Mr. President,

I have the honor to speak on behalf of the European Union and its Member States.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland*, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova align themselves with this statement.

Mr. President,

The United States' trade policy towards Cuba is fundamentally a bilateral issue. However, the effects and side effects of extraterritorial legislation and of unilateral administrative and judicial measures are also influencing business decisions of the EU operators and are negatively affecting EU interests.

American legislation such as the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996 has extended the effects of the US' embargo to third-party countries. In the framework of the Common Commercial Policy, the European Union has firmly and continuously opposed such extraterritorial measures. While recognizing the decision by the US Government to lift restrictions on remittances and family travel to Cuba, we cannot accept that unilaterally imposed measures impede our economic and commercial relations with Cuba. To address this problem the EU’s Council of Ministers adopted, in November 1996, a regulation and a joint action to protect the interests of natural or legal persons residing in Europe against the consequences of these Acts.

At the Summit between the European Union and the United States held in London in May 1998, a package was agreed that also sought to alleviate the problems with extraterritorial legislation. It covered waivers to titles III and IV of the Helms-Burton Act, a commitment by the US Government to resist future extraterritorial legislation of that kind, and an understanding regarding disciplines for the strengthening of investment protection. It is urgent that the United States implement this agreement.

The European Union's policy towards Cuba was set out in a Common Position in 1996. Reaffirming the validity of this Common Position, the European Union in June 2008 lifted the restrictive measures imposed on Cuba in 2003. The dialogue with the authorities in Havana was resumed without preconditions, and from the basis of reciprocity and non-discrimination. Five political dialogue ministerial sessions have been held with the Cuban Government addressing issues of common interest, including human rights, a question at the core of relations with all third countries, including Cuba. We

*The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

*Iceland continues to be a member of the EFTA and of the European Economic Area.*
reaffirm our determination to pursue a result-oriented comprehensive dialogue with the Cuban authorities as well as with representatives of civil society and peaceful prodemocracy opposition in accordance with EU policies. We reiterate the right of the Cuban citizens to decide independently about their future.

We reiterate our call on the Cuban Government to fully grant its citizens internationally recognized civil, political and economic rights and freedoms, including freedom of assembly, freedom of expression and free access to information, to ratify the UN Covenant for Civil and Political Rights and the Covenant for Economic, Social, and Cultural Rights and, following the visit of the UN Special Rapporteur on the right to food, extend invitations to other rapporteurs to visit Cuba. In this context, we welcome the adoption of a new migration law by the Cuban Government as an important step towards the freedom of movement of Cuban citizens.

The existing restrictions on rights and freedoms undermine and offset the Cuban achievements in healthcare and education. Similarly, domestic Cuban economic policy seriously hampers its own economic development. In this context, we note the adoption by the Cuban Parliament in August 2011 of a package of economic and social reforms and expect that these will be extended and implemented in a manner that will address the key concerns of the Cuban population. The economic, commercial, and financial embargo imposed by the United States contributes to the economic problems in Cuba, negatively affecting the living standards of the Cuban people and having consequences in the humanitarian fields as well.

Lifting the US embargo could facilitate an opening of the Cuban economy to the benefit of the Cuban people. Together, we again express our rejection of all unilateral measures directed against Cuba which negatively affect third parties' interests and thereby violate commonly accepted rules of international trade.

We urge the Cuban authorities to bring about real improvements in all areas mentioned.

There are continued EU concerns and criticisms regarding governance and human rights in Cuba. Nevertheless, the EU has started a negotiating process with Cuba in April of this year. We are encouraged that no subjects will be off limits in that process, including human rights, governance and civil society and respect for the principle of sovereignty and territorial integrity. Against this background, the Member States of the European Union unanimously voted in favor of the draft resolution (A/69/L4).