

## 1. Introduction

The economic, commercial and financial embargo imposed by the United States against Cuba 50 years ago is the most elevated expression of a cruel and inhuman policy, lacking in legality and legitimacy and deliberately designed to create hunger, illnesses and desperation within the Cuban populace. Nothing has changed through ten successive US governments other than a tightening of this policy. Nothing essential has changed either since the new US government was inaugurated in January 2009.

With the absolute compliance with Resolution 63/7, adopted by the UN General Assembly on October 29, 2008, in a vote of 185 nations in favour and only 3 opposed, the government of the United States, far from lifting the economic, commercial and financial embargo it had imposed on the Republic of Cuba, has maintained in effect the laws, regulations and practices that sustain it. It has continued to reinforce the political, administrative and repressive mechanisms for its more efficacious and deliberate implementation.

The present US government has continued to rigorously apply the embargo against Cuba. It has made no declarations, not to mention taken any steps, directed towards the removal of the complex maze of laws and administrative regulations that make up the legal bases and the regulations of the embargo. Neither have the foundations upon which that policy has been erected been modified. This can be demonstrated by the laws and regulations described below.

- ***Trading with the Enemy Act (TWEA)***. It was enacted as a war measure in 1917 in order to restrict trade with nations considered to be hostile. Subsequently, its application was expanded to authorize the president to regulate ownership transactions that involved any of its nationals in a foreign country, both in time of war as “during any period of national emergency declared by the president”. The first regulations of the embargo against Cuba in 1962 are based on this act.
- ***Foreign Aid Act***. By means of this act, enacted in 1967, the United States Congress authorized the president of that country to establish and maintain “a total embargo on trade between the United States and Cuba”. It also prohibited the granting of any aid to the government of Cuba.
- ***Export Administration Act (EAA)***. Adopted in 1979 as the result of the review of controls over exports. It authorized the president to control, in general, the export and re-export of goods and technology and, in particular, to restrict those exports that would contribute to the military potential of any country, detrimental to US national security.
- ***Cuban Democracy Act (CDA)***. More widely known as the **Torricelli Act**, it was signed into law by President Bush (father) in October 1992. With it, the US government reinforced economic measures against Cuba and provided normative support to the extra-territorial dimension of the embargo. It prohibited companies that were subsidiaries of US companies in third countries from carrying out transactions with Cuba or Cuban nationals and the entry into US territory, during a term of 180 days, of vessels from third countries that had put into Cuban ports, just to name a few of the restrictions.
- ***Cuban Liberty and Solidarity Act***. Known as the **Helms-Burton Act**, it was approved by President Clinton in March 1996. It sought to discourage foreign investment and to internationalize the Cuban embargo. It codified the regulations of the embargo, limited the presidential prerogatives to suspend this policy and broadened its extra-territorial scope. It refused entry into the United States of executives of foreign companies (and their families) who had invested in “confiscated” property in Cuba and established the possibility of taking them to trial in US courts.
- ***Export Administration Act (EAA)***. Adopted in 1979 as the result of the review of controls over exports. It authorized the president to control, in general, the export and re-export of goods and technology and, in particular, to restrict those exports that would contribute to the military potential of any country detrimental to US national security.

- **Export Administration Regulations (EAR).** Among these, there is the prohibition on exports from the US to Cuba, other than exceptions that are specified in the regulation itself or those that are authorized by licences issued by the US Bureau of Industry and Security of the Department of Commerce. Said regulations are protected by the Trading with the Enemy Act and the Export Administration Act.

The extent of legislation and regulations mentioned above demonstrates, moreover, that there has never been such a wide-ranging and brutal embargo against a people like the one the US is maintaining against Cuba. On the one hand, this classifies as **genocide** by virtue of Section c of Article II of the [Geneva Convention of 1948 on the Prevention and Punishment of the Crime of Genocide](#) and, on the other hand, as an **act of economic war**, according to the stipulations of the [declaration regarding Maritime War adopted by the 1909 London Naval Conference](#).

The embargo against Cuba is not a bilateral issue between our country and the United States. The repeated extra-territorial application of US laws and the persecution against the legitimate interests of companies and citizens of third countries significantly have repercussions on the sovereignty of many other States.

Protected by this policy, sanctions continue to be applied on US and European companies that do business with Cuba. Persons who are ill in Cuba cannot in many instances benefit from new diagnostics, technologies or drugs, even though their lives depend on it because independently of the fact that these were products or were available in a third country, the embargo laws forbid that Cuba acquires even just one single component or program that comes from the United States.

According to very conservative figures, the direct harm inflicted on Cuba as a result of the embargo, until December 2008, **surpasses 96 billion dollars**, a figure that would reach **236 thousand 221 million dollars**, if the calculation were to be made using today's value of the US dollar. It is not difficult to imagine the progress Cuba would have been able to achieve and how much progress has been denied it if it hadn't been for these 50 years of being submitted to this brutal economic war.

In open defiance of the growing demands both inside and outside the US that this policy be eliminated, the new American government has reiterated gain and again its intention to maintain the embargo against Cuba. US Vice President Joseph Biden declared: ***"The US will maintain the embargo as a tool to apply pressure on Cuba"***. In the chapters of this report, the real scope of the measures regarding Cuba adopted by the new US administration are sketched out and the repercussions of the embargo on Cuba between March of 2008 and April of 2009 are recorded.

**Declarations made in the** framework of the Summit of Progressive Leaders in Chile, March 28, 2009.

## **2. The New US Administration. Measures Adopted.**

The media and diplomatic offensive unleashed by the US government could erroneously lead one to the belief that the embargo against Cuba has started to be dismantled. However, nothing is further from the truth, as we shall demonstrate: What measures have been adopted by the White House?

- Elimination of restrictions on family visits –to the limit of third degree of consanguinity – for Cuban residents in the United States.

- Elimination of restrictions on Cuban-Americans sending remittances to relatives in Cuba with the limit of up to the third degree of consanguinity and excluding “members of the government of Cuba” and “members of the Communist Party of Cuba”.
- Widening the range of articles that may be sent in packages as gifts.
- Granting of licences so that American companies can broaden certain telecommunications operations with Cuba.

These measures, if they indeed make good in part for a serious injustice, by returning to Cuban residents in the US their right to visit family in Cuba –have been taken away from them by the George W. Bush government – they are insufficient and have a very limited scope since they go no further than the intention of returning to the situation family relations existed in the year 2004 when the economic embargo was already fully in effect and being applied.

Likewise, even though the limitations on frequency and duration of visits mentioned above are taken away, that a broader concept of family members who may be visited be restored even with restrictions, and that the limit on daily expenditures be increased for the visitors, the prohibition on Cuban residents in the US who do not have family in Cuba travelling to Cuba still remains.

The measures referred to also do not at all look after the restitution of the constitutional right of American citizens to travel freely to Cuba, the only country in the world that they are forbidden from visiting.

As for the eventual granting of licences so that American companies can broaden certain telecommunications operations with Cuba, we must emphasize that this measure is not a new one. The Torricelli Act established a legal framework that allows, since 1962, telecommunications services to be provided to Cuba. However, from that same era, the different administrations limited that possibility to telephone communications and they even restricted the type of service that the American companies were able to provide. None of the recently announced measures indicates that those limitations or restrictions are going to be modified. Until the present moment, its nature is essentially a media gimmick. There has been absolutely no announcement about the regulations that ought to accompany the measure.

### 3. Repercussions of the Embargo on the Most Sensitive Social Sectors

With the purpose of defeating the Cuban people through hunger and illnesses, the **public health and food** sectors have continued being prioritized objectives of the embargo policy.

#### Public Health

Between May 2008 and April 2009 repercussions on the **public health sector** add up to **25 million dollars**.

The economic damages are basically due to the need of acquiring products and equipment in markets that are further away, using intermediaries for such purposes and the subsequent increase in the prices that such procedures bring with them. Prohibition or the not granting of visas to Cuban scientists and health specialists so that they can take part in numerous scientific congresses and events in the US constitutes an obstacle for professional up-dating, the confrontation of techniques being used in treatment of different conditions and the exchange of experiences that under different conditions could be beneficial for both countries.

The damage caused Cuba by the embargo is particularly cruel in this area, not only for its economic effects, but in particular because of the suffering this creates for patients and their families and for the direct incidence on the health of the Cuban population.

Some examples that demonstrate the damages caused in the area of health during the reference period are:

1. Since 2003, el **National Genetic Medicine Centre** has been trying to acquire Analyzer Equipment for genes with the capacity for automatic sequencing and fragment analysis, something that is essential for the study of the origin of high incidence diseases in the population and which are among the prime causes of death: breast, colon and prostate cancers; arterial hypertension; asthma; diabetes mellitus; mental disorders, etc. Cuba has not been able to acquire this equipment yet since it is exclusively manufactured by companies under a US patent, such as the company Applied Biosystem (ABI).
2. The **Cardiology and Cardiovascular Surgery Institute**, via Empresa Alimport, requested the American company Cook Vascular Inc. holding the sole patent, for the purchase of equipment for the extraction of permanent electrodes. The use of this equipment is essential for patients with septic complications in an implanted permanent electrode or in any other malfunction of the electrode. If this procedure cannot be carried out, an open thorax operation must be performed, implying a serious risk for the life of the patient. This company did not respond to the Cuban request.
3. **Empresa MEDICUBA**, via Empresa Alimport, made a request to buy vascular prostheses from BARD, forceps for endomiocardiac biopsias from CORDIS and implements for inflation to be used with balloon catheters from BOSTON SCIENTIFIC. Only a negative reply was received from the Bard Company along with notification that they could not provide Cuba with a quote on the product requested because of the embargo law. The other companies did not even reply to the requests, for fear of eventual consequences from the embargo policy.
4. **Sistema Integrado de Urgencias Médicas (SIUM)** was affected by the US government prohibition, not allowing the Pastors for Peace Caravan to donate three Ford ambulances to Cuba; their second-hand value on the market is around 24,000 dollars each. As a result, the ambulances could not arrive in our country.

The health of Cuban children has also been negatively affected by the brutal embargo policy:

1. Children's hospitals face serious obstacles when it comes to acquiring materials suitable for small children, such as better quality and more durable vesicular, digestive and tracheal probes, Huber needles for tracheotomies and lumbar injections, most of which come from the US.
2. Cuban children suffering from lymphoblastic leukemia cannot use Erwinia L-asparaginasa, a medicine commercially known as Elspar, since the US pharmaceutical company Merck and Co. refuses to sell this product to Cuba.
3. The **William Soler Pediatric Cardio-centre** cannot acquire devices such as catheters, coils, guides and stents that are used to diagnose and treat children with complex congenital cardiopathies via catheterization. The US companies NUMED, AGA and BOSTON SCIENTIFIC are not permitted to sell these products to Cuba. The list of children to have open-heart surgery last year increased by 8 new cases:

- 1- Osdenis Díaz, 30 months old, P. del Río, HC 684805
- 2.-Leinier Ramírez Pérez, 9 months old, Camagüey, HC 686901
- 3.- Leidy Reyes Blanco, 2 years old, Camagüey, HC 684376
- 4.- José Luis Sanamé, 13 years old, Ciego de Ávila, HC 687071
- 5.- Yusmary Rodríguez Márquez, 12 years old, C. Habana, HC 686546
- 6.- Pedro P. Valle Ros, 5 years old, Matanzas, HC 685014
- 7.- Osniel Pérez Espinosa, 5 years old, C. Habana, HC 679922
- 8.- Roilán Martínez Pérez, 3 years old, Pinar del Río, HC 685449

All of these children do not have much hope of receiving the immediate health care they require as a result of the cruel impact of the embargo. The following cases are examples of the **extra-territorial** effect of the embargo on the **health** sector.

1. The Cuban company **GCATE S.A.**, specializes in the purchase of technological equipment for the health sector; it has faced serious difficulties with the Dutch company Philips Medical since after a series of equipment was bought and installed, the Dutch company refused to provide spare parts and this forces us to buy them through third countries; this increases the price and makes maintenance an even more difficult task. The justification for this discriminatory treatment is said to be the regulations of the embargo on Cuba.
2. **HITACHI**, which is not a US company, refuses to sell Cuba an electronic microscope, of the kind used in pathological anatomy. It is alleged that the embargo is to blame for this. This situation obliges us to look elsewhere for alternatives and that makes the final price of the product much more expensive.
3. **TOSHIBA**, which is not a US company either, because of the embargo restrictions, refuses to sell Cuba high technology equipment such as the gamma chamber, used to do studies with radioactive isotopes in nuclear medicine, magnetic resonance and high precision ultra-sound. As a result, health services for the Cuban population have been affected.

## Food

Besides facing up to the adverse consequences of the global crisis in areas such as food, energy, the economy and finances, Cuba had to overcome the restrictions imposed by the embargo policy, with the purpose of being able to meet the food needs of its population.

Even though US sales of food to Cuba have been allowed since 2000, they are governed by the application of strict measures of supervision and a complicated and bureaucratic process of granting licences, in each case, by numerous American institutions. Despite the announcement by the new American government last March 11 in regards to the issuing of general licences for the export of food, the reality of the situation is that the United States government continues putting up obstacles for Cuba's purchases and there has been no action in sight directed towards carrying out these sales according to the norms, channels and regular practices of international trade.

In 2008, because of additional costs coming from the obstacles to transactions with the United States, **ALIMPORT** suffered losses of **154.9 million dollars**. With those resources and in the same American market, at those year's average prices, Cuba could have bought 339,000 tons of wheat, or 615,000 tons of corn, or 126,760 tons of chicken for the tables of the more than 11 million Cubans included in the "Canasta Básica" (basic shopping-basket) programme.

In the period between April 2008 and March 2009, the agro-food sector, so sensitive for the food security of the country, suffered losses on account of the embargo to the tune of **121.8 million dollars**.

The following examples will illustrate this situation:

1. As a result of the embargo, Cuba must put into refrigerated storage around 3.79 million eggs on a monthly average in order to ensure stable delivery to the population and avoid sudden shortages that could affect the supply of raw materials of the fodder that comes from the United States. The refrigeration costs for this purpose represent an expenditure of **5.2 million dollars** per year.
2. In the **fishing industry**, during the period in question, losses amounted to **5.4 million dollars** for the payment of greater tariffs in the markets to which the goods were going, as well as the increase in the cost of transportation, types of exchange and the increased risk in the transportation of the goods as a result of having to make longer trips.

Some examples showing the effect of the **extra-territorial** dimension of the embargo in the foods sector:

- **Joint Enterprise CORACAN S.A.** (Cuban-Canadian capital), established for the production and commercialization of instant foods, has suffered economic losses of more than 146,000 dollars as a consequence of the embargo affecting its relations with companies located in third countries. Some examples:
  1. In December 2008, **the Canadian company SENSIENT FLAVORS**, supplier of raw materials for powdered orange flavouring, communicated that the head office in Indianapolis, Ohio, U.S.A. was forbidding them to sell supplies to Cuba.
  2. The **Canadian Sethness Products Company** informed the directors of CORACAN that they could not continue supplying the powdered caramel colouring as per instructions from the head office in Chicago in the US. Without being able to count on a supply of these raw materials the CORACAN soft-drink factory had to stop production for 15 days; in addition, they had to look for a new supplier and face the corresponding price increase.
  
- **Joint Enterprise Los Portales** (Cuban-French capital), established for the production of water and soft-drinks, signed a contract with the American subsidiary LATAPACK-BALL, located in Brazil, in order to supply cans and aluminium lids, quoted an FOB price 25% less than the world market price. In February 2009, this company verbally informed the directors of the company that it was not authorized to supply Cuba with those containers, even through the intermediation of the Nestlé Group. This agreement would have allowed a reduction of 4.4 million dollars in importing costs for the Cuban-French company.
  
- In March 2009, **LACTALIS USA**, US branch of the French giant Lactalis, producer of cheeses and dairy products, was sanctioned by the Office of Foreign Assets Control of the US Treasury Department (OFAC) with a fine of **20,950 dollars** because they had not fulfilled the embargo regulations of "making electronic financial transfers in which Cuba, or a Cuban citizen with interest, between February 2004 and March 2007". **This was the first penalty imposed by the OFAC since President Obama's arrival in the White House.**

### Others Sectors of Social Impact

The sectors of education and culture have been heavily impacted by the embargo during these 50 years.

#### Education

The embargo has negative repercussions on all levels of schooling. In spite of the efforts being made by the Cuban government to ensure quality education for all, the effects of the embargo translate into daily shortages that affect the learning process, research and scientific work in general. Some examples follow:

1. During the period between May 2008 and April 2009, the total cost of products imported for the sector ran to a value of approximately 40 million dollars. Of this sum, 8.7% went towards paying freight charges in the cases of products coming in from the Asian markets. If Cuba would have been able to make these purchases in the American market it would have only had to use 3.9% of the same value to pay for freight charges. The additional cost totals 1.39 million dollars which might have been used to buy 40 million pencils, a million boxes of Plasticine for primary schools and nurseries and 550,000 boxes of wax crayons.
2. Cuban teachers and professors have no access to an up-to-date bibliography of US writers or research centres since the publishing houses of that country and the

- branches in other countries refuse to sell them to Cuba. The acquisition of these materials in distant markets adds high costs for freight charges.
3. It is impossible for Cuba to acquire a group of psycho-educational instruments corresponding to the WPPISI, WAIS and GRACE techniques that are used to determine levels of intellectual, emotional and motor development in children, adolescents and young people with special education needs, due to the fact that said instruments come from the United States.
  4. In the period of time which we are analyzing, the **higher education sector** has suffered losses totalling **3.8 million dollars** affecting production and services, income other than for goods and services, lack of access to American technology, cancelled academic programmes, bank transfers and projects that could not be carried out.
  5. Access to the Internet, an essential tool for universities, is limited due to the fact that the American government prohibits Cuban access to undersea cables and the technologies that would allow the broad band to be available to a significant extent in the country.

The **educational sector** has not escaped the effects of the **extra-territorial** dimension of the embargo.

1. The School of Economy at the University of Havana needs to renovate three elevators. To do so it needs to acquire GAL and ECI parts from Canada. During 2008, negotiations went on with a Canadian firm that sent an offer for the amount of 11,318 dollars. However, after signing the contract and opening a letter of credit, the purchase could not go through because 100% of the components originate in the USA and the manufacturer refused to make the sale to Cuba because of the embargo. The operation was carried out later with another supplier, at a cost of 200% more than the earlier offer.

## Culture

Application of the embargo policy on the cultural area has deprived both countries of cultural exchanges that have been intense throughout history. The embargo has prevented our peoples from enjoying the best of artistic, literary and cultural expressions that both the nations have to offer. Some of the main effects produced during the period:

1. In May of this year, the famous Cuban singer-songwriter Silvio Rodríguez was refused a US Visa after he received a special invitation to take part in the concert for the 90th birthday of the famous American musician Pete Seeger.
2. **ARTEX** was seriously harmed in its record selling rights. The embargo prevents the proper promotion and distribution of musical talent, significantly decreases sales prices and limits the enjoyment of Cuban music. In the period between May 2008 and April 2009, we estimate losses close to **130,000 dollars** for sales that could not take place.
3. The **Instituto Cubano del Libro (Cuban Book Institute) (ICL)** was affected in commercialization of Cuban literature due to the impossibility of being able to cash cheques or receive transfers in dollars from foreign publishing houses with which they sign contracts. The NORMA Publishers of Puerto Rico have not been able to make the corresponding payments for contracted works by the authors Nicolás Guillén, Dora Alonso, David Chericán and Roberto Fernández Retamar.
4. Activities of the **Fondo de Bienes Culturales (Cultural Assets Fund)** have been particularly affected by the lack of raw materials and the essential materials needed to develop the visual and applied arts. As in other areas, Cuba is forced to acquire materials and media originating in the US at prices incomparably higher in markets that are further away in Europe and Asia. During the period we are analyzing, losses for this concept are estimated to total **636,990 dollars**.
5. The **Instituto Cubano de Arte e Industria Cinematográficos (Cuban Institute of Cinema Art and Industry) (ICAIC)** faces significant limitations in distribution, exhibition, restoration and preservation of its film heritage as the result of the

impossibility of acquiring equipment, technology, spare parts and materials that are vital to the development of these activities. It is practically impossible to buy these media outside of the US; and media that can be obtained, via third parties, are much more expensive.

## Sports

Cuban **sports** also offer numerous examples where we can see the application of the embargo.

1. It has been impossible for Cuba to buy liquid chromatography equipment which goes along with Mass Spectrometry (LC/MS/MS) that nowadays is essential for anti-doping control since the American government forbids American companies and their subsidiaries in third countries from supplying Cuba. Likewise, the authorities in Washington refuse the right to acquire reactives and referencial substances for work in the anti-doping laboratory.
2. Conservative calculations on losses for equipment that is unable to be used because of lack of spare parts that cannot be bought in the US indicate a total of **781,000 dollars**.

## Transportation

Despite the enormous efforts made by the Cuban government to encourage the sector of transportation and to repair roads for the benefit of the population, the embargo continues to hold up the country's development plans. During the period between March 2008 and April 2009, this sector was affected to a total of **357 million 802 thousand dollars**.

1. Last March, the **American ASTEC Industries Inc.** refused a request sent in by a Cuban body for the acquisition of equipment for the rehabilitation of flexible pavements. The answer was based on the criteria that because of the existence of the embargo regulations, they could not begin any discussion on the subject.
2. Last March 20, **General Cable Inc.**, a company selling electrical materials, indicated that it could not establish commercial relations with Cuba because it had not been informed about any change in the trade relations between Cuba and the United States. With that, they backed up their answer saying that "(...) unfortunately, due to the international laws established by the US State Department, it is not allowed to establish commercial relations with Cuba at this time".
3. Naval repairs have also been affected by the embargo. Purchases of materials and the products needed to develop this activity have become 20% more expensive since they now have to be bought in Europe, and this represents **5.52 million dollars**.
4. The network of national roads has 2,886.3 kilometres in average and poor condition. To be repaired, we need 327.9 million dollars and 600.0 million dollars to construct the remaining sections of the National Highway. However, Cuba cannot accede to the funding authorized by the World Bank, such as the Inter-American Development Bank, for this kind of infra-structure, bearing in mind that these bodies are controlled by the US. According to the body's Web-site, just between November 2007 and April 2009, the Inter-American Development Bank authorized funds for infrastructure projects in Latin American and Caribbean countries for a total of 750 million 930 thousand dollars.

Empresa Alimport is in charge of processing purchases of foods and medical products from American companies.

### 3.1 Repercussions on the Foreign Sector of the Economy

The US embargo continues to deprive Cuba of important incomes from exports of goods and services; it puts up obstacles to the country's access to foreign funding sources and creates an onerous increase in prices due to the geographical relocation of trade.

During the period under analysis, repercussions on the foreign sector are calculated at **242.4 million dollars**.

In the case of companies in this sector, one of the main repercussions is the rise in the cost of foreign funding due to the increased risk to the country by which Cuban operations are classified. The fact that the chief agencies that classify risk on a global level are, partially or totally, dominated by US capital is a determining factor in this classification.

Funding can only be achieved with interest rates above those that prevail on the international market. Likewise, prohibitions on the use of the US dollar in the transactions of these companies obliged them to buy repayment currencies and with this assume the implicit exchange risks. The amount for effects due to these factors was 164.1 million dollars.

Next, some examples that describe the effects of the embargo on this sector:

1. **Cuban companies exporting** sugar, coffee and honey are obliged to redirect their business to less advantageous markets because they lack access to the American market. This is calculated at **49.4 million dollars**.
2. **MAPRINTER, a Cuban company**, needs to import significant amounts of plastic resins each year, the main supplier being the United States. Since they do not have access to that market, they must look for alternative markets. During 2008, just for the concept of the price difference, MAPRINTER had to pay approximately 1.9 million dollars above what was anticipated.

The repercussions produced in this sector as a result of the extra-territorial dimension of the embargo have also been very evident.

1. In August 2008, a European company, a traditional supplier of air compressors, informed MAQUIMPORT, a Cuban company, that its head office had been bought by Gardner Denver Inc., a US company, which had issued instructions to shut down the European company's branch in Cuba and the ceasing of operations in our country. If indeed the Cuban company managed to carry out the pending contracts before closure, it is certain that during 2009, faced with the necessity to ensure spare parts for around 300 already installed machines in different industries, health centres and laboratories in the Scientific Pole, it was obliged to use intermediaries, thus bringing about an increase of between 20 and 30 % in the price of the product.
2. In November 2008, a Swedish company informed MAQUIMPORT that it would be impossible to honour a contract to supply equipment for the Cuban sugar industry because one of the equipment components came from the US. This contract was cancelled, creating a repercussion on sugar production.

Embargo actions directed against the Cuban banking and financial system have continued to be toughened. In this period, possibilities of using correspondent banks have been decreased; this has made transactions more complicated and has further limited the normal functioning of banking and financial institutions. Added to all this are the limitations created by the impossibility of using the US dollar as the means for payment. One of the manifestations of the embargo on the banking sector has been seen in the cancellation of the BKE codes used to authenticate SWIFT messages to Cuba. During the period, one European and one Canadian bank along with two other banks located in Latin American countries have applied this measure against Cuba.

**Section 211 of the US Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 and new aggressions on the subject of brands.**

The US government has continued to carry out actions to consummate the theft of Havana Club, a Cuban brand which is internationally recognized. Section 211 of the US Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 prevents Cuban holders or their successors (among these, foreign companies in Cuba) from having recognition on US territory for their rights on brands or business names that are registered and protected in Cuba.

This legislation has implications not just on bilateral Cuba-United States relations but it also affects multilateral agreements, of which both states are parties. For that reason, since 2002, the Appellate Body of the World Trade Organization (WTO) decided that Section 211 was in violation of the obligations of the national treatment and the most-favoured-nation treatment in the Trade-Related Aspects of Intellectual Property Rights agreement (TRIPs). Said body requested the US government to adjust said legislation so that it would be compatible with its international obligations.

In spite of this decision by the WTO and the reiterated later calls made by the same body, the US government continues to ignore its fulfillment. This way of behaving confirms the lack of political will on the part of US authorities to provide a solution to this dispute and to comply with the norms of international commerce. The lack of commitment by the US government with international law in its relations with Cuba was proven last March 30 when the federal judge of the Court in Washington D.C., Royce C. Lambert, threw out a lawsuit by the Cuban company CUBAEXPORT (the legitimate holder of the Havana Club trademark) against the Office of Foreign Assets Control of the Treasury Department (OFAC) which refused the licence that was requested in 2006. Rejection of this lawsuit is based on Section 211.

On this same matter, Patricia Neal, spokesperson for Bacardi USA, declared to the EFE news agency that her company applauded the decision of the court, adding that this judgement confirms the decision that "the Cuban government has no rights over the Havana Club trademark in the United States."

One would merely have to wonder what would happen if a country were to proceed to arbitrarily cancel the registrations of valuable American trademarks and a company would deliberately use them in that market.

The international community cannot permit the United States to ignore trade laws and international industrial property rights and the judgements of the WTO Appellate Body with impunity.

By acting in this manner, the US has established a precedent having unpredictable consequences in the area of trade-related intellectual property rights.

### **3.2 Repercussions of The Embargo on Other Sectors of the Cuban Economy**

**Construction Industry Sector.** From April 2008 until March 2009, this sector has suffered losses on account of the embargo to the total of **47.2 million dollars**; these, without a doubt, have had negative repercussions on the country being able to fulfill its projected plans and the recovery after the disasters caused by the passage of three hurricanes in 2008.

- Cuba has had to face up to a complicated situation in the area of the construction of and repairs to the more than 600,000 homes affected by the hurricanes. Of these homes, 90,958 were completely destroyed. However, the embargo prevents us to carry out our plans for construction, conservation and rehabilitation of these homes since it puts up obstacles for the importing of materials, products, tools and construction equipment coming from abroad, as well as raw materials for the national production of materials. Repercussions on the **home construction programmes** were calculated at **7.3 million dollars**.
- In the period between March 2008 and April 2009, the **IMECO Construction Company** which imports materials and products for home construction suffered losses

- of **2.3 million dollars** because of the difference in prices after having to purchase products in distant markets; risk costs are also added to the price.
- **MATCO**, a company that imports construction materials, is forced to carry out more than 80% of its business in Europe and Asia because of the embargo; this generates delays in operations and affects all its internal economic activities that depend on this. The time period from the beginning of import procedures until the purchased products enter the country has grown considerably longer. These days, the average time for this is 11 months; it could be reduced to 5 months if only Cuba had access to US markets.
  - Faced with the impossibility of importing electrical parts made in the US, Westinghouse and Cuttler Hammer brands, **IMECO** had to carry out this operation using CONYAL S.A. as intermediary, thus significantly increasing the cost of said products.
  - The Cuban companies we have mentioned above have presented offer requests to American companies such as the Ring Power Corporation and Spears Co., including their subsidiaries in third countries, in order to purchase tubes, interior and exterior PVC accessories, construction and parts and components for construction equipment; no reply was ever received in the fear that sanctions would be applied as a consequence of the embargo policy.

An example of the **extra-territorial** application of the embargo in the **construction** sector:

- **The Siemens Company** (Cement Division) – based in Denmark – refused to supply Cuba with equipment for the new Santiago de Cuba cement factory as a result of the embargo. This negative answer forced Cuba to choose a less reliable supplier and lose the standardization of the equipment in all the plants in the country, increasing the financial costs by inventories.

The **Cuban sugar industry** was affected to a total of **127.5 million dollars** during the period under analysis. Just for relocating markets in order to import agricultural consumables, the country had to pay **76.0 million dollars**.

- During 2008, production of sugar cane was affected by the embargo for 162.799 tons, equivalent to **44.7 million dollars**, according to the market price at that moment. This US policy prevented us from purchasing special roller bearings, packaging, metals, spare industrial parts, lubricants and grease for repairs on production equipment. Added to this are the obstacles for buying trucks, tractor trailers, tires, combines, parts and accessories for locomotives. All these products are essential to the sugar industry.

**The Cuban Civil Aeronautical Company** has not escaped the effects of the embargo. Some examples from this period:

- The Cuban civil aviation system continues facing serious obstacles in the matter of charging for its aeronautical services provided to US airlines that operate to and from the US, for the use of Cuban air space. An example of this is the penalty of 100,000 dollars imposed on Spirit Airlines of the US for the payment of its instalments to Cuba after its planes used Cuban air space.
- Cubana de Aviación S.A. is not authorized to fly over US territory because of the embargo. Just in the 800 flights this airline makes from Canada to the east-central area of Cuba, the company has accumulated losses of at least **2.4 million dollars**.

- Likewise, while the prohibition for US citizens to travel to Cuba remains in place, Cuban and US airlines continue to be forbidden from serving this kind of traffic. In the period we are dealing with here, the income lost because of this prohibition and not being able to provide other airport services totals 193 million 832,538 dollars.

Activities in **Science, Technology and the Environment** are also affected because of the US embargo.

- The Cuban Office Industrial Property Office (OCPI) faces obstacles when it comes to paying the OMPI Office in Geneva for requests for international patents. The Swiss banks Credit Suisse and UBS refused to make the operations requested of them as a result of the extra-territorial application of the embargo.

The **Informatics and Communications** sector have also been heavily affected by application of the embargo, including the restrictions imposed by the US on Cuban Internet access.

- Cuba is not able to connect to the Internet at a suitable speed. The current Cuban connection to the so-called network of networks does not permit the adequate band width to satisfy the country's demand. The embargo forces Cuba to use a band width and connection services via satellite, something that is very expensive and has a limited capacity. The problem could be solved if Cuba would be permitted to connect without conditions or discriminatory requirements to the undersea fibre-optic cables that pass a few kilometres off the coast of Cuba. US authorities have not allowed this.
- Cuba does not have the right to accede to the services offered by a large number of Websites. This denial of access occurs when the connection is established from an Internet address (IP) authorized for the Cuban domain **.cu**. As a result, one only has an idea of the effect when one accedes from Cuba. A case has been detected where the negation of all relations with Cuba was produced without consideration of the origin of the connection. This is the case of the travel site AMADEUS (<http://www.amadeus.com>).
- In May, the American company Microsoft decided to block Windows Live service to Cuba. At the moment of connecting to this tool, this message comes up: *"Microsoft has cancelled Windows Live Messenger IM for users in countries embargoed by the United States, therefore Microsoft will not provide Windows Live service to your country"*.

Some examples of other web pages that are denied access from the .cu domain follow:

- Cisco Systems <http://tools.cisco.com/RPF/register.do> technologies for connection, routers for Internet access servers, including equipment in the digital video field.
- SolidWorks <http://www.solidworks.com/sw/termsofuse.html> automated design systems.
- Symantec <http://www.symantec.com/about/profile/policies/legal> Virus protection software.
- The **Empresa de Telecomunicaciones de Cuba S.A. (ETECSA)** has lost **53.7 million dollars** in the period being studied. These damages are basically due to the fact that there is no access to the American market to buy specialized equipment, spare parts and other necessary consumables needed for the good functioning of the company's activities. This forces them to seek out intermediaries, thus making the product more expensive. During this period ETECSA has been forced to pay 96,100 dollars over the forecast amount in order to have the greatest number of spare parts available and to thus guarantee their service.

The **Cuban tourism industry** has not escaped the adverse effects of the embargo. It is estimated that income lost totalled **1214.5 million dollars**.

- OFAC has continued to prevent commercial transactions to Cuba that are related to the Cuban tourist trade, including services offered on the Internet such as reservations, purchases of tickets, accommodations, plane leasing, and operations relating to cruises and boating activities. Last year, OFAC forbade GDS SABRE from continuing to provide global distribution services for Cuban hotel room reservations administered by foreign chains.
- According to projections of ASTA (Association of American Travel Agents) –that coincide with other sources linked to international tourism and in the Caribbean area in particular – the number of US tourists and cruise ship passengers that could have taken vacations in Cuba in 2008 if the prohibition maintained by the US government did not exist is calculated at 1.75 million visitors. For this reason during this period, the Cuban tourism industry lost at least 1,120 million dollars, even considering the variable of a decrease in daily spending of these visitors as a result of the crisis affecting the US economy since last year.
- Canadian airlines must hand over information to the United States on passengers on flights crossing US territory towards Cuba, 72 hours in advance. This new control is being used by OFAC to control US citizens travelling to Cuba without a permit.
- As a result of the US persecution, Cuban tourism companies cannot advertise on the best systems on the net such as Google, Yahoo and MSN, since these are all US owned. During the period covered by this report, the US government has continued to limit and slow up as much as it can Cuba's access to electronic trade and to transactions via credit cards as a way of paying for Cuban sales.
- The embargo makes it impossible to buy equipment, parts and aggregates on the US market and from their subsidiaries and branches in other countries, as well as technology and services bearing US brands that are well-known to tourists. This makes supplies to the Cuban tourism industry much more expensive through higher prices, greater inventories, increases in freight rates and higher interest rates for credit.

**Basic Industry**, an important backbone for the national economy, is constantly under siege by the embargo policy. In this sector, the nickel industry continues to be one of the most attacked and persecuted branches. During the stage that we are analyzing, the industry has suffered losses of **62.9 million dollars**. Of these, 45.8 million dollars are a result of the effects on exports since the US forbids imports of products manufactured totally or partly with Cuban raw materials even though they may have been made in third countries. A Cuban body belonging to Basic Industry requested the American company ARMSTRONG EQUIPMENT to supply a micronizer mill or a milling module, something very useful for mining. In fear of application of the embargo, the request never reached them. Examples of the extra-territorial dimension of the applications of the embargo to this industry:

- **Minxia Non-Ferrous Metal Inc.**, a subsidiary of the China Minmetals Company, was fined by OFAC for 1 million 198 dollars for purchasing Cuban metals (nickel) without a permit between 2003 and 2006.
- The current US government fined the **Varel Holdings** company **110,000 dollars** for exporting technology to Cuba. This company manufactures drills for oil rigs and, according to an OFAC report, between June 2005 and June 2006 "a foreign branch of Varel Holdings made eleven exports of goods in which Cuba or a Cuban citizen had interests". This company's fine is the largest of the penalties applied during the present fiscal year.
- On April 30, OFAC informed that the American company **EFEX Trade LLC** was fined 2,000 dollars for providing services to the sending of remittances without a permit, in which Cuba had an interest.

- In July 2008, **Platte River Associates of Boulder, Colorado**, was accused of **“trading with the enemy”** for allegedly having transferred technology to Cuba. It was accused of providing specialized technical computer software and of computer training that was later used to create a model on exploration and the development potential of oil and gas in Cuban territorial waters, without having first obtained a permit from the Treasury Department. The company executives were facing sanctions of up to 10 years in prison.
- The Brazilian branch of Purolite was not able to sell selective cationic resins for nickel and cobalt to the Cuban institute of science and technology (IMRE) so that they could test their use in the processing of laterites. Successful application of these resins could result in important increases in the recovery of nickel and cobalt, along with a decrease in production costs. The regional director for Latin America of Purolite expressed “that since this is an American company it was not possible to establish trade relations with Cuba”.

Effects on the **iron and steel industry** have reached **38 million 164 thousand dollars**. If these losses had not been incurred, it would have been possible to buy 139,284 refrigerators or 1,773,423 galvanized steel roofs that could have roofed 49,261 homes of 70 square metres each.

- The embargo causes the raw materials for the manufacture of some medical equipment to rise in price. For example in the acquisition of steel, losses totalled 96.5 thousand dollars due to the necessity of using markets that were further away. With this amount we could have produced 17 pedal-operated or femoral sinks that are needed by the Neonatal Unit in the Dr. Eusebio Hernández Maternity Hospital which attends a large population; or we could have looked after the Emergency Department needs at the Juan Manuel Márquez Pediatric Hospital. These products are essential for the surgical wards of those hospitals.
- The **extra-territorial** dimension of the application of the embargo affected ACINOX, a Cuban company, when it needed to buy a 125 MVA transformer for the 220 KV electrical sub-station of Antillana de Acero de Cuba. When they attempted to effectuate the purchase in a Latin American country, Siemens pointed out: “We cannot sell to Cuba since, in spite of the fact that we are a German company, we follow some US rules.”
- Something similar occurred in January 2009. ALCOA- España refused a request from the Cuban commercializing company Alcuba to buy aluminium profiles. ALCOA-España’s answer was: *“In response to your request for information about the supplying of aluminium, we must inform you that, as a company with its main office in the USA, we are not allowed to look after your request due to current existing restrictions that affect trade with Cuba”*.

**Light Industry** has also been affected as a direct consequence of the negative impact of the embargo. Between April 2008 and April 2009, losses for this concept were calculated at **18.7 million dollars**.

- CETRO, Unión Suchel and TEXORO of the Textile Union have been affected to a total of 1.9 million dollars for delays in the arrival of consumables for the production of bath and laundry soaps, just to mention two of their products. This delay was caused by the embargo restrictions that force us to make purchases in markets that are farther away.

#### **4. Opposition to The Genocidal Policy of The Embargo Against Cuba.**

In the last few months, international attention to the subject of bilateral relations between the US and Cuba has increased. Clearly the demand that the embargo against Cuba be eliminated and that the policy of hostility cease against a small country is stronger and firmer than ever before.

Last October 29, for the seventeenth consecutive time, the UN General Assembly adopted, with the overwhelming majority of member states the resolution "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (63/7), with the highest vote that this resolution has reached in that UN body.

The General Assembly, with the favourable vote of 185 of its members, categorically reiterated the call to discontinue this illegal and genocidal policy being imposed by the government of the United States on the people of Cuba. That backing by the international community is consistent with its rejection of the application of economic, commercial and financial measures with extra-territorial effects and that are contrary to international law and to the principles of the UN Charter.

Many voices in the world were raised in favour of ceasing this inhuman policy. During the period this report is dealing with, numerous statements were made calling for the end of this policy. Among these, the most outstanding are:

1. On **May 16, 2008**, the declaration of the V Latin America and Caribbean-European Union Summit held in Lima Peru was adopted. In one of its paragraphs the Heads of State and Government in both regions agreed to the following: "(...) We firmly reject all the coercive measures, of a unilateral dimension and extra-territorial effect that are contrary to International Law and the norms generally accepted for free trade. We coincide in the fact that this kind of practice represents a serious threat to resolution A/RES/62/3 of the UNGA, we reaffirm our well-known positions about the application of the extra-territorial regulations of the Helms-Burton Act."
2. On **October 3, 2008**, the Heads of State or Government of the group of African, Caribbean and Pacific states (ACP), meeting at their 6th Summit Conference held in Ghana, approved the Declaration of Accra in which it "condemned the use of coercive unilateral measures such as illegal sanctions adopted against certain developing countries with the purpose of preventing said countries from exercising their right to determine their political, economic and social system and they reject the application of laws and unilateral and extra-territorial measures contrary to international law, such as the Helms-Burton Act."
3. On **December 8, 2008**, the Heads of State or Government of Cuba and of states making up CARICOM, meeting on the occasion of the Third Cuba-CARICOM Summit, adopted a declaration where it states that "*an end should be put to the economic, commercial and financial embargo against the Republic of Cuba and (where it) urges the government of the United States to listen to the overwhelming call from the immense majority of the members of the United Nations, and to immediately lift the unjust economic, commercial and financial embargo imposed against the Republic of Cuba and the ceasing of the application of the measures adopted on May 6, 2004*".
4. On **December 17, 2008**, the Heads of State or Government of the countries of Latin America and the Caribbean, meeting in Brazil, on the occasion of the First Latin American and Caribbean Summit on Integration and Development, adopted a Special Declaration on the necessity of ending the economic embargo against Cuba in which they rejected "*most energetically the application of laws and measures contrary to International Law such as the Helms-Burton Act*"; "*they urged the government of the United States to end their application*" and "*to comply with stipulations in 17 successive resolutions approved in the UN General Assembly and to end the economic, commercial and financial embargo which it maintains against Cuba*".
5. **The ALBA countries (the Bolivarian Alternative for the Peoples of Our America) have repeatedly and categorically rejected the embargo imposed against Cuba by the United States. At their summit meeting held in Cumaná, Venezuela on April 17, 2009, the Heads of State or Government of the ALBA member countries reiterated their condemnation of the economic, commercial and financial embargo of the US against Cuba and they decided to reiterate "the declaration that all the countries of Latin America and the Caribbean adopted on December 16, 2008, on the necessity to end the**

***economic, commercial and financial embargo imposed by the United States government on Cuba, including application of the so-called Helms-Burton Act***.

6. The Ministers of Foreign Affairs of the Non-Aligned Movement, on the occasion of the Ministerial Meeting of the Movement Coordination Bureau held in Havana, April 27-30, 2009, "*reiterated once again their call on the government of the United States to end the economic, commercial and financial embargo against Cuba that, besides being unilateral and contrary to the UN Charter, international law, as well as the good neighbour principle, causes great material losses and economic damage to the people of Cuba*". Moreover: "*once again they urged strict compliance with resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11, 62/3 and 63/7 of the United Nations General Assembly*"; "*they expressed their profound concern for the growing extra-territorial dimension of the embargo against Cuba*"; and "*they rejected the reinforcement of measures adopted by the US government in order to toughen the embargo, as well as all the other measures applied by the US government against the people of Cuba*".
7. **In the declaration of the VI Extraordinary ALBA Summit – Peoples' Trade Treaty (ALBA-TCP) held in Maracay, Bolivarian Republic of Venezuela on June 24, 2009**, the Heads of State or Government of the member countries "ratified their absolute condemnation of the economic, commercial and financial embargo of the United States against Cuba and they reiterated their call for this to be eliminated, immediately and unconditionally."

Opposition to the embargo is also growing significantly in the very United States. **On May 8, 2008**, the Committee for Tourism and Trips of the Alabama House of Representatives approved a resolution in which they requested President Bush, the Secretary of State Condoleezza Rice and Congress to lift the restrictions on trips to Cuba, especially from the state of Alabama.

**On May 27, 2008**, *The Washington Post* published an article "The Crazy Embargo against Cuba" by Eugene Robinson, in which he described the policy towards our country as "incredibly stupid (...) childish, irresponsible and counter-productive."

**From September 23 to 25, 2008**, Zogby International and Inter-American Dialogue carried out a survey of 2,700 US voters about different subjects that affect Latin America. Regarding Cuba, the survey found out that around 60% of the people surveyed were in favour of the US revising its policy towards Cuba and allowing trade between US companies and that country. Also, 68% supported the idea that all Americans should be able to travel to Cuba.

**On October 17, 2008**, the US magazine *Science* published an editorial, signed by the Secretary of International Relations of the Academy of Sciences of Cuba and his peer in the National Academy of Sciences in the US in which they advocate the lifting of the restrictions on a bilateral academia exchange.

**On October 24, 2008**, the representative of the Canadian medical-pharmaceutical company Cari Med Canada Trading Inc., Alberto Rodríguez, during his participation at the VIII Central American and Caribbean Congress for Anaesthesiology, Reanimation and Pain in Havana expressed that "the permits issued by the US Departments of Commerce and the Treasury in order to sell products to Cuba are extremely restricted, with a very high degree of detail". According to his declarations, some completely absurd information is requested of the applicants. Likewise, he described that act of putting up obstacles for Cuban access to medical equipment and devices needed to save human lives as "criminal, genocidal and barbarian".

**On December 4, 2008, a group of trade, travel and agriculture-related organizations and associations sent a letter to President Obama entitled "Re-examining US policy towards Cuba"; in the letter they requested him to go further than his campaign promises and carry out a broader review of American policy. The letter was signed by the authorized representatives of 12 organizations, among them the US**

**Agriculture Federation, the American Society of Travel Agents, the US Chamber of Commerce, the National Foreign Trade Council and USA Engage. That same day, the US Travel agent association, ASTA, asked the president-elect, Barack Obama, to eliminate all travel restrictions to Cuba.**

**In November 2008**, the Group of Studies on Cuba (GEC) and the Brookings Institution, funded a survey carried out by the International University of Florida (FIU) during the three weeks following the presidential election, with the aim of measuring the opinions of Cuban-Americans about US policy towards Cuba.

The survey revealed that, on the subject of remittances, 65% of the surveyed people were in favour of a return to the pre-2003 conditions; 66% supported re-establishing trips for Cuba-Americans, while 67% showed that they were in favour of the elimination of the restrictions imposed on American citizens. 79% considered that the embargo was not working and 55% were opposed to the idea that it continues to be applied. 65% favoured re-establishing diplomatic relations between the US and Cuba and 79% were of the opinion that both governments ought to establish a direct dialogue on subjects of mutual interest.

**On February 23, 2009**, the document titled "Changing the policy towards Cuba in the national interest of the United States" was released, drawn up by the office of Senator Richard Lugar (R-IN) and circulated in the Senate plenary and, in particular, to the members of the Foreign Relations Committee.

After acknowledging the failure of the US policy towards Cuba, the report presents a series of recommendations. Among these, the outstanding ones are: replace the conditionality of the US approach by a rapprochement or progressive commitment; lift the restrictions on trips and remittances for Cuba-Americans; and, review the Torricelli and Helms-Burton Acts, along with the reports of the Commission for Aid to a Free Cuba. Moreover, it proposed to re-establish bilateral conversations, establish cooperation strategies in the area of migration and the war on drugs and to make more flexible the measures being applied in the economic area.

On February 23, fourteen congressmen signed a letter to President Obama in which they supported "free trade between Cuba and the US", arguing for the economic advantages that could result for both nations.

As it can be appreciated, in a growing spectrum of US public opinion, the perception of the need for a basic change in government policy regarding Cuba is broadened; the lifting of the economic, commercial and financial embargo would constitute an essential variable.

## 5.

## Conclusions

The conduct of the United States government since October 2008 – when Resolution 63/7 was adopted – until May 2009, confirms that that country has not taken one step to put an end to the economic, trade and financial embargo it imposes on the Republic of Cuba. Quite the opposite; it has flagrantly not complied with stipulations made by the General Assembly since reports were made about numerous actions reinforcing the embargo policy.

The direct economic repercussions on the Cuban people due to the application of the economic, trade and financial embargo by the US against Cuba until December 2008, calculated on a conservative basis, totals **96 billion dollars**, a figure that would reach **236,221 million dollars** if calculations were made using the current rate of Exchange on the US dollar. That figure does not include direct repercussions on the economic and social goals of the country inflicted by sabotage and terrorist acts that are encouraged, organized and financed from the United States.

The economic, trade and financial embargo, imposed by the government of the United States against Cuba, continues being the prime obstacle to the economic and social growth of the country, as well as for its recovery after the passage of three devastating hurricanes that

affected it in 2008.

The embargo violates International Law. It is contrary to the purposes and principles of the United Nations Charter. It constitutes a transgression on the right to peace, development and security of a sovereign state. In its essence and its aims, it is an act of unilateral aggression and a permanent threat against the stability of a country. It constitutes a flagrant, massive and systematic violation of the rights of an entire people. It is also in violation of the constitutional rights of the American people since it denies them the freedom to travel to Cuba. Moreover, it violates the sovereign rights of many other states because of its extra-territorial nature.

In spite of the intense and growing complaints by the international community to the new US government to effectuate a change of policy towards Cuba, the lifting of the embargo and the normalization of bilateral relations, the government of President Obama has maintained the embargo policy intact.

Besides being illegal, the embargo is morally unsustainable. There is no like unilateral system of punishments in existence being carried out against any other country in the world for such an extended period of time. Therefore, the United States must lift the embargo, with no more delays or excuses.