



## DECLARATION

### **"ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL BLOCKADE IMPOSED BY THE UNITED STATES AGAINST CUBA"**

The **Latin American Council of SELA**, gathered in its Ministerial Session, in Caracas on 19 October 2012.

#### **RECALLING**

- The mandate given by the Member States of SELA to the Permanent Secretariat (Article 4, Decision No. 377) to submit an annual report on the application of the Helms-Burton Law and the economic sanctions of the United States of America against Cuba;
- That the adverse effects of such sanctions of the United States not only affect one Member State of SELA, but also impose certain rules to the international community as regards economic relations with Cuba;
- Decision No. 112 of the Latin American Council, "Imposition of Economic Measures of a Coercive Nature", as well as Decisions Nos. 356 and 360, which reject the implementation of unilateral measures that may affect the free development of international trade, in violation of international law and the most basic principles of regional coexistence;
- Decisions Nos. 377, 390, 401, 421, 432, 438, 444, 453, 463, 477 and 482 of the Latin American Council, on the "Necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba;"
- The Declarations "Ending the economic, commercial and financial blockade imposed by the United States of America against Cuba", adopted by consensus by the Member States of SELA in the XXXVI and XXXVII Regular Meetings of the Latin American Council (Caracas, 29 October 2010 and 21 October 2011, respectively);
- The corresponding resolutions adopted by the United Nations General Assembly over the past 20 years urging to put an end to the economic, commercial and financial blockade of the United States of America against Cuba.

#### **BEARING IN MIND**

- The need to reaffirm, among other principles, the sovereign equality of the States, non-interference in the countries' internal affairs, and the freedom of trade and navigation, as established in numerous international legal instruments.
- That despite the expectations of the international community, the administration in the United States has not eliminated the series of rules and laws governing the economic, commercial and financial blockade of the United States against Cuba; instead it tightens them;

- That the decision taken by the current U.S. government on 10 September 2012 to extend the implementation against Cuba of the Trading with the Enemy Act, on which the other laws and regulations on the sanctions imposed against Cuba since 1962 are based, is evidence that the legal framework supporting that policy is still in place;

That during the last year, harassment of international financial transactions in Cuba, the implementation of extraterritorial regulations and increased fines and penalties for performing operations related to Cuba have been the most significant features of the blockade and that according to the annual report published by the Office of Foreign Assets Control (OFAC) of the Department of the Treasury, the total amount of Cuban funds frozen in U.S. banks at the end of 2011 amounted to US\$ 245 million, thus hampering the economic, social and scientific-technical development of Cuba.

- That the analysis contained in the document drafted by the Permanent Secretariat of SELA "Follow-up report on the application of the Helms Burton Law, 2011-2012" presents a detailed description of the impacts of the blockade on various economic sectors of the Republic of Cuba, as well as the extra-territorial nature of some of the measures and provisions adopted in this connection by the United States of America.

**DECLARES:**

1. The economic, commercial and financial blockade of the United States of America against Cuba violates the International Law and is contrary to the purposes and principles of the United Nations Charter, the rules of the international trade system and the freedom of navigation.
2. The Latin American Council strongly condemns the application of any law or measure contrary to the International Law, such as the Helms-Burton Law and the Torricelli Act, and in this connection, it calls upon the Government of the United States to put an end to their implementation.
3. The Permanent Secretariat must continue to examine this issue of special relevance for the external relations of the region, in accordance with Decision N° 482, and keep the Latin American Council informed about its evolution, with a view to making a decision during the XXXIX Regular Meeting of 2013.

The Permanent Secretariat calls SELA Member States to adopt or implement legislative, administrative and/or judicial measures, as appropriate, so as to prevent the implementation within the framework of the extraterritorial regulations that affect or may affect the economic, financial and commercial relations with Cuba.

4. The Latin American Council makes a call to the Government of the United States so that it complies with the provisions of a number of consecutive Resolutions of the United Nations General Assembly to put an end unconditionally and immediately to the economic, commercial and financial blockade that it keeps in force against Cuba.