the Cuban people are appreciable. Although all of the sectors, branches or economic activities have suffered the consequences of the blockade, it is in the fields of food, healthcare, education, sport and transport where the harmful effects of this policy on the Cuban population are most conspicuous.

Food

Between April 2005 and March 2006, the blockade caused damage to the Food Industry of more than 62 900 000 dollars, due mainly to its negative impact on the production of food for the population. With a similar amount of money it would have been possible to perform a technological reconditioning and partial modernization of the Cuban Dairy Industry.

The fact that access to the US market – which includes leading poultry companies —is prohibited, Cuba's capacity to introduce improved technology to this sector is thus limited, which prevents the country from being able to obtain machinery, incubation facilities and other resources needed for the national poultry production program. Had been possible to develop these technological capacities, Cuba would have managed to increase productivity by an extra 133 million eggs, which would have provided a stable and secure source of

proteins for our people.

The economic blockade also generates risks for the country that imply financial losses for the Cuban economy. An example is the losses brought about when large amounts of resources are stored for a long period of time. In 2005, the consequences of the blockade forced Cuba to invest more than 12 million dollars because the country must inventories that exceed the actual amount of food products. As a result of this storage capacities increase by 70% in relation to the total space that would exist if this country wasn't affected by this hostile policy.

Due to the fact that Cuba cannot access the US market, Cuban companies from the fishing sector have also been unable to obtain the HACCP based analysis kits that are supplied by the US company, NEOGEN. This analytical method makes it possible to monitor the food security management systems. As a result of this, we have had no other option but to use control procedures that raise the price of operating our quality systems.

Healthcare

During the period covered by this report, the blockade caused damage to the healthcare sector valued at 48.6 million dollars, a figure which doesn't take into account the pain and suffering that this policy has caused to our people. Cuba could have invested this money into programs to remodel polyclinics and hospitals or spent it on sufficient disposable medical material for one year' worth of work in the country's health institutions.

Below are some examples of the damage caused by the blockade in this sector.

- The treatment of patients requiring dialysis in Cuba has been

affected. Leading world companies in this area, such as the US firm, Baxter, have been prevented from responding to requests by Cuba to develop their Continuous Ambulatory Peritoneal Dialysis (CAPD). Cuba proposed that said company begin to perform CAPD on children suffering from Terminal Chronic Renal Insufficiency who lived in out-of-the-way rural areas, using the infrastructure offered by the National Health System's Primary Care Network, which to date has 2032 patients in need of this treatment, 30 of whom are children. The blockade prevents these sick children from benefiting from the new technique, and limits their treatment to the traditional method of intermittent peritoneal dialysis, which means that they have to go to the hospital every other day to receive treatment.

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Atlantic Philanthropic, a US NGO, was unable to donate a molecular biology laboratory to Cuba's Nephrology Institute, because the US Treasury Department did not authorize the transaction. This deprived the institution of advanced technologies that would have allowed a greater percentage of patients to undergo successful kidney transplants.

- Denied the possibility of purchasing replacement pieces in the US market, the Oncology and Radiobiology Institute was unable to repair high-resolution color printers manufactured by Lex Mark (a US company) which are employed by radio-therapy units.
- The need to import pesticides, fumigation equipment and medical entomology supplies from distant markets because of the prohibition to access the US market, increased prices. As a result of this, the costs were 25% greater than what they would have been had this equipment and these pesticides been purchased in the United States.
- The Pedro Kouri Institute for Tropical Medicine (IPK) has not been able to acquire the equipment needed to employ the pulsed-field electrophoresis method because the firm which sells it (BIORAD) is a US company. The Pedro Kouri Institute belongs to the Latin American network PULSENET, an epidemiological system responsible for monitoring the Salmonella, Escherichia Coli, Shigella and Vibrio Cholerae bacteria —the cause of severe gastro-intestinal infections, especially in children— at the molecular level. Though Cuba is part of this network, BIORAD has turned down requests to acquire the equipment.

Cuba has been forced to turn to other markets to purchase medical supplies, at costs higher than those of the US market, as illustrated by the following cases:

- Following the exhaustion of IPK's supplies and by virtue of The Global Fund to Fight AIDS, Tuberculosis and Malaria, a UNDP project, the US laboratory GILEAD was approached for the purchase of Tenofovir (Viread), an anti-retroviral medication. In spite of the urgent nature of the case, this Laboratory responded that it could not sell the product as this required an export license issued by the US government. Cuba thus decided to purchase this medication from the ALFARMA S.A. firm, at an additional cost of 299 988 dollars. In addition to paying more for the product, Cuba saw its possibilities to administer a more modern combination of anti-retroviral agents to HIV/AIDS patients curtailed.
- As part of a national program which Cuba had undertaken with the United Nations Population Fund (UNFPA) in the area of sexual and reproductive health, Cuba sought to purchase the contraceptive drug Depo-Provera from the US transnational company Pfizer. The company responded that, because of the US blockade, they could not provide the product without a number of licenses that would take several months to obtain.

Education

Cuba continues to make progress in the execution of ambitious and revolutionary educational programs of excellence. In these efforts, Cuba has had to confront the negative consequences of the US blockade. It is estimated that in 2005 this criminal policy caused damages for 9.8 million dollars and this in educational and technical materials for different levels of education alone, materials which had to be purchased in other markets at prices which exceed those offered by the United States. Without the blockade, Cuba would have been able to purchase, as a minimum, 25% more educational materials for the nation's schools.

The blockade imposes obstacles upon Cuba which hinder maintenance and repair efforts in schools. In the time covered by this report, Cuba spent 2.3 million dollars over and above what it would have paid in the US market to purchase construction materials needed for schools, owing to the distance of alternative markets. With this money, the country would have been able to complete the construction of 5 special education schools, work for which has been paralyzed, and some 40 kindergartens could have been repaired.

Though Cuba's government has made more investments to guarantee the educational and cultural development of its citizens through comprehensive and top-quality programs, because of the blockade and those provisions which deny the country access to the US market particularly, there is a shortage of complementary reading, teaching and printed materials whose value is estimated at around 4.4 million dollars.

As has been denounced in the past, Cuba continues to run into obstacles to purchase Braille devices for blind or visually impaired children from US suppliers and manufacturers. If the blockade did not exist, Cuba would be able to obtain this equipment in the United States for 700 dollars a unit. Today, it is obliged to purchase these in third countries for 1 000 dollars each. This device and Braille paper are used in special schools for the blind and visually impaired and are indispensable materials in libraries for people with such disabilities, allowing us print the books contained in their collections.

Sports

The blockade has continued to raise the costs of purchasing sport articles and raw materials needed by the Cuban Sports Industry. The need to purchase these products in distant markets alone means excess spending estimated at 72 thousand dollars.

The Cuban Skeet Shooting Team cannot acquire supplies and

instruments such as Beretta rifles because the Italian manufacturer of these products has close commercial links with the United States. The team has also found it impossible to acquire caliber-32 Walter guns and high-quality Eley bullets.

A total of 583 800 dollars were spent to purchase the chronometers needed by physical education teachers. Had these instruments been bought from the US market, 404 600 dollars would have been saved, a sum with which an additional 616 more chronometers could have been purchased.

To purchase the balls needed by the country's schools, Cuba spent 8 966 500 dollars. Had these been purchased from the United States, an additional 2 270 000 balls could have been bought. The price of one ball in the United States is 0.90 US dollars. Cuba has had to purchase balls at an average price of 4.85 dollars a unit.

In the area of sports medicine, Cuba has also had difficulties obtaining basic and auxiliary materials, reagents, medicines, nutrients and other products manufactured in the United States, many a times the highest quality products or the only ones available on the market.

Unable to obtain replacement pieces or information needed to upgrade different technologies, on occasion Cuba has had to shut down expensive equipment used in laboratories, as exemplified by these two cases:

- It has proven impossible to obtain the replacement pieces needed to repair a High Pressure Liquid Chromatograph (HPLC) and a mass spectrometer, as these are manufactured by the US firm Agilent Technologies. As a result of this, both these units are inoperative. To acquire these two devices, the country invested 217 000 dollars.

- The replacement pieces needed to repair an Isotope Ratio Mass Spectrometer manufactured by the German firm Termo Finnigan could not be obtained, as the latter is a subsidiary of Termo Quest, a company based in Austin, Texas. This has forced Cuba to send its biological samples to laboratories abroad, unable to use a piece of equipment which cost 240 000 dollars.

Transportation

The blockade continues to seriously affect the transportation sector and to have a negative impact on our country's economic development and the living standard of our population. The financial damage reported in the period we are focusing on was of 174 millions.

The following examples illustrate the adverse effects of this criminal policy:

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SELECMAR has seen its efforts to enter into agreements with different companies that charter vessels frustrated when the latter have found out that it is a Cuban company. Most of these charter companies have had direct or indirect commercial links with the United States.

- The company Navegación Caribe suffered losses estimated at 106 300 dollars, having had to turn to markets in far-away countries to purchase replacement parts and other components. As 53% of the component pieces in these vessels are US technology, more is spent not only as a result of charter fees but also because intermediaries must be used.
- The Cuban company TRADEX, an importer of automobile parts, replacement parts, accessories and other products and materials needed by the transportation sector, had to spend an extra 33 367 400 dollars to pay for transportation and charter fees, intermediary charges, surcharges and credit costs connected to the risk country factor and the prohibition Cuba faces with respect to using the US dollar in transactions.
- Over the period in question, freight and passenger railway services suffered damages estimated at 16 800 million because scheduled services could not be offered due to a lack of replacement pieces needed to repair locomotives. As these locomotives have a high number of components manufactured by US companies, their maintenance and repair becomes an extremely difficult process.

3.2 Impact on other sectors of Cuba's economy

The provisions and regulations that make up the US blockade policy have a negative impact on all sectors of Cuba's economy.

Cuba's **cultural sector** has suffered from significant limitations imposed upon the exchange of scientific and literary publications and articles between Cuba and the United States and upon the distribution and sale of other Cuban cultural products in that country's market.

Copyright payments that foreign entities must make to the Latin American Literary Agency based in Havana could not be made because of the impossibility of issuing checks or making bank transfers in dollars through US banks or financial institutions whose head offices are based in the United States. This resulted in losses of up to 30%.

The sale of Cuban literature has run into serious obstacles, as Cuba cannot participate in trade fairs sponsored by US entities. These fairs include Puerto Rico's International Book Fair and the Miami Book Fair. Unable to sell directly to the public at these events, Cuba has experienced losses estimated at 5 million dollars.

Contracts with Forsa Editores and the University of Puerto Rico, for a total value of 25 million dollars, were cancelled.

Instruments indispensable to art schools (violins, pianos, double basses, flutes, ballet pointe and half-pointe shoes, tights, maillots and leotards) have had to be purchased in third countries, at an additional cost of 16% or 2.5 million dollars.

Efforts to enter into an agreement with a US broadcaster and grant it a license to televise Cuba's National Baseball Series (for a total of 350 000 dollars) failed as the broadcaster feared a reprisal from the US government.

An additional 43 631 dollars had to be invested in the new channel Canal de Televisión Habana, enjoyed by the entire capital free of charge, due to the need to carry out transactions with a sales

intermediary.

Restrictions on trips to Cuba resulted in significant losses for the **tourism industry**. If these restrictions were lifted, at least 15% of US tourists who traveled to the Caribbean in 2005 —1.8 million tourists in total— would have visited the Island, additionally contributing some 1 170 000 dollars to Cuba's economy.

Tourist services have suffered the negative impact of the blockade. The Cuban entity (ITH) responsible for supplying the tourist industry registered losses estimated at 125 000 dollars. These losses resulted from the need to import brand products in high demand among tourists from third markets.

In mid-2005, the British company Lastminute.com, which operates an important online sales system and had several services contracts with the Cuban company Gran Caribe signed in 2004, was bought over by the US company Sabre Holdings. A few weeks later, all contracts were cancelled and sales services discontinued, resulting in the loss of sales to hundreds of potential visitors.

The University of Havana had to pay 40 thousand dollars a year for the bandwidth it required for its Internet service as it was denied access to the sub-aquatic fiber-optic cable. For a service of this nature, a university in any other country in the region pays 600 dollars a year.

The Cuban Office for Information Network Security (OSRI), which created a Computer Incident Response Team, was denied authorization to use the acronym CERT, a registered US trademark. This had serious operational repercussions.

Losses for the **steel and mechanical industry** estimated at resulted in 40 million dollars due to the high interest rates established by

commercial intermediaries, additional spending in charters and containers arising from the need to purchase goods in Europe or Asia, and the impossibility of using the US dollar in commercial transactions, among other factors.

Owing to the impossibility of using the US dollar in commercial transactions, 46 000 additional dollars had to be spent to purchase 35 TSM freight elevators in Japan. The letter of credit had to be sought at a British bank, where the exchange rate, as known, increased the transaction costs.

The repair of 39 elevators purchased between 1998 and 2001 from the Korean company LG has proven impossible as this company has been bought over by the US company OTIS. The cost of changing the technology in these elevators has been estimated at 1.5 million dollars.

Over the period in question, the **civil aviation sector** suffered losses estimated at 173 million dollars as a result of the blockade.

Unable to use US distribution systems, the Cuban airline company Cubana de Aviación has suffered all of the drawbacks of exclusion from these mechanisms. This has reduced access to services offered by our airline companies by 65.7%, a situation which has been denounced before several bodies of the International Civil Aviation Organization (ICAO).

As part of the environmental protection project *Restoration of the Almendares River Basin* undertaken in Havana, 9 mini frontal loaders were purchased from the Italian firm ESSE.I SRL. The company was unable to deliver the products ordered to a Canadian supplier represented by the THOMAS brand because the company's shares were bought by a US firm. As an alternative, similar New

Holland brand models were purchased in Europe, at a price 20% higher than that offered by the Italian firm. The higher charter costs meant additional spending of 202 839 dollars and a delay in the execution of the project.

Restrictions on access to US technologies systematically affect different facilities in the **water sector**. The maintenance of aqueduct lines is thus made more difficult and more water is lost during distribution and use. This results in a 50% increase in water loss during distribution, and this at time when the country experiences a prolonged drought.

Charter costs and increased raw material prices have also had a significant impact on Cuba's **light industry**, especially on the soap and perfume industries and on the leather and footwear sectors. Damages in this connection were estimated at 5 548 000 dollars.

The inability to access the US import market, the risk country factor and the impossibility of using the US dollar in commercial transactions have had their toll on Cuba's **sugar** exports. Considering that, in 1958, Cuban sugar exports accounted for 58.2% of the United States' total volume of imports of this product, it is estimated that, were the United States to import a mere 13% of its sugar from Cuba, the economy would take in 44 777 000 dollars.

3.3 Impact on academic, scientific, cultural and sport-related exchanges between Cuba and the United States.

Regulations designed to prohibit, block or impose conditions upon academic exchanges between the two nations, trips by students and teachers, the flow of scientific information through different channels, the divulging of data and payment for different services in this sphere and the purchase of teaching and research supplies and instruments

are an important part of new blockade provisions imposed upon Cuba by the current US administration.

Over the last 8 years, the Faculty of Industrial Engineering had been sending two guest lecturers to the Peruvian University of Applied Sciences in Lima, lecturers whose work had received very positive evaluations. Last year, a letter from this University which cancelled the convention was received. The reason for the cancellation was that the University had been bought by the US transnational Laureate University.

As a member of the Nodes Network of the Center of Excellence for the American Region, Cuba is at a disadvantage, as it must make greater membership payments due to the impossibility of using US dollars. Because of this difficulty, the International Telecommunications Union (ITU) decided to open an account for Cuba in euros, obliging the country to spend 30 additional euros in each bank transfer.

Conventions between Cuba's National School of Public Health (ENSAP) and other US universities of considerable international prestige such as the John Hopkins, Tulane and South Florida universities, which offered courses on public health to undergraduate and postgraduate students, were also revoked as a result of the intensification of the blockade.

In 2005, the Institute for Tropical Agricultural Studies was not able to avail itself of a scholarship afforded one of its research workers by the Brazilian company EMBRAPA because blockade regulations deny Cuba access to World Bank Funds, whence financing for this scholarship came.

Sharee P. Singh, a renowned scientist of the Center for Tropical Agriculture in Cali, Colombia, had to suspend the collaborative

efforts he had maintained with Cuba for years, surrounding the improvement of bean crops, after he was subjected to pressures at the US university where he was employed.

Cultural exchanges that were traditionally maintained between US ballet companies and Cuba's prestigious National Ballet company were curtailed in 2005 as a result of OFAC prohibitions which became effective in 2004. Similarly, it is estimated that visits by US artists and businesspeople in the field of visual arts, who before traveled to Cuba between 6 and 8 times a year, went down by 75% as a result of these measures.

The elimination of the general permit that allowed US athletes to participate in amateur and semi-professional competitions held in Cuba prevented at least 96 US sportspeople from taking part in sporting events in our country in 2005.

Additional blockade regulations established by OFAC did away with 6 projects known as Semester Programs, which afforded US students the opportunity to hold academic and cultural exchanges with Cuban university students during an academic semester. These programs, organized by different institutions in the United States, benefited around 120 young US students every year.

Around 183 Cubans have been denied visas to participate in scientific, academic, sporting and cultural events in the United States during the period analyzed by this Report. In many cases, requests for visas have never been responded to and, in others, they have been turned down with reference to Section 212 F, which prohibits the entry of individuals whose presence in the country could be "detrimental to the interests of the United States".

The following examples may be mentioned:

- Cuban scientist Dr. Vicente Vérez Bencomo, a renowned

researcher in the field of chemistry who was involved in the development of the first synthetic vaccine against Type B hemophilus influenza was denied a visa on two occasions in 2005. Vérez had been invited to receive the Technology Museum Award in San Diego, California, in recognition of his discovery, and to give a lecture at a meeting of the Society for Glycobiology in Boston, Massachusetts.

- Dr. Rabel Fando from the National Center for Scientific Research was denied a visa to participate in a panel on cholera and other bacterial infections, to which he had been invited, held at the University of Boston, Massachusetts, in August 2005.
- Dr. Olegario Muñiz, a Cuban member of the International Society of Soil Science was not allowed to participate in the event held by this society in the United States in November 2005, as his entry into the United States would supposedly be to "the detriment of US interests".

4. The blockade's impact on the US economy, the US people and other peoples of the world.

The hostile and aggressive blockade policy imposed on Cuba has not only caused incalculable suffering among our citizens. It has also been detrimental to US citizens, limiting their possibilities in terms of business and economic and social benefits, undermining the legitimate economic interests of third countries.

Several studies confirm that the normalization of Cuba – US relations would benefit the US economy. It is estimated that in the first 5 years following the lifting of restrictions on trips, trade and foreign investment, bilateral trade between the two countries would reach the level of 21 billion dollars.

In 2005, the US Treasury's Office for Foreign Assets Control established additional restrictions on trade that have meant significant losses for US producers and entrepreneurs who do business with our country. If current blockade restrictions on US trade with Cuba did not exist, the country would have imported over 800 million dollars in US agricultural products over the period in question. Because of trade obstacles imposed by the blockade, in 2005 US exporters of agricultural products lost nearly 300 million dollars in exports, unable to sell products which were imported from other markets. It is estimated that US rice sales to Cuba dropped 25% as a result of the measures OFAC implemented in 2005.

The costs of healthcare in the United States are extremely high and around 45 million people are without medical insurance. The fierce blockade policy imposed upon Cuba by the United States prevents the people of the United States from benefiting from the internationally acknowledged achievements of the Cuban revolution in the area of health.

As a result of blockade regulations, clinical trials of **TheraCIM** (Nimotuzumab), a Cuban medication for the treatment of brain tumors in children (particularly of the *pontine glioma* sort) have not been conducted in the United States. Of malignant diseases, brain tumors are the main cause of death among children and around 40 thousand people develop these tumors in the United States and Europe a year. To date, all efforts to identify and adequate and effective medication undertaken by scientists in the United States, Europe, Japan and China have failed. **TheraCIM**, developed and registered in Cuba and other countries for the treatment of head and neck cancer, has proven effective in reducing the tumor mass and could benefit children in the United States and other countries afflicted with these tumors.

In the United States there are approximately 20.8 million people (7%

of the population) who suffer from diabetes, a chronic illness for which there is no cure. It is estimated that one out of three children born in the United States in 2000 will contract diabetes at one point in their lives. Foot ulcers are one of the most common complications of diabetes mellitus and a cause of morbidity and mortality. More than 70 000 yearly amputations are reported in the United States alone.

Citoprot P , a unique product and treatment method developed by Cuban scientists to speed up the healing process of diabetic foot ulcers and reduce the risk of having to amputate lower limbs, has been patented in different countries and its patent has also been requested in the United States. This medication offers a real and effective solution to a clinical and social problem and, by preventing amputations, can mean substantial savings for sanitary systems (if we consider that the costs of these amputations can be as high as 60 thousand dollars per patient). Without the blockade, millions of people in the United States, where diabetes and its associated complications are a veritable scourge, could benefit from this Cuban biotechnological product, whose advantages are, to this day, without parallel in the world.

In June 2004, the Cuban government publicly addressed the US administration to offer its free medical services, in Cuba and over a period of five years, for 3 000 poor US citizens, the same number of people who perished in the attacks on the Twin Towers in New York in September 2001. In addition to this, in January 2005, Cuba expressed its willingness to receive 150 000 US patients. On 30 August 2005, the Ministry of Foreign Relations conveyed a governmental message which expressed Cuba's willingness to send health personnel and 3 field hospitals to the areas affected by hurricane Katrina in the United States. Cuba offered to send a medical brigade with proven experience in emergency situations and equipped with the means needed to offer immediate aid to tens of

thousands of US citizens trapped by the floods and in the ruins which this hurricane left behind after lashing Louisiana and other southern states.

Today, Cuba has the highest number of doctors per capita in the world, and no other nation is involved in cooperative efforts in the field of health as much as Cuba. The US government's silence before Cuba's repeated offers of aid revealed that it tacitly turned down these offers. No response was received from US governors to any of our offers of cooperation, revealing their indifference towards the poor and working population of their country, people who could have benefited from Cuba's medical assistance. By tacitly turning down Cuba's offer, they only exacerbated the terrible hardships of 1 200 000 people, predominantly African Americans, who were left homeless in Louisiana, Mississippi and Alabama, of whom around one third or one fourth were children.

In solidarity with the people of the United States and to offer aid to other peoples of the world, Cuba created the Henry Reeve International Contingent of Medical Doctors Specialized in Natural Disasters and Serious Epidemics. To this day, the contingent has saved the lives of more than 1 391 907 people around the world who suffered the consequences of natural catastrophes.

The blockade imposed on Cuba has also been used as a pretext to conceal the US government's lack of willingness to help hurricane Katrina's victims, as exemplified by the fact that the award won by the Cuban team in the First World Baseball Classic was not accepted as a donation for the victims of this natural disaster.

On 14 December 2005, US authorities invoked the blockade on Cuba to try and prevent Cuban athletes from participating in this sporting event. Before the United States turned down Cuba's offer of

medical assistance, Cuba had already decided to offer the money it would obtain from participating in the tournament to the hurricane victims. Faced with strong international pressure which threatened to cancel the event altogether, the US Treasury Department had to accept the participation of Cuba, which holds 3 Olympic titles and 25 world crowns in this discipline. Though an agreement with US representatives officialized Cuba's decision to donate its earnings to the victims of the disaster, the United States once again allowed its hostile policy to interfere with sports, completely disregarding this gesture on behalf of Cuba, which never competed for economic reasons. Ultimately, Cuba came in second place at the First World Baseball Classic.

The US blockade limits the investment possibilities of US companies, especially in the energy sector. A study conducted by the United States Geological Survey (USGS) estimated the significant potential in terms of oil and gas reserves of the North Cuba Basin. According to these estimates, there are potentially between 1 and 9.3 billion barrels of oil and between 1.9 and 22 million million cubic feet of natural gas in the region. The study estimated the probabilities of success at 95%. Though the United States has world-leading companies in the energy sector and is the largest importer of oil in the world, its companies cannot take part in hydrocarbon prospecting and extraction in Cuba's exclusive economic zone (North Cuba Basin), located a mere 85.4 miles from the Florida peninsula. Blockade regulations not only rob US companies of business opportunities but also deprive the United States of energy sources that would contribute to strengthening that country's energy security.

Various studies have estimated that US companies lose a total of 565 million dollars for every million US tourists that cannot visit Cuba. Because of the stricter restrictions on trips to Cuba which came into effect in 2004, only 37 168 US citizens visited Cuba in 2005. If we consider that it is estimated that at least 1.8 million US tourists could

have visited Cuba in 2005, US companies lost the opportunity to earn 996 million dollars as a result of these prohibitions.

The United States imports around 148 000 tons of primary nickel and some 10 000 tons of cobalt from distant markets a year. It is the world's largest consumer of these products. Were blockade restrictions lifted, the United States could benefit from the import of more than 30 000 and 2 000 tons of nickel and cobalt, a year respectively, from Cuba. In addition to being a close market for the United States, our country has some of the largest nickel and cobalt reserves in the world (the second largest nickel reserves in the world) and has many years of experience in the industry, in operation in Cuba since 1943.

5. New measures which encroach upon the sovereignty of Cuba and third countries and affect Cuba's population and economy.

On 10 July 2006, the Bush administration officially unveiled the second version of its plan to annex Cuba, whose additional measures aim to consolidate and deepen the negative impact had by the actions that have been taken since the presidential approval, on 20 May 2004, of the first report of the inaptly called "Commission for Assistance to a Free Cuba".

The new version has confirmed and expanded on the annexationist principles and directives of the first report. The new document is also aimed at depriving the Cuban people of their independence and sovereignty through intensified economic and political aggression. According to the supporters of this new version of the plan to annex Cuba, the sorrows and vicissitudes caused by the anti-Cuban measures which have just been approved would create a climate of discontent and instability that would provide the pretext for a direct US military intervention which would destroy the Cuban revolution and restore imperial control over Cubans.

The new report cynically describes the US government's determination to overthrow existing institutions and abolish Cuban laws—including the very Constitution of the Republic which was approved by more than 95% of Cubans in a referendum—dismantling the political, economic and social system built by the Cuban people from head to tail.

This report goes even further than its predecessor in the design of anti-Cuban measures, explicitly recognizing that many of the measures conceived shall remain secret for "national security reasons" and the need to guarantee "their effective application".

With this strategy, the US government can not only change the content and scope of its anti-Cuban actions, which are hidden from the public gaze, but also guarantee that essential components of its plan to annex Cuba remain immune to any type scrutiny or condemnation. They have given themselves ample elbowroom to execute all manner of plots and aggressive actions against the Cuban people. History is a lucid witness that can attest to the nature and scope of these types of covert activities undertaken by the United States against Cuba, actions which have including everything from a direct military invasion, terrorist attacks and attempts to assassinate top Cuban leaders.

The series of economic and financial pressures brought to bear upon Cuba which are described in the first version of the plan to annex Cuba are now complemented by the establishment of new inter-agency mechanisms designed to more efficiently implement blockade regulations and maximize their extra-territorial effects. These mechanisms are designed to keep Cuban products out, not only of the US market, but that of other countries as well. A clear example is the creation of an Interagency Task Force for the monitoring of Cuban nickel, established to step up control over the

import of products that contain this mineral and to discourage international trade in Cuban nickel and cobalt, measures that are accompanied by the application of severe sanctions on people or companies that violate these regulations. It must be borne in mind that nickel has become one of Cuba's main exports.

The first chapter of the recently published report again recommends the rigorous application of sanctions described in title IV of the Helms-Burton Act, which prohibits the granting of visas to enter the United States to individuals with investments in Cuba. The new document announces that these measures shall be applied with special severity on businesspeople who invest or have invested in sectors of strategic importance to our country, such as oil prospecting and extraction, tourism, nickel and the production and sale of rum and tobacco.

The irrational intensification of the blockade policy's extraterritorial provisions which this report promises includes the recommendation to apply title III of the Helms-Burton Act on the businesspeople of those third countries which, through their economic activities or ties with Cuba, could be considered to be contributing to the continued existence of the revolutionary government.

The application of this title —which calls for the trial, in US courts, of entrepreneurs from third countries who do business with Cuba— had been postponed for years because of international pressures. The cunning and selective nature of the measure (case by case, country by country) seeks to terrorize, through a direct threat, businesspeople and government authorities, whose bilateral and multilateral relations with Cuba would be analyzed and could become the object of law suits, to be instituted in US courts, that could haunt them for the rest of their lives. This measure also aims to divide the international community with respect to its opposition to the implementation of the extraterritorial Helms-Burton Act, the legal

basis and direct precursor of the plan to annex Cuba.

With the publication of this new version of its anti-Cuban plan —a 93-page document divided into 7 chapters—the government of the United States demonstrates that it continues to ignore Cuba's right to self-determination, by virtue of which, and of the UN Charter, it can freely establish its political system and pursue its economic, social and cultural development free from foreign intervention.

The new document supports and consolidates the design of the immoral and aggressive anti-Cuban public diplomacy campaign, defined in the first report of the ill-named Commission for Assistance to a Free Cuba, with a view to securing the cooperation of and subordinating US allies, servants and international organizations in the pursuit of its objectives within the plan to annex Cuba. The latter will not only continue to act as accomplices to the spurious maneuvers aimed at demonizing the Cuban Revolution but will also become involved in the persecution of Cuban earnings and assets abroad.

In this connection, the proposed measures include:

- To involve the governments of third countries and international organizations in the tracking down and persecution of Cuban assets abroad.
- To call on the Group for the Persecution of Cuban Assets to identify additional ways in which Cuban incomes can be curtailed and to identify the assets of Cuban officials abroad.
- To create a coalition of countries committed to the overthrow of the Cuban government. This goal will be included in the agenda for bilateral talks with countries that can be pressured into backing this illegitimate maneuver.

The report includes a number of measures which tighten already existing restrictions on travels and the sending of remittances to Cuba that are imposed on US citizens. In addition to further severing inter-family ties and limiting the ability of family members to help each other mutually, as they do in any culture in the world, these markedly inhumane policies reveal the Bush administration's complete lack of respect for the dignity and traditions of solidarity of the Cuban people.

With these measures, the government of the United States continues to violate article 12 of the International Covenant on Civil and Political Rights, the freedom to travel which all individuals who legally reside in any state in the world have. This principle was ratified by the General Assembly in its resolution 59/203 on "respect for the right to universal freedom of travel and the vital importance of family reunification". The current US administration similarly ignores that, in resolution 60/206 on "Facilitation and reduction of the cost of transfer of migrant remittances", the General Assembly recognized the importance of reducing the costs of the transfer of migrant remittances and urged governments to facilitate such transfers to receiving countries by, among other things, simplifying mechanisms and facilitating access to formal channels for the sending of remittances.

The additional measures included in the new version of the plan to annex Cuba that serve to tighten restrictions in this area include the following decisions:

- To instruct agencies responsible for implementing blockade regulations to carry out legal investigations and even institute proceedings against those who violate OFAC regulations, particularly those who have organized or facilitated trips to Cuba without securing a permit.

- To eliminate the use of credit cards in authorized trips to Cuba.
- To prohibit the direct sending of remittances through institutions in third countries and to demand that all remittances be sent through licensed US companies.
- To apply a new set of criteria for the granting of licenses and establish new information requirements for trip and transportation service providers, including the requirement that these providers undergo a financial audit every year.
- To include those companies that promote the sale of Cuban products, trips to Cuba, the sending of remittances or other unauthorized transactions with our country on the List of Specially Designated Nationals and Blocked Persons.

Seeking to hinder the cooperative efforts that Cuba has undertaken in solidarity with other peoples of the world, including those who have been hit by natural catastrophes and disasters, the report prohibits the export of medical equipment to Cuba that could be used in large-scale humanitarian missions. For Cuba, a developing and blockaded country which has no excess of resources, international cooperation and solidarity efforts mean sharing what it has with the world's neediest, without asking for anything in return. The United States' new anti-Cuban measure runs contrary to the most elementary principles of humanity and solidarity. In its annexationist blindness, the United States even ignores the negative repercussions that its decision spells for the health and very life of millions of people around the world, particularly in the South.

In July 2006, 30 699 Cubans were working in collaborative health missions abroad. The Bush administration has not only denied the people of the United States —and, most tragically, hurricane Katrina's hundreds of thousands of victims—the possibility of benefiting from Cuban medical aid programs, but also wishes to

extend this criminal blockade to other peoples of the world.

The new version of the plan to annex Cuba also includes provisions which call for the tightening of restrictions on the already limited sales of the US business sector to Cuba.

The document also recommends that an additional 80 million dollars be spent over two years to finance international anti-Cuban campaigns and to recruit and pay mercenaries who advance the administration's anti-Cuban policy, in Miami and within Cuba. This sum is 39 million more what the anti-Cuban commission itself, created by President Bush, recommended be spent two years ago, as additional financing for actions aimed at overthrowing the Cuban revolution and imposing a neo-colonial regime in the country.

The report also calls for more funding and materials for the illegal and dirty radio-electronic war against Cuba, to increase the number of broadcasts from third countries.

The new version of the plan to annex Cuba is yet another step taken by the Bush administration towards the perverse objective of imposing a "regime change" in the island against the will of the Cuban people, which would threaten Cuba's very existence as nation. Robbing Cubans of the ownership of their homes and lands, privatizing industry and education, eliminating social security and abolishing the Constitution are among the priorities listed in the plan.

The document repeats the deceitful and hypocritical accusation that Cuba is failing to comply with its obligations under the Migratory Accords and recommends a series of diplomatic efforts against the Cuban government. It attempts to conceal the repercussions of the murderous Cuban Adjustment Act and the United States' rejection of bilateral cooperation proposals which Cuba has advanced on numerous occasions, in the areas of migration, the fight against drug

trafficking and the struggle against terrorism. The Cuban government has always ratified its willingness to enter into agreements, in this and other areas, with the government of the United States and undertake bilateral discussions on any topic on the basis of the strictest respect for and adherence to the principles of legal equality and the sovereignty of states.

The second version of the plan to annex Cuba is congruous with the historical objective that, over the last four decades, successive US administrations have pursued: to do away with Cuba's revolutionary process and reestablish US control over our country.

Through new regulations which are in violation of the most elementary rights of the Cuban people and the most basic principles of international law, the government of the United States of America maintains and intensifies its genocidal blockade policy, with the aim of crushing the unbreakable spirit of resistance of the Cuban people and its determination to defend its sovereignty.

CONCLUSIONS

- According to estimates, the direct economic damage that Cuba has suffered as a result of the blockade exceeds that of 86 108 million dollars, an average of 1 832 million dollars a year. This figure does not include direct damage to facilities of economic and social importance to the country caused by acts of sabotage and terrorism encouraged, organized and financed from the United States, which total over 54 000 million dollars. Nor does it include the value of the goods which could not be produced because of the blockade or the damage arising from the onerous credit conditions imposed on Cuba. In this connection, the damage caused last year exceeded the sum of 4 108 million dollars.

- The Bush administration has taken the policy of aggression and hostility towards Cuba to unprecedented levels through the fierce imposition of blockade provisions and regulations, in flagrant violation of the principles enshrined in the Charter of the United Nations and international law and ignoring the express and nearly unanimous will of the international community, expressed in successive resolutions approved by the General Assembly of the United Nations.
- The US blockade has caused the Cuban people immense suffering and not only violates their fundamental human rights but also those of Cubans who reside in the United States, the people of the United States and citizens in third countries affected by extraterritorial provisions.
- Though the international community vigorously opposes the extraterritorial provisions of the blockade, their application has been stepped up in the past year. Cuba's financial transactions and businesspeople who have dealings with Cuba through banks around the world, are the object of ever-more irrational and ferocious witch-hunts and persecution. The unceasing harassment to which businesspeople are subjected and the threats and sanctions suffered by foreign investors reflect the contempt that US authorities have towards the rights and sovereignty of other countries in the world.
- The Cuban people shall not renounce its right to self-determination and shall continue moving forward, in spite of the blockade, to perfect the just society grounded in principles of solidarity that it decided to construct 47 years ago, a society which generously and altruistically offers aid to other peoples of the world, including the people of the United States.
- Once again, the Cuban people hope to be able to rely on the support of the international community in its legitimate demand

that the economic, commercial and financial blockade imposed on Cuba by the government of the United States be lifted.