



**New York City Council Committee on Cultural Affairs, Libraries and International Intergroup Relations**

**Proposed Legislation – Creating a New York City Museum of African-American History (Int 1451-2019)**

**Thursday, October 31, 2019, 10:00AM**

**Testimony Presented by NYC Department of Cultural Affairs  
Commissioner Tom Finkelpearl**

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Good morning, Chair Van Bramer and members of the committee. I am Tom Finkelpearl, Commissioner of the NYC Department of Cultural Affairs. I am here today to testify in regards to Intro. 1451 of 2019, a proposed Local Law in relation to establishing a task force to review the feasibility of creating a New York City Museum of African-American History. I am joined today by a number of my colleagues from the agency.

Let me begin by saying that we believe that African-American history is New York City history. Even though we're in a Northern state, slavery wasn't fully abolished in New York State until 1827. Four years ago, New York City's main 18th-century slave market was marked with a plaque unveiled by Mayor de Blasio just a few blocks from here. Both before and after slavery was abolished in New York, black residents were very much a part of this city. Only last week, new interpretive signage commemorating Seneca Village in Central Park was installed. The legacy of the free black community of Weeksville, in present day Central Brooklyn, is kept alive by Weeksville Heritage Center, which is on the path to becoming the first new member of the Cultural Institutions Group in a generation. And black communities across the City, from the Bronx to Staten Island, are central to NYC's status as a center of not just black culture, but world culture. Numerous monuments, statues, organizations, and institutions are dedicated to preserving and promoting this rich, living history that continues to unfold around us.

While we are committed to supporting the organizations and communities doing this important work, we have some concerns about the proposed bill. As we understand it, the legislation proposes the creation of a task force to examine the possibility of creating a New York City museum of African-American history. The task force would comprise eleven members and exist for twelve months. The group would meet quarterly, and hold at least two public meetings to seek comment on the establishment of the proposed museum. The task force would consider feasibility, possible sites, outreach and education needs, and City coordination, ultimately producing a report with its findings and recommendations.

DCLA, which is the second largest public funder of culture in America after the federal government, provides funding to private, nonprofit cultural organizations. We fund over 1,000 groups annually, including many dedicated to African-American culture and history. By and large, these were not created through the sort of City-led, top down approach proposed in the legislation, which is more akin to how the Smithsonian Institutions are created. In that case, the federal government builds, staffs, and operates the institutions. Since the very first members of the Cultural Institutions Group came online 150 years ago, New York City has had a public-private approach to supporting its cultural community, and it has helped to foster the astoundingly diverse and dynamic cultural sector we have today.

The Department of Cultural Affairs has fundamental concerns about the proposed top-down approach to the creation of a new cultural institution. For one, DCLA is not structurally set up to take on financial and operational support implied by bill. And past experience shows this is not the best way to create a sustainable cultural institution. A community-based approach is much more effective than a City-led, top-down approach.

To reiterate something I said earlier, we are incredibly proud of New York City's cultural organizations dedicated to exploring and promoting the creative vitality, cultural heritage, and rich history of African Americans, here in New York City and beyond. From Studio Museum and Schomburg Center in Harlem, to MoCADA and Weeksville in Brooklyn, and so many more, these groups do incredible work exploring black, African-American, and African Diaspora experience and artistry. They were created by and for the communities they serve, and we are honored to collaborate with and support them in producing a vast range of public programming.

We share the Council's commitment to supporting groups that honor the rich culture of African Americans in New York City. As public servants, of course we are happy to provide guidance and expertise to community groups and others interested in learning more about operating cultural orgs, City support, and other resource available to them. We look forward to discussing with you additional ways we might be able to partner together to build upon the great work that is being done.

Thank you for the opportunity to testify on today's topic. I'm happy to answer any questions you may have.

Library  
Capital  
Programs

October 31,  
**2019**

Department of Design and Construction  
Thomas Foley, Deputy Commissioner

New York City  
Council  
Committee on  
Cultural  
Affairs,  
Libraries and  
International  
Intergroup  
Relations

**Good morning Chair Van Bramer and members of the Committee, I am Thomas Foley, Deputy Commissioner for Public Buildings for the Department of Design and Construction (DDC). Joining me at the table today is Philip Heller, our new Executive Director for Libraries. Thank you for the opportunity to testify today on our libraries capital portfolio and on improvements we are making to our Libraries Unit under the direction of Commissioner Lorraine Grillo.**

### **Program Overview**

**DDC works with all three of the City's library systems and currently has 153 active library projects in its portfolio valued at more than half a billion dollars. A significant number of those projects are only now entering the schematic design phase, which is an indicator that the number of projects in construction is destined to expand in the near future.**

**DDC is proud of its role shaping the next generation of libraries for all of New York City, from the hugely popular Downtown Flushing Library; to New York Public Library's new Roosevelt Island branch, which is nearing completion; to the ongoing renovation of the East Flatbush branch for Brooklyn Public Library; to the innovative design of Hamilton Fish Park Library, which last year received an award from the Public Design Commission.**

### **Continual Improvement**

**We recognize the urgency of delivering library projects as quickly and as efficiently as possible, while working within the strict legal, low-bid framework that governs the use of taxpayer funds.**

**In January, we launched DDC's *Strategic Blueprint for Construction Excellence*, a 360-degree review of DDC's business practices and external challenges.**

**One of the most important improvements is the addition of tools that the Public Buildings division can use to assist agencies with early capital planning *before* projects come to DDC. This is a comprehensive program, and it is important that I share key details with you today.**

**First, as we reported to Council Member Gibson at a Capital Budget subcommittee hearing last month, every single project that comes to DDC is now carefully reviewed by our Front End Planning Unit before it officially comes to DDC. Front End Planning was established in 2016 to ensure that every project a sponsor agency proposes has a reasonable scope and enough funding to pay for it. Front End Planning gives our sponsor agencies a realistic assessment of budget and schedule so they can better plan their capital program.**

**In FY19, 31 library projects went through the Front End Planning process; nine of them were recommended and 20 were returned to**

sponsors for more planning to ensure the necessary elements were in place for them to be completed successfully.

We are implementing many other initiatives under the *Blueprint* to tackle the critical early planning phases:

- We are creating a better cost-estimating program. Reliable cost estimating is essential to creating realistic budgets, and is a critical part of all of our other improvement efforts;
- We will be employing more DDC-led Capital Project Scope Development studies on key projects. CPSD studies are expense-funded, and give sponsors much more detail when developing the projects DDC will design and deliver;
- We are establishing an Advanced Capital Planning Unit, which will include in-house staff dedicated to working with our sponsor agencies to look at their assets and make informed decisions about their short- and long-term capital needs.

**We are also initiating building condition surveys that allow us to work with our sponsor agencies to better track the condition of their assets and better plan future capital projects and budgets.**

**To that end, we began surveys with Brooklyn Public Library, evaluating five of its branch libraries from top to bottom for factors such as code compliance and building defects, and reporting to BPL the scope of work and the dollar amount it would take to bring each building into a state of good repair. We are investigating ways to fund and expand this effort to other sponsor agencies, and look forward to sharing additional information on this effort in the near future.**

**On the project delivery side, we have reduced average change order review time by 50 percent by centralizing the review process.**

**Meanwhile, the median number of days required for DDC to procure design and construction services has decreased by more than one-third since Fiscal Year 2017.**



**We have also established standard design and construction durations that will set clear expectations for future performance. Designers working with DDC must be on the clock when they are working with us.**

**A clear example of this new standard is the Rego Park Library, where design began in April of this year and will be completed in early 2021. Shovels will be in the ground by that fall.**

**We received funding for additional Construction Managers to provide on-site oversight and coordination and to keep contractors to their schedules. We are also retooling vendor performance evaluations so that we can improve performance.**

**We continue to implement the changes highlighted in the *Blueprint* every day, and we thank the Council for its support and for considering legislative action that would improve the capital project system. One of the most important of course is permission from**

**Albany to use Design-Build, which has been proven to reduce costs and project durations and is a key part of DDC's *Blueprint*. We thank the Council for its letter of support to the Governor.**

**Finally, I am pleased to announce that at the direction of Commissioner Grillo, DDC has created a new position of Director of ADA Compliance. Mr. Jay Wood came on board in July and provides expert advice in the agency's approach to accessibility and reviews all of our projects for compliance and to ensure they satisfy City and federal accessibility requirements.**

### **Conclusion**

**DDC's capital program for the three library systems will continue to be very active while we institute comprehensive reforms across the entire capital construction process. We are proud of our past successes, and we are adapting to the challenges to ensure continual improvement. Thank you.**

**Testimony of Brooklyn Public Library**  
**Committee on Cultural Affairs, Libraries and International Intergroup Relations**  
**Oversight - Upcoming Capital Projects in Libraries**  
**October 31, 2019**

Good morning Chair Van Bramer, Majority Leader Cumbo and members of the committee, thank you for your ongoing commitment to our city's public libraries, and for holding this oversight hearing. I am Linda Johnson, President and CEO of Brooklyn Public Library (BPL).

Libraries are vital for our city. We are the ultimate democratic space—doors open wide to accommodate everyone *for free*. And we are grateful to you, and to the Speaker and the Mayor, for your outstanding work to help us meet the challenge of providing the best possible service to the public.

With your help, the city made significant investments in library infrastructure, and we are beginning to reap the benefit. Brooklyn Public Library is amid our most significant era of rebuilding in history, as one third of our branches will be renovated or reconstructed over the next five years. Across the borough, we are improving neighborhood libraries with projects ranging from small restorations to full-scale renovations.

There is considerable progress to report on today, even as we face substantial capital needs. In addition to renovation projects in every part of the borough, we have built partnerships to fund them and help provide interim services, undertaken extensive community engagement, reduced our carbon footprint, and begun new projects to complement our building upgrades. Without the city's continued support, this would not be possible.

**Expanding our Footprint**

I am excited to share that BPL is adding its first new library in more than 35 years. Adams Street Library will be our 60<sup>th</sup> branch. Located on the Brooklyn waterfront, for the first time, residents of Vinegar Hill, DUMBO and Farragut will have a local branch. The library will be stocked with books, meeting rooms, and programming space for children, teens and adults. Like so many of the projects you will hear about today, we undertook an extensive community engagement process, holding public design sessions and town halls to ensure that the space and its programming are designed to meet neighborhood needs and priorities. We expect to be cutting the ribbon a year from now and I hope we will see you there.

In just a few months, Greenpoint residents will be welcomed back to a stunning new facility. The Greenpoint Library and Environmental Education Center has been completely rebuilt from the ground up, and will offer increased indoor and outdoor space, expanded programs and special collections. Funded collectively by the Greenpoint Community Environmental Fund, the State Education Department, State Assembly and the City, our new branch is a model of sustainable development, exceeding LEED Gold Building Certification requirements.

In fact, across our branches and renovations, we aim to be stewards of the environment by saving energy and lowering emissions. We have reduced our emissions of greenhouse gases by 40% since 2006, avoiding the equivalent of the carbon dioxide released from burning 3.8 million pounds of coal. Traditional lighting has been replaced with LED at 45 branches, we have installed 22 smart systems to better manage heat, light and air conditioning; and we upgraded 30 HVAC systems.

In Crown Heights, a new library space is being created through an innovative partnership that is also saving us money. We will relocate the existing Brower Park Library to the Brooklyn Children's Museum avoiding an \$8 million renovation and creating a new branch designed in consultation with the community. Our success is possible thanks to the Council, the Brooklyn Children's Museum and investments from the mayor, and borough president. The final designs were well-received, work is underway, and the branch will open next winter.

The Brooklyn Heights and Sunset Park communities will soon benefit from the completion of larger and inspiring new libraries. Brooklyn Heights Library will open in late 2020 and Sunset Park Library follows in 2021.

### **Comprehensive Branch Overhauls**

Strong partnerships are also enabling us to turn an infrastructure project at Walt Whitman Library into a comprehensive building renovation. Initially scoped to replace the HVAC, address fire safety, and accessibility, the project now includes a new garden space, exterior restoration and interior upgrades. Funded by the city and proceeds from our Brooklyn Heights Library redevelopment, we procured additional funds through the Downtown Revitalization Initiative, working with the state and the Borough President. Qualifying for the funding allows for a much-needed interior renovation and reconfiguration of the main floor and meeting room. And thanks to Majority Leader Cumbo's allocation in the last budget, we will have a dedicated teen space for young adults in the community.

Comprehensive \$20 million branch overhauls are underway at five libraries. Projects at Eastern Parkway, New Lots, Canarsie, Brownsville and New Utrecht Libraries demonstrate the importance of inclusion in the city's ten-year-capital plan. Full scale renovations like these are only possible because of a one-time inclusion of funds provided five years ago. Additionally, in a process new to our DDC-managed projects, Eastern Parkway, Brownsville and New Utrecht Library are developing the plans for these spaces guided by interactive public sessions and design charrettes.

Stakeholder engagements help us draw inspiration from local community members, incorporating neighborhood desires while maintaining the core role of the library. The overhaul of New Lots Library, for example, will also highlight the significance of the area's once unacknowledged African burial ground. Councilmember Barron's additional \$6 million allocation to the project, our single largest ever from a councilmember, will help us deliver a fully updated, state-of-the-art library for East New York that builds on the site's rich history.

Our most ambitious project though, is the sorely needed renovation of Central Library in Grand Army Plaza. As our largest and most visited branch, we are undertaking the logistical challenge of renovating the 352,000 square foot and 78-year-old building without any closures. Working with internationally renowned Toshiko Mori Architects, we will modernize the building, make more areas accessible to the public, and allow Central Library to better meet the needs of its millions of users, while restoring its original historic character. Thanks to a \$25 million allocation from the city, the project is moving forward.

### **Rethinking Interim Service options**

Throughout these renovations, our priority is always to ensure that the public has uninterrupted access to our materials and services whenever possible. Fresh thinking about how to provide interim services enables us to minimize the impact of long-term branch closures. Our librarians have strong relationships in their communities, so in many cases we have been able to work with local partners to host off-site library programming, offering small dedicated collections, and computer services in affected neighborhoods.

Two weeks ago, East Flatbush Library staff opened a pop-up library to minimize the impact of their closed branch on the neighborhood. Three days a week we offer services including printing, internet access, and a small collection of books in a free, dedicated space at Brookdale Hospital. This project, known as *Library In Transit (LIT)* will serve as a vital resource while the branch undergoes a comprehensive renovation over the next year.

Thanks to a partnership with Brooklyn Bridge Park we are opening a temporary outpost at one John Street, to serve patrons while the new Adams Street Library is under construction. Called the BPL Annex, it will include a laptop-loan program, a small collection and a place for patrons to pick up books on hold. Additional programs for children, teens and adults will be phased in over time.

Likewise, we count on our bookmobile fleet to help provide relief to patrons when a neighborhood branch is closed. Thus, we are re-inventing our bookmobile service; replacing the aging fleet and creating a new service delivery model.

Next fall, we will put a new custom designed tech-mobile on the road. Funded by Borough President Adams, it will offer additional computers, technology and programming to patrons who rely heavily on the library for access to technology.

During upcoming branch closures, our bookmobiles will not only bring a circulating collection relevant to the neighborhood, but also offer patrons the opportunity to pick up books they requested from the online catalog. Our renewed fleet will offer a walk-up service model, incorporating space on the sidewalk for patrons to browse mobile book displays under a protective canopy, pick up a hold, get a library card, or work with staff through a service window on the side of the vehicle.

### **Dismantling Defensive Architecture**

Everyone is welcome in our libraries, however, many of our building exteriors do not convey that message. So, we are developing a new initiative to eliminate defensive architecture without compromising safety. By removing outdated security measures like fences and window gates, and adding new features like lighting, signage, security cameras, landscaping, and potentially outdoor furniture, bike racks, and book drops, we will create a more inviting environment. Budget permitting, we aim to pilot these enhancements at select libraries, assess their impact, and develop standards to guide future upgrades for all our branches.

### **Conclusion**

This is a transformational period for Brooklyn's Libraries. For the first time in more than 50 years, Brooklyn is adding new and improved spaces to our portfolio – modern and inspirational facilities able to support the countless ways people use libraries today.

Your assistance brought us to this point. Over the last five years the city budget has included funding to begin addressing deferred maintenance, project shortfalls and to embark on some new and exciting projects. These investments are crucial, and we are relying on you to help us maintain and increase them.

At the end of last fiscal year, BPL was fortunate to have a DDC engineering firm conduct physical needs assessments at five of our buildings. These reports detailed the upgrades necessary to bring those buildings into a state of good repair, with real-time cost estimates for the extensive work. Their figures starkly illustrate the desperate need for robust capital funding.

Today, we face shortfalls of nearly \$27 million over 12 projects throughout the borough. We are forced to assign the bulk of the unallocated capital funding we receive each year keeping projects--initiated years ago--moving forward.

Awaiting the budget outcome to determine which projects can advance and which will stall, is inefficient, more costly, and hampers our ability to serve the public. We must be able to plan future projects, beyond addressing emergencies, and carry out more full-scale renovations of our branches.

Though we have been able to approach some of our buildings comprehensively, and we have done noble work together to reduce our deferred maintenance, Brooklyn Public Library still faces \$250 million in unmet needs.

While there is no easy solution to our capital predicament, providing a reliable, recurring source of funding for libraries in the ten-year capital plan is absolutely critical.

I know I am preaching to the choir—we truly appreciate the Council's advocacy to include libraries in the city's ten-year capital plan, though the outcome was ultimately disappointing. Thank you for working with us to ensure that Libraries are supported. BPL is committed to helping meet our capital challenges through identifying creative projects and additional funding streams. Coupled with a long-term and sustained investment by the City of New York, we can build upon the progress we have made. I am heartened by your focus on library capital projects, and your recognition that we must collectively rise to this challenge. I thank you for the opportunity to testify today and would be happy to answer any questions.

**NEW YORK CITY COUNCIL**

**THE COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND INTERNATIONAL  
INTERGROUP RELATIONS AND THE SELECT COMMITTEE ON LIBRARIES**

**OVERSIGHT HEARING: UPCOMING CAPITAL PROJECTS IN LIBRARIES**

**Thursday October 31, 2019**

**INTRODUCTION**

Good morning. My name is Iris Weinshall and I am the Chief Operating Officer of the New York Public Library (NYPL). I would like to thank Speaker Corey Johnson, Committee Chair Jimmy Van Bramer, the Committee Members, and the entire City Council for holding this hearing. I appreciate the opportunity to testify and would like to thank the Council for your steadfast support of libraries.

We are here today to discuss capital projects in libraries - our successes, our ongoing capital needs and the ways we're working with the City to improve the capital process. As you well know, the NYPL system is large and requires significant ongoing improvements to ensure that libraries are functional, safe spaces for our patrons. Our physical infrastructure is significant with 93 buildings and 62 current capital projects underway, including 25 in the Bronx, 30 in Manhattan, and 7 on Staten Island. These current projects represent \$484 million in total cost.

**UPDATE ON CURRENT CAPITAL PROJECTS**

With City, State and private support, we've been able to significantly advance our capital program. We have worked hard to adapt our buildings to best meet the needs of our patrons and we continue to improve and expand our physical footprint. Just a few examples:



- We recently celebrated the grand opening of a new Van Cortlandt branch in the Bronx. The new location is 5,800 square feet, more than double the size of the former branch, which was 2,700 square feet.
- At 685 square feet, Macomb's Bridge is our smallest branch. Located inside the New York City Housing Authority's (NYCHA) Harlem River Houses, this branch offers only 12 seats. A new Macomb's Library is currently under construction and at 3,375 square feet will be five times the size of the current library. It is scheduled to open in early 2020.
- Our Roosevelt Island Library is also moving to a new location and will increase in size from 3,400 to 5,200 square feet. It is also expected to open in early 2020.
- We recently broke ground on a brand new Charleston Library on Staten Island. The 10,000 square foot library, with dedicated adult, teen and children's areas, is located in a shopping area that will make it easier for family visits. We anticipate that the new Charleston Library will open in early 2021.
- Our biggest project is the Midtown Campus, which includes a complete renovation of our largest circulating branch—the Stavros Niarchos Foundation Library (previously the Mid-Manhattan Library). . The project is currently in construction and is scheduled to open in 2020 with brand new spaces for adults, teens, and children, a business center, and new programming and educational spaces, to name a few things.
- The Midtown Campus project also includes upgrades, increased public space, and more dedicated space for quiet research at the Stephen A. Schwarzman (SASB) building on 42nd Street and Fifth Avenue. That project is currently in its second phase; most recently, the 9-room Center for Research in the Humanities just opened on the second floor of the building, adding 56 seats exclusively dedicated to quiet study and work with our research collections.

- Lastly, as a result of our inclusion in the City's Ten-Year Capital Plan in FY 16, we are in the midst of complete renovations of five of our historic Carnegie libraries in high-need neighborhoods. The libraries are Hunts Point and Melrose in the Bronx, Fort Washington and 125th Street in Manhattan, and Port Richmond on Staten Island. The City committed \$100 million in capital funding towards these much-needed renovations; without allocated funding over 10 years, such major renovations would not be possible.

As information hubs and one of the city's key public computing centers, NYPL continues to improve its technology infrastructure. We currently have approximately \$18 million in systemwide technology projects that are either being implemented or planned. They include the replacement of desktop computers and printers, upgrades to our systemwide wifi and improved access to our digital collections. Investing in technology allows us to help bridge the digital divide for the estimated 2.5 million New York City residents who don't have broadband internet access at home.

## **ONGOING CAPITAL NEEDS**

For our capital projects, there is no doubt that we have benefited from the support of individual Council Members, Borough Presidents, the Speaker, and the Mayor. And we are grateful for all of the support. However, despite the progress we have made and the support we have received, the NYPL still faces nearly \$412 million of new capital needs. This number comprises all of our possible projects, including full renovations of branches, state-of-good-repair projects (such as ADA accessibility, HVAC, boilers, facades and roofs), technology upgrades and funding shortfalls on existing projects. Additionally, many branches need to be reconfigured for how New Yorkers use libraries today, with increased programming, educational and community

space. At NYPL, the average age of our libraries is 70 years old, with many branches dating back more than 100 years, making the challenge of keeping our physical infrastructure in good condition even more acute. We understand that access starts at the front door to our libraries and we are working to make our buildings fully accessible, with accessibility an integral part of the design of all new branches and full renovations. The capital work that we need to do is necessary to be able to provide the level of library service and the safe, accessible spaces that our staff and users deserve.

## **SUCCESSSES AND CHALLENGES**

Together we have made great progress on library capital projects. The NYPL has significantly improved its capital commitment rate to 40% in FY 19 and continues to work with the City to think creatively about how to make the process better. While we have had success, we continue to face a number of challenges. Thanks to your support and advocacy, in FY 2016, we were included in the city's 10-Year Capital Plan for the first time, and received \$100 million in additional capital funding allowing us to do full renovations of 5 branches. This was truly a game-changer. However, we have not received any new funding under the 10-Year process since then. We hope to remain part of the City's Ten-Year capital planning conversation and to build on the progress we have made.

We continue to work with DDC to find ways to improve the management and delivery of library capital projects. We remain hopeful that DDC's Front-End Planning process will lead to more consistent budgets and faster timelines for library projects. However, DDC project shortfalls remain a major concern. Nearly all of our DDC-managed projects are coming back with significant funding shortfalls. This not only delays those projects, but also impacts our entire

capital portfolio, as we are forced to allocate finite capital dollars to shortfalls as opposed to new needs. We are encouraged about the possibility of Design-Build authority from the State for DDC managed library projects. This important piece of legislation was recently approved by both houses and awaits the Governor's approval.

We are also working with Deputy Mayor Been and her office to find innovative ways to advance our capital program. Construction of our five Carnegie libraries, as well as our new Charleston branch is being managed by the NYC Economic Development Corporation (EDC). When appropriate, we are doing certain projects as Cultural Grants (pass-throughs), including the property purchase of the recently opened Van Cortlandt branch and the Midtown Campus project. However, increasing the number of Cultural Grant projects is not financially sustainable and therefore not something we are eager to do. We are also working with the City's Department of Housing Preservation and Development (HPD) and the Robin Hood Foundation Corporation to redevelop the Inwood Library. This innovative project features a mixed-use development that will house a brand new library, 100% affordable housing, a community center, a STEM center and a universal pre-K site. Finally, we are working with the City to make the purchase of public-use laptops capitably eligible and are hopeful that the details will be worked out very soon.

More major capital projects has also meant an increase in the number of branches that will be subject to long-term temporary closure. The temporary closure of a library means the loss of library service to a community - something we take very seriously. We have developed a three-pronged approach to temporary services during branch closures, including partnering with local community organizations to secure temporary program space, regular bookmobile service

and enhanced services at nearby branches. We appreciate how important temporary library services are to a community during extended closures and we will do all that we can within our limited funding to creatively provide for them.

## **CONCLUSION**

For more than a century, NYPL's network of libraries across the Bronx, Manhattan, and Staten Island have served as powerful engines of individual and community empowerment and development. But they require capital investment and an efficient City capital process to ensure we can continue to provide all New Yorkers with the tools—and the essential public spaces—that they need and deserve. Whether it's the newly-renovated Van Cortlandt, or recent full renovations of the Stapleton Library in Staten Island or the Washington Heights Library in Manhattan, the impact of improved facilities is clear -- circulation, program attendance, and visits grow significantly after capital investment. For example, the first full year after Washington Heights was renovated, the branch saw a 105% increase in program attendance, a 47% increase in visits, and a 45% increase in circulation over the last full year it was open prior to the renovation. These are typical numbers that show the importance of offering New Yorkers inspiring, functional, modern spaces. Together we have made great progress on our capital program and we need to continue to build on that progress. We are grateful for the Council's longtime support of libraries and look forward to working with you and our other partners in government to increase our ability to provide world-class library service to New Yorkers in well-maintained, safe, and accessible spaces.

Once again, thank you for the opportunity to testify on this important issue. I remain available to answer any questions you may have.

**Testimony of Brooklyn Public Library**  
**Committee on Cultural Affairs, Libraries and International Intergroup Relations**  
**Oversight - Upcoming Capital Projects in Libraries**  
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With your help, the city made significant investments in library infrastructure, and we are beginning to reap the benefit. Brooklyn Public Library is amid our most significant era of rebuilding in history, as one third of our branches will be renovated or reconstructed over the next five years. Across the borough, we are improving neighborhood libraries with projects ranging from small restorations to full-scale renovations.

There is considerable progress to report on today, even as we face substantial capital needs. In addition to renovation projects in every part of the borough, we have built partnerships to fund them and help provide interim services, undertaken extensive community engagement, reduced our carbon footprint, and begun new projects to complement our building upgrades. Without the city's continued support, this would not be possible.

**Expanding our Footprint**

I am excited to share that BPL is adding its first new library in more than 35 years. Adams Street Library will be our 60<sup>th</sup> branch. Located on the Brooklyn waterfront, for the first time, residents of Vinegar Hill, DUMBO and Farragut will have a local branch. The library will be stocked with books, meeting rooms, and programming space for children, teens and adults. Like so many of the projects you will hear about today, we undertook an extensive community engagement process, holding public design sessions and town halls to ensure that the space and its programming are designed to meet neighborhood needs and priorities. We expect to be cutting the ribbon a year from now and I hope we will see you there.

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### **Comprehensive Branch Overhauls**

Strong partnerships are also enabling us to turn an infrastructure project at Walt Whitman Library into a comprehensive building renovation. Initially scoped to replace the HVAC, address fire safety, and accessibility, the project now includes a new garden space, exterior restoration and interior upgrades. Funded by the city and proceeds from our Brooklyn Heights Library redevelopment, we procured additional funds through the Downtown Revitalization Initiative, working with the state and the Borough President. Qualifying for the funding allows for a much-needed interior renovation and reconfiguration of the main floor and meeting room. And thanks to Majority Leader Cumbo's allocation in the last budget, we will have a dedicated teen space for young adults in the community.

Comprehensive \$20 million branch overhauls are underway at five libraries. Projects at Eastern Parkway, New Lots, Canarsie, Brownsville and New Utrecht Libraries demonstrate the importance of inclusion in the city's ten-year-capital plan. Full scale renovations like these are only possible because of a one-time inclusion of funds provided five years ago. Additionally, in a process new to our DDC-managed projects, Eastern Parkway, Brownsville and New Utrecht Library are developing the plans for these spaces guided by interactive public sessions and design charrettes.

Stakeholder engagements help us draw inspiration from local community members, incorporating neighborhood desires while maintaining the core role of the library. The overhaul of New Lots Library, for example, will also highlight the significance of the area's once unacknowledged African burial ground. Councilmember Barron's additional \$6 million allocation to the project, our single largest ever from a councilmember, will help us deliver a fully updated, state-of-the-art library for East New York that builds on the site's rich history.

Our most ambitious project though, is the sorely needed renovation of Central Library in Grand Army Plaza. As our largest and most visited branch, we are undertaking the logistical challenge of renovating the 352,000 square foot and 78-year-old building without any closures. Working with internationally renowned Toshiko Mori Architects, we will modernize the building, make more areas accessible to the public, and allow Central Library to better meet the needs of its millions of users, while restoring its original historic character. Thanks to a \$25 million allocation from the city, the project is moving forward.

### **Rethinking Interim Service options**

Throughout these renovations, our priority is always to ensure that the public has uninterrupted access to our materials and services whenever possible. Fresh thinking about how to provide interim services enables us to minimize the impact of long-term branch closures. Our librarians have strong relationships in their communities, so in many cases we have been able to work with local partners to host off-site library programming, offering small dedicated collections, and computer services in affected neighborhoods.

Two weeks ago, East Flatbush Library staff opened a pop-up library to minimize the impact of their closed branch on the neighborhood. Three days a week we offer services including printing, internet access, and a small collection of books in a free, dedicated space at Brookdale Hospital. This project, known as *Library In Transit (LIT)* will serve as a vital resource while the branch undergoes a comprehensive renovation over the next year.



Thanks to a partnership with Brooklyn Bridge Park we are opening a temporary outpost at one John Street, to serve patrons while the new Adams Street Library is under construction. Called the BPL Annex, it will include a laptop-loan program, a small collection and a place for patrons to pick up books on hold. Additional programs for children, teens and adults will be phased in over time.

Likewise, we count on our bookmobile fleet to help provide relief to patrons when a neighborhood branch is closed. Thus, we are re-inventing our bookmobile service; replacing the aging fleet and creating a new service delivery model.

Next fall, we will put a new custom designed tech-mobile on the road. Funded by Borough President Adams, it will offer additional computers, technology and programming to patrons who rely heavily on the library for access to technology.

During upcoming branch closures, our bookmobiles will not only bring a circulating collection relevant to the neighborhood, but also offer patrons the opportunity to pick up books they requested from the online catalog. Our renewed fleet will offer a walk-up service model, incorporating space on the sidewalk for patrons to browse mobile book displays under a protective canopy, pick up a hold, get a library card, or work with staff through a service window on the side of the vehicle.

### **Dismantling Defensive Architecture**

Everyone is welcome in our libraries, however, many of our building exteriors do not convey that message. So, we are developing a new initiative to eliminate defensive architecture without compromising safety. By removing outdated security measures like fences and window gates, and adding new features like lighting, signage, security cameras, landscaping, and potentially outdoor furniture, bike racks, and book drops, we will create a more inviting environment. Budget permitting, we aim to pilot these enhancements at select libraries, assess their impact, and develop standards to guide future upgrades for all our branches.

### **Conclusion**

This is a transformational period for Brooklyn's Libraries. For the first time in more than 50 years, Brooklyn is adding new and improved spaces to our portfolio – modern and inspirational facilities able to support the countless ways people use libraries today.

Your assistance brought us to this point. Over the last five years the city budget has included funding to begin addressing deferred maintenance, project shortfalls and to embark on some new and exciting projects. These investments are crucial, and we are relying on you to help us maintain and increase them.

At the end of last fiscal year, BPL was fortunate to have a DDC engineering firm conduct physical needs assessments at five of our buildings. These reports detailed the upgrades necessary to bring those buildings into a state of good repair, with real-time cost estimates for the extensive work. Their figures starkly illustrate the desperate need for robust capital funding.

Today, we face shortfalls of nearly \$27 million over 12 projects throughout the borough. We are forced to assign the bulk of the unallocated capital funding we receive each year keeping projects--initiated years ago--moving forward.

Awaiting the budget outcome to determine which projects can advance and which will stall, is inefficient, more costly, and hampers our ability to serve the public. We must be able to plan future projects, beyond addressing emergencies, and carry out more full-scale renovations of our branches.

Though we have been able to approach some of our buildings comprehensively, and we have done noble work together to reduce our deferred maintenance, Brooklyn Public Library still faces \$250 million in unmet needs.

While there is no easy solution to our capital predicament, providing a reliable, recurring source of funding for libraries in the ten-year capital plan is absolutely critical.

I know I am preaching to the choir—we truly appreciate the Council's advocacy to include libraries in the city's ten-year capital plan, though the outcome was ultimately disappointing. Thank you for working with us to ensure that Libraries are supported. BPL is committed to helping meet our capital challenges through identifying creative projects and additional funding streams. Coupled with a long-term and sustained investment by the City of New York, we can build upon the progress we have made. I am heartened by your focus on library capital projects, and your recognition that we must collectively rise to this challenge. I thank you for the opportunity to testify today and would be happy to answer any questions.



**Statement by Dennis M. Walcott, President and CEO, Queens Public Library**

**New York City Council Committee on Cultural Affairs, Libraries and International Intergroup Relations**

**Oversight - Upcoming Capital Projects in Libraries**

**October 31, 2019**

Good morning. It is a pleasure to be here. I am Dennis Walcott, President and CEO of Queens Public Library (QPL). Thank you, Chair Van Bramer, and the members of this distinguished Committee for the opportunity to testify today.

Thanks to investments made by elected officials over many years, in particular the Members of this City Council, the de Blasio Administration and the Queens Borough President's office, we have capital improvements happening at many of our libraries across the Queens Public Library system.

Every Queens City Council district has an active or planned capital project. The Department of Design and Construction (DDC) manages QPL projects. There are currently 42 projects, either active or in various stages of DDC's Front End Planning Unit, with a portfolio value totaling \$255 million. Projects in this portfolio include, but are not limited to, roof and HVAC replacements, interior renovations, building expansions and brand new libraries.

- In the Chair's district, there will be a complete interior renovation of the Broadway library, where DDC anticipates work beginning autumn 2020. We will also do a complete interior renovation of the Woodside library and are actively fundraising for the project.
- In Council Member Koslowitz's district, a brand new library will be built in Rego Park. It has been something the community has wanted for a great deal of time, so I am happy that work is underway on that project.
- In Council Member Moya's district, the Corona library will undergo an expansion to accommodate the growing population and the ever-increasing number of programs we offer.
- In District 19, a brand new library will be built for the Douglaston community.
- In District 20, a brand new elevator will be installed in the Flushing library, as well as an upgrade to the original elevator's system. The Flushing library is the busiest branch library in the country, so this project is essential to helping customers move more quickly and more efficiently through the building.
- Similarly, in District 22, a new elevator will be installed in the Astoria library, as well as other upgrades to the building to make it more accessible to the public.

- In District 23, the Queens Village library will undergo an interior renovation, with work also being done to replace the roof and upgrade the HVAC system.
- In District 24, the Briarwood library will be expanded and renovated.
- Similarly, in District 25, the Jackson Heights library will be expanded and renovated.
- In District 27 and District 28, the South Hollis library and the Baisley Park library, respectively, will undergo complete interior renovations.
- The Middle Village library in District 30 will close next month (November 2019) in order for the HVAC system to be replaced.
- In District 31, the Far Rockaway community will receive a beautiful, state-of-the-art, brand-new library designed by the world-renowned architectural firm, Snohetta.
- Finally, in District 32, the Woodhaven library will receive an exterior and interior renovation, which will make it more accessible to the public and will restore original masonry openings to reinvigorate one of our original Carnegie libraries.

While there are a great deal of exciting projects either planned or taking place, we are still faced with significant challenges. The biggest challenge we face as a system is the amount of shortfalls on our projects. As many of you are painfully aware, as soon as a shortfall is identified on a project, the process stops immediately. If presented with a shortfall on a project in September, for example, chances are we would be unable to recommence that project until the next fiscal year when, hopefully, the city would have provided new funding to help cover the funding gap. For seven priority projects of ours, we are experiencing a funding gap of over \$40 million.

This highly inefficient process adds to project delays and costs and deprives communities of their library. **Therefore, one of the most important things the City can do to help libraries in the capital process is to create a dedicated pool of capital funds, strictly for the use of libraries, to address mid-fiscal year shortfalls.**

Next, if QPL is forced to fundraise for its capital plan in a piecemeal manner, relying on individual Council Members to fund multimillion-dollar projects, our buildings will rapidly fall out of a state of good repair. **Therefore, New York City's three library systems must receive another significant lump sum allocation, similar to Fiscal Year 2016's \$300 million allocation to libraries, under the City's Ten-Year Capital Plan.** This funding is vital for libraries to plan effectively and initiate much-needed critical infrastructure, renovation and expansion projects.

Additionally, as DDC implements their comprehensive plan to improve the delivery of capital projects, it is unknown what the impact would be with regard to increased fees or costs that could be passed on to libraries. As it is implemented, the three library systems will certainly keep the Council apprised of any issues that may arise.

Creating a dedicated pool of capital funding to cover shortfalls on library projects and adequately funding the three systems in the Ten-Year Capital Plan are the most important things that can be done now.

As always, thank you for the opportunity to testify today, Chair Van Bramer.

Good morning, my name is Anne Mitchell, and I am a member of NY-NJ CubaSi, a broad coalition of organizations and individuals who for decades have worked for normalization of the relationships between the United States and Cuba, in particular for the lifting the Cuban Embargo/Blockade and end the ban on travel to Cuba by United States citizens. I am here to present the highlight of the testimony of Joan P. Gibbs, Esq. and Dr. Rosemari Mealy, the two CubaSi members who have led on this initiative and are not here today because they are on their way to Havana, Cuba to attend the International Solidarity Conference for Democracy and Against Neoliberalism. Ms. Gibbs and Ms. Mealy have electronically submitted a copy of their full testimony.

### **The Cuban Embargo Should Be Lifted**

First imposed during the Eisenhower administration, the Cuban Embargo/Blockade is a relic of the Cold War, and should have ended with it, if not before. The United States, in the hope of starving the Cuban people into rebellion and destabilizing the country has been a failed policy. It has not caused the Cuban people to rebel in sixty-years despite the overwhelming hardships that it has intended, as the majority of the Cuban people continue to support the Cuban transition to new forms of economic and social transformation. Cuba is a sovereign nation and should be respected as such by the United States.

The Cuban embargo has long been opposed by a majority of the nations of the world. Indeed, every year since 1992, the United Nations General Assembly has passed a resolution declaring the embargo to be a violation of the Charter of the United Nations and International Law. During the most recent vote on a resolution condemning the embargo, 189 of the 193 members of that body voted in favor of the resolution. Two countries, the United States and Israel, voted against the resolution; two countries, Moldova and the Ukraine did not vote. The embargo is also reportedly opposed by a majority of the citizens of the United States.

During the administration of former US President Barak Obama, the US and Cuba commenced steps towards improving relations between the two countries. In November 2014, Obama and then Cuban President Raúl Castro announced that the two governments would restore full diplomatic ties and ease the more than fifty years of bilateral hostilities.<sup>1</sup> The same day Obama and Castro also announced that they had agreed to an exchange of prisoners, including the remaining incarcerated members of the Cuban Five and the release of Alan Gross, a US contractor on humanitarian grounds. Thereafter, the US took a number of steps towards the relaxation of tensions. These steps included:

- Easing restrictions on travel to Cuba by allowing US citizens to travel to Cuba in groups or individually as long as they fell into one of twelve categories, including the two most popular; “people to people” visits and “support for the Cuban people.”

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<sup>1</sup>Prior to the November 2014 announcement, several weeks after taking office in 2009, Obama had eased restrictions on remittances and travel, allowing Cuban Americans to send unlimited funds to Cuba and permitting US citizens to visit Cuba for religious and educational purposes. During the course of his first term, Obama continued to modestly loosen restrictions in these areas.

- Lifting several restrictions affecting the importing and exporting of goods between the US and Cuba;
- Removing Cuba from the US State Department Sponsors of Terrorism List;
- Allowing the Cuban government to open a bank account in the US for purpose of conducting non-cash business transactions, which Cuba had been unable to do since the beginning of the embargo;
- Restoring US commercial airlines flights to Cuba for the first time in fifty years;
- Authorizing cruise ship operations; and
- Signing twenty-four Memoranda of Understanding in areas such as education, counter-narcotics, and environmental protection.

In addition, days before leaving office, Obama also repealed the “wet foot, dry foot” policy, which since its adoption in 1995 allowed Cubans who reached the US shores authorization to pursue permanent residency. The “wet foot, dry foot” policy was viewed by many as discriminatory because it applied only to Cubans, and not to other migrants seeking entrance to the US such as Haitians. The reality of the “wet foot, dry foot” policy brought US treatment of Cubans in line with its treatment of other migrants seeking to enter the US.

Since his inauguration, Donald Trump has tirelessly worked to dismantle the gains made during the Obama presidency, including the steps taken by the Obama administration to improve relations between the United States and Cuba. To this end, the Trump regime has

- manufactured a crisis to justify of the reduction of staff at the US Embassy in Havana to a skeleton crew and shut down most of its consular services, including visa processing by charging that staff’s health had been damaged by “sonic waves”; the FBI investigated and discovered no evidence of the alleged “sonic attacks” against U.S. diplomatic personnel in Cuba;
- capped remittances – unlimited under the Obama administration- at \$4,000 a year;
- stopped group, educational or cultural, trips or “people to people” visits;
- stopped allowing cruise ships, private yachts or fishing vessels from stopping in Cuba;
- opted not to suspend Title III of Helms-Burton Act which provides US nationals who owned property in Cuba at the time of the Cuban Revolution with a private cause of action to sue in federal district courts any person or entity that knowingly “traffics” or uses property lawfully nationalized by Cuba decades ago;
- cancelled five-year B2 visas for Cuban citizens that allowed for multiple entries for up to three months ;<sup>2</sup>

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<sup>2</sup> As a result of this abrupt change in US visa policies, which was effective two days after it was announced, Cuban citizens can now only obtain visas for one trip to the United States for a three-month period. Because the US embassy in Havana is operating with a skeleton crew and has shut down most of its consular services, Cubans must not only pay \$160 for a US visa but also pay for travel and lodging in a third country, often to see their visa application denied. By contrast, applications for a Cuban visa are a mere formality as airlines and travel agencies are authorized to offer visas to anyone traveling at a cost of 50.00, plus the airline processing fee which is part of the traveler’s purchase price of an airline ticket or

- announced a new policy denying visas to Cuban medical personnel involved in health-related collaborations with more than sixty countries; and
- sanctioned companies that participate in the shipment of fuel to Cuba, thereby generating an energy crisis that compelled the Cuban government to take savings and control measures.
- As of this past Friday, October 25, 2019, the Trump administration suspended and will bar all scheduled U.S. air travel to Cuban airports between the United States and Cuba except Havana. This ban goes into effect December 10 as thousands of Cuban Americans in particular, are planning to visit their family and other love ones during the Christmas holidays.

The Trump' administration's actions in reversing the steps taken by the Obama administration towards normalization are harmful to the people of both the United States and Cuba as well as the economies of both countries. In particular, the "[r]olling back" the steps taken by the Obama administration, according to Engage Cuba, "could cost US businesses and taxpayers 6.1 billion over the course of . . . [Trump's] first term and affect 12, 295 jobs across the country. Communities most reliant on the manufacturing, tourism, and shipping industries would be disproportionately affected, especially Gulf states with deep water ports and cruise terminals."<sup>3</sup>

### **The Ban On Travel Should Be Ended**

Like the Cuban embargo, the restrictions on travel to Cuba have existed since 1963, when the Department of Treasury issued regulations to carry out the embargo. Although the regulations did not explicitly ban travel to Cuba, they placed restrictions on any financial transactions related to it, effectively banning travel. In years since, the OFEC regulations pertaining to travel have changed several times. The ban on travel was codified in the Trade Sanctions and Export Act, which was signed into law by Clinton in 2000. Accordingly, the travel ban can only be entirely lifted by an act of congress signed into law by the President.<sup>4</sup>

During the Obama administration, as previously mentioned, the restrictions on travel were eased to allow US citizens to more easily travel to Cuba in groups or individually. Reportedly, over 600,000 US citizens traveled to Cuba in 2018 in groups or individually via airplanes and cruise ships.

Similar to its erasure of the Obama administration relaxation of the embargo, the Trump administration has also sought to erase the Obama's relaxation of the ban on travel to Cuba. In June 2019, the Trump administration stopped group educational or cultural trips or "people to people" visits. The Trump administration has also banned travel to Cuba on cruises, private

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travel package. Prior to the recent change in B2 visas, thousands of Cuban citizens have come to US on B2 visas to visit their families, shop and engage in cultural or academic exchanges.

<sup>3</sup> Engage Cuba, "The Economic Impact of Tightening U.S. Regulations on Cuba," (Washington, DC: May 31, 2019) at p.2.

<sup>4</sup> The United States Supreme Court has considered the ban in two cases and both times upheld it. See e.g., *Regan v. Wald*, 468 U.S. 222 (1984) and *Zemel v. Rusk*, 381 U.S. 1 (1965).

aircraft, yachts and stopped allowing fishing vessels to dock in Cuba. Most recently, in late October 2019, the Trump administration announced that it was suspending U.S. airlines travel to nine destinations in Cuba. The affected airlines, including American Airlines, Delta and JetBlue were given 45 days to end operations on the islands related to these destinations. Once this new policy becomes effective in early December 2019, Americans will only be able to travel to one city in Cuba, Havana. The Trump administration's strengthening of the ban on travel to Cuba will reportedly result in a loss of thousands of jobs in the airline and cruise industries and of revenue to the US of millions of dollars.<sup>5</sup>

In conclusion, I join with Ms. Gibbs and Ms. Mealy, in urging the members of this Committee to vote in favor of Resolution 1092, and to present Resolution 1092 for a vote.

Thank you for allowing me to testify today.

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<sup>5</sup>Engage Cuba, "The Economic Impact of Tightening U.S. Regulations on Cuba," (Washington, DC: May 31, 2019) at pp. 3 -4. .



Brodie Enoch

City Council Testimony

October 31<sup>st</sup> 2018

*The Cuban Resolution*

Good Morning,

My name is Brodie Enoch. I am a longtime advocate, activist and organizer. I have fought for such causes as voter education, affordable housing, the rights of the homeless and low income New Yorkers as well as the right for a fair living wage. At the present time I am attending Fordham University Graduate School of Social Services in pursuit of an MSW. Part of the MSW program is that I complete a certain amount of hours working as an intern.

I have had the privilege and good fortune to have landed at IFCO pastors for Peace. The organization has for over a half a century fought for the protection and implementation of civil rights for all. It is at IFCO that I was introduced to the resolution that is being brought before this committee today.

The points addressed in this proposed resolution make sense. There are those who will testify before this committee today as well as those who have submitted written testimony who will with expertise and knowledge tell you why they think this resolution should be adopted by this body. Their expertise is derived from years of engagement with the Cuban experience and African diaspora. Their expertise in the problems caused by the present political climate between the two countries is unmatched.

As for the merits of this resolution. I not sure if any here can find any true reason to object to it being passed. I think the real question should be "why is it that we even need this legislation in the first place?"

Cuba is one of our closest neighbors. Have we reached this anti-Cuba rhetoric because of a difference of political ideologies? Well that can't be it. We have, during this present

administration, attempted to normalize relations with Countries with political philosophies and leadership that have called this country their sworn enemy.

Cuba has not involved itself in attempting to illegally influence our political system or elections. Yet we as a nation have bent over backwards to nations who have, according to our intelligence departments, done just that.

Why has this country taken such an anti-Cuban stance? I'll get back to that.

It indeed you were lucky enough to travel to the island you would not be able to stay at any of the hotels. But in the US the person in the Whitehouse is allowed to own and operate a hotel down the block from 1600 Pennsylvania Avenue where foreign diplomats are encourage to stay. If this is not hypocrisy then I don't know what is.

There seems to be only one logical reason why Cuba is treated the way it is. I can almost guarantee that if the island were full of European looking folks that this resolution would not be necessary. It is because the island of Cuba is full of brown people who have the audacity to choose to decide for themselves just how to govern and run their homeland we are here today.

I urge this council to adopt this resolution. It is time to end the racist attitude that this nation has for far too long held against the people of Cuba.

Thank you for this opportunity to express my opinion.

Brodie Enoch

## **Testimony at a NYC Council Hearing on Res. No. 1092, October 31, 2019**

Good morning. I thank the committee for holding this hearing on lifting the 60-year old embargo/blockade of Cuba, and ending the onerous restrictions on travel.

My name is Pat Fry. I was born and raised in Detroit and have lived for the last 27 years in New York City. I am here representing 2 organizations that I work with – the Committees of Correspondence for Democracy and Socialism, and the Alliance for Global Justice.

I have worked to end the illegal, immoral blockade of Cuba ever since I first visited the country in 1972. I went with a group of some 200 Americans to express our opposition to U.S. foreign policy that was attempting to overthrow that country's government. We helped to build new houses for a dairy farm outside of Havana. This was 13 years after the Cuban people overthrew the military dictatorship of Batista, a brutal regime supported by the U.S. government and the U.S. corporations that had long profited off the misery of the people.

I was harassed and hounded by the FBI upon my return with visits to my landlord and employer and a Senate hearing on our group's so called Un American activities. This of course was not much compared to the enormous suffering of the Cuban people only because they want to build a society free of U.S. domination.

In April of this year, I was with a group of U.S. and Canadian citizens who visited Venezuela to see up close the dire conditions in the country – caused mainly by U.S. sanctions and the illegal seizure of that country's oil and gold revenues. In the morning of April 30<sup>th</sup>, I awoke to gun fire outside our hotel in Caracas. An attempt at a coup was underway. It failed miserably because the working class and impoverished of Venezuela rushed to defend their government. The coup was organized and financed by our U.S. tax dollars.

The Trump administration blamed Cuba for its failed attempts to overthrow the Maduro government of Venezuela. The lies they told the American people were that Cuba had thousands of its soldiers propping up Maduro. The truth is that Cuba has only doctors, health care workers and organic farmers in Venezuela, some of whom I met on my trip. The Trump administration has used these untruths to heap ever more inhumane sanctions in an economic warfare against the Cuban people, blocking nearly all international financial interactions and trade. U.S. based cruise liners that have been the most popular form of travel for Americans have now been completely shut down. Just last week it was announced that the U.S. is forcing the closing of all air travel to Cuban cities other than Havana.

The economic impact of nearly 60 years of the U.S. embargo is estimated at nearly 3 trillion dollars. The blockade is a massive, flagrant, and systematic violation of the human rights of the Cuban people. The U.S. should have discarded its imperial policy toward Cuba once the Cold War ended but it persists today in the same way that the Monroe Doctrine was used to justify the so-called right of the U.S. to control Latin America in the last two centuries.

This is a losing policy. As we have seen in recent weeks and months, more and more peoples of Latin America are refusing to submit to the dictates of Washington policy, its financial institutions and

corporations that aim to take over the oil fields, the rich natural resources of Latin America and the labor of its peoples – there is a rising going on throughout the hemisphere – in Puerto Rico, Haiti, Ecuador, Chile, Argentina, Mexico, Uruguay, Bolivia and elsewhere.

It's time for our U.S. Congress to take a stand against a foreign policy that does not benefit the American people, but only corporate interests. Our tax money should go to fund our libraries, our schools, our worn-out transportation system, our cities struggling with budgets.

I urge the City Council of New York City to take a stand on the side of humanity, decency and respect for the national sovereignty of the people of Cuba. Please urge our Congressional delegation to do all it can to end the embargo and restore our right to travel to Cuba unencumbered.

Thank you.

Pat Fry  
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October 31, 2019

10/30/2019

Good Afternoon:

My name is Sapphire Mann Ahmed, and I am foremost an advocate for reformed high quality Medicare for all, in the USA. As a physician, with a master in public health, I have provided health care to individuals living in some of the most disadvantaged communities in NYC. I have had the privilege of visiting Cuba and studying aspects of its healthcare system on numerous occasions. In addition, I am a member of the IFCO Medical Advisory Board which is responsible for selecting US students to study medicine on full scholarship, awarded by the Cuban people, at Cuba's world renowned Latin American School of Medicine (ELAM).

We, the people of the USA, should have long ago ended the 60 year old embargo against Cuba. Why? Because the USA embargo against Cuba is unjustified, racist and inhumane. Cuba is like David, a small nation trying to feed, heal and develop the potentials of all its peoples, not just its European and wealthy citizens, at the expense of its African, Indigenous or mixed ethnicity and poorer citizens. Cuba is a multi-ethnic nation of primarily peoples of color. And, its peoples have done what the USA-European American leaders have always advocated for peoples of color. They have 'pulled themselves up with their shoe strings'. So, why is this gigantic empire (liken to Goliath), supported with our taxes, consistently aiming to starve the Cuban people of medicines for treating asthma, diabetes, infections, high blood pressure, etc.? Why are we, the USA, persistently implementing laws aimed to stifle the social and economic development of this small nation? Why are we oppressing them with our global might when Cuba is not a terrorist nation, like some nations whom our government befriends?

I submit to you, that this government, in our name, implements policies towards Cuba with the objective of destabilizing it and where the goal is to collapse its political economy, and impose a racist and extremely disparaging economic society. The Cuban people, nor should we, want to return Cuba to a pre-1960 period. A time when predominantly the European Cubans, the wealthy and the mafia, only, enjoyed full human rights and the necessities of life. The Cuban people should be honored for exceeding the USA Empire in terms of reducing racial, health and economic disparities, attaining world renowned high literacy, education and health indices rates, especially under the cruel USA blockade.

Cuba's quality of life and health indices should shame the USA. In fact, the USA would benefit to implement many aspects of Cuba's National Health/Wellness System. Cuba has more primary care doctor per population than the USA while it spends about a tenth of what the USA spends on health per person, annually, with equitable outcomes. Cuba's total expenditure on health as % of GDP is less than 25% of the USA's total expenditure on health as % of GDP. Yet, Cuba still provides DOCTORS to care for of all it peoples and has no pharmaceutical mafia industry, as we do in the USA. Finally, having endured the USA global blockade for over a half century, Cuban has still managed to keep its people off the streets begging for food, dying of infections, uneducated and homeless. Why? Because the Cuban leaders, on all levels, are religiously committed to sharing the national wealth with all its citizens.

Cuba, in fact, has so much to offer to the USA, in the areas of functioning democratic community based political structures, healthcare and education.

Furthermore, if beautiful beaches are the preoccupation of this current president, Cuban beaches are so much closer than those of 'Greenland' for the average American to afford to visit.

In closing, Cuba is a 'Model' nation working to 'prevent', (NOT to cause then try to cure), extreme disparities. Disparity of wealth is the fundamental cause of the violence that we witness imploding nations around the planet.

If we the people of the USA condemn bullying, then we must demand that our representatives end this inhuman and unjust harassment of the Cuban people.

Cuba deserves not just an end to the blockade. Moreover, Cuba is a model small nation that deserves the USA's praise and support.

I thank the Council-members Inez Barton , Ydanis Rodriguez and Jimmy Van Bramer for having the courage to sponsor, introduce and bringing forth Resolution 1092 before this committee and I encourage every member of the NYC Council to vote YES.

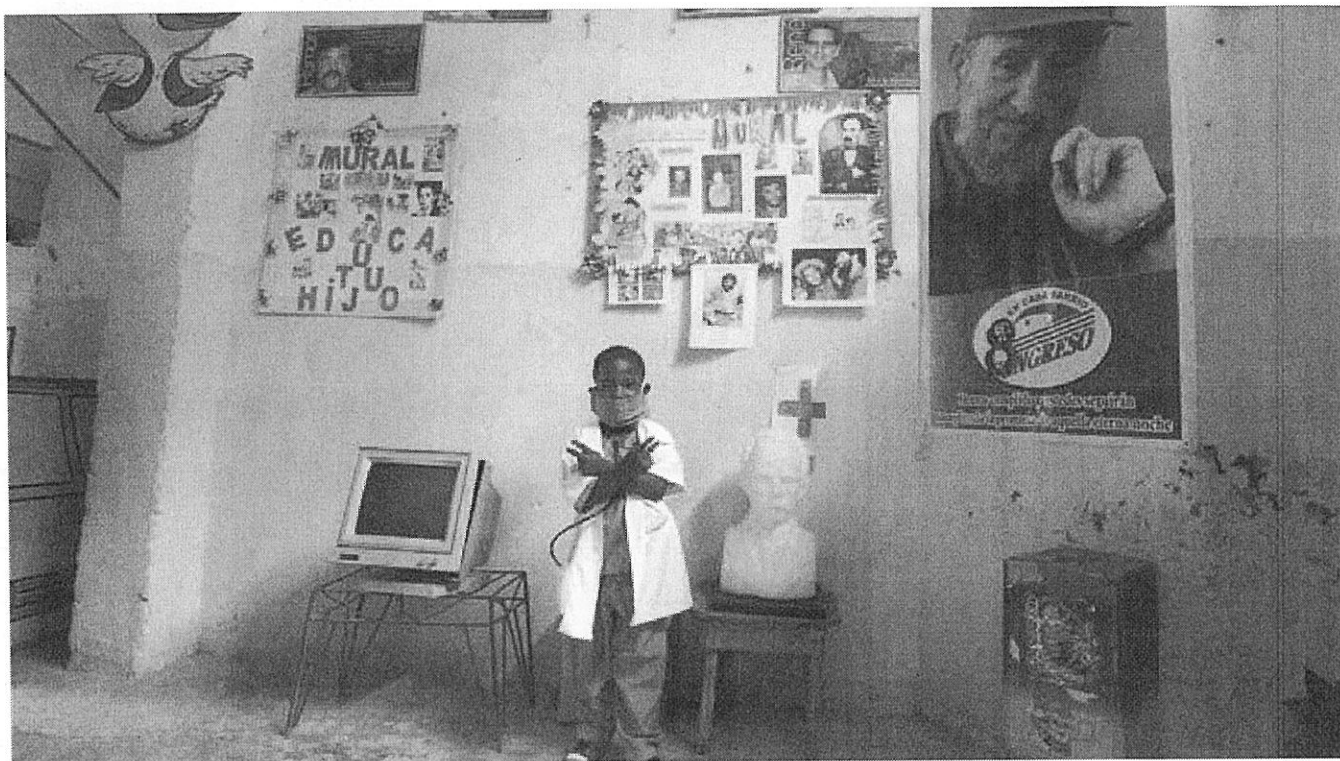
Let Cuba and it's people live and thrive and decide their own values!!

## HEALTH

# How Cubans Live as Long as Americans at a Tenth of the Cost

Lessons of physical prosperity in a despotic regime

JAMES HAMBLIN NOV 29, 2016



A kindergarten student in Havana poses in a doctor costume (ENRIQUE DE LA OSA/REUTERS)

On public-access TV in 1985, Bernie Sanders defended an element of Fidel Castro's regime: It was rarely mentioned that Castro provided health care to his country. Sanders grumbled that the same could not be said of then-President Reagan.

The comment came back to haunt Sanders in the wake of Castro's death. On Sunday on ABC's *This Week*, host Martha Raddatz played the old clip and then asked Sanders if he was aware that "this was a brutal dictatorship despite the romanticized version that some Americans have of Cuba." She reminded Sanders that Castro rationed food and punished dissidents, then hit him with the big question: "So have you changed your view of Castro since 1985?"

Sanders said he didn't exactly remember the context for his comment (being 31 years ago) but that Cubans "do have a decent health-care system."



**Statement by U.S. Labor Against the War /NYC Chapter      October 31, 2019**  
**Committee on Cultural Affairs, Libraires and International Intergroup Relations**

**In support of Resolution 1092-2019**

My name is Tom Gogan and I am the Interim Chair of the NYC Chapter of U.S. Labor Against the War, which works with labor organizations here and around the country to promote strong working class unity around the world and to end the seemingly endless wars promoted d by our Federal government and the military-industrial complex..

We commend Council Member Van Bramer for holding this important public hearing.

We believe a hyper-militarized foreign policy is costly and counterproductive, and that our country needs to stop its endless wars and interventions and focus instead on the true national security needs of our people. In other words: our government must instead focus on and provide for decent food, housing,,healthcare, education, transportation, environmental protection; it must aid and enhance our basic social and cultural needs, in order to create a fully sustainable and equitable economy and productive life for all.

Our government has sought to undermine the triumphs of the Cuban Revolution by punishing Cuban workers through a commercial, economic, and financial blockade for six long decades, despite 73% of US citizens' support of lifting the blockade.

Cuba is not our enemy. The Cuban people are our fellow workers, friends and neighbors. The blockade prohibits US workers from exercising their right to freely travel to Cuba and to forge worker-to-worker ties. If the blockade were lifted, it would create jobs for US workers and increase trade in agricultural products for farmers, among other economic benefits.

U.S. Labor Against the War condemns the Trump Administration's travel restriction policies and the prolonged, brutal blockade and sanctions against the Cuban people. Despite the limited resources in food, medicine and trade opportunities due to the blockade, the Cuban Revolution remains a beacon of hope for workers everywhere and has accomplished some of the highest literacy rates and health conditions in the world.

**We support Resolution 1092 and call for its immediate passage.**

CONTACT: 347-254-2505 or [info@uslaboragainstar.org](mailto:info@uslaboragainstar.org)



October 31, 2019  
New York City, NY

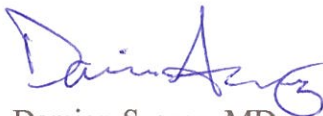
Good afternoon, I am Dr. Damian Suarez, I am originally from the Bronx.

In 2007, I applied to a scholarship program through the NY Inter Religious Foundation for Community Organizations (IFCO), which was recruiting applicants and notifying them of full scholarship offers from the people of Cuba to young women and men from the United States that wanted to pursue a medical career. Our only commitment was to return to our communities and serve. I was accepted. From 2008 until my graduation in 2015, I lived and studied in Cuba where I earned an MD. I graduated owing no debt thanks to the solidarity of the Cuban people and its government.

The Cuban healthcare system is a model of healthcare that succeeds in resource poor places, prevailing despite an unjust embargo being imposed on it. This very model is currently benefitting the people of New York City who seek medical care at Jacobi Medical Center, Montefiore Medical Center, Harlem Hospital, Lincoln Hospital, Wyckoff Medical Center, Woodhull Medical Center, SUNY Downstate Medical Center, and Bronx Lebanon Hospital, where they receive treatment by my fellow graduates of Cuba's Escuela Latinoamericana de Medicina, the Latin American School of Medicine.

The embargo, meant to punish the Cuban government, in reality punishes Cuba's people as well as the almost one hundred US citizens studying medicine in Cuba, young US citizens from diverse backgrounds, like myself, who hope to return to their communities to provide quality healthcare for everyone. Restricting the trade of goods, commerce, and the movement of people hurts families both here in the US and in Cuba, and limits our freedoms as US citizens to move freely beyond our borders. I call for the end of the embargo/blockade against Cuba and the lifting of the travel ban. I applaud council members Inez Barron, Ydanis Rodriguez and Jimmy Van Bramer for having the courage to bring Resolution 1092 before this committee and I encourage every member of the New York City Council to support this symbolic legislation as well.

Thank you,



Damian Suarez, MD

My name is Gilberto Villa, a native of Havana Cuba and current resident of the city of NY. I will be brief, and to the point, because other colleagues will also depose on this matter.

Today I appear before this honorable legislative body to ask you to approve proposal # 1092, a call on the president to lift the embargo and restrictions on travel to Cuba.

The embargo and the restrictions on trips to my homeland Cuba, are cruel and criminal measures against the welfare of our people.

As a Cuban born and raised in Cuba I have eye witnessed the dire consequences of these criminal measures. The monetary economic losses are immense. The Cuban government has estimated that they total 116,800 million dollars in the 59 years of blockade.

The area of health has been severely affected by the lack of medicines intended for the treatment of cancer and other diseases, long and short term..

There are many reasons why it is necessary to revoke vile blockade of my homeland Cuba. It is our desire that this honorable body approve our request.

On behalf of the Cuban people, my family and my own, I give my sincere thanks for the opportunity to discuss this vital issue here.

Mi nombre es Gilberto Villa, natural de la Habana Cuba y actual residente de la ciudad de NY. voy a ser breve, y al punto, pues otros compañeros también depondrán sobre este asunto. hoy me presento ante este honorable cuerpo legislativo para pedirles que aprueben la propuesta #1092, para hacerle un llamado al presidente a que levante el embargo y las restricciones de los viajes a Cuba.

*El embargo y la restricciones de los viaje a mi patria Cuba , es una medida cruel y criminal que atenta con contra el bienestar de nuestro pueblo.*

Como cubano nacido y criado en Cuba he sido testigo ocular de las *funestas consecuencias de esta criminal medida. Las perdidas económicas monetarias son inmensas. El gobierno cubano ha estimado que estas hacienden a 116, mil 800 millones de dólares en los 59 años de bloqueo.*

El área de la salud se ha afectado severamente por la falta de medicamentos destinados para el tratamiento del cáncer y otras enfermedades, de largo y corto plazo.

son muchas las razones por la cual es necesario revocar *vil bloqueo a mi patria Cuba. es nuestro deseo que este honorable cuerpo apruebe nuestra petición .*

En nombre del pueblo cubano, mi familia y el mío propio, les doy mis mas sinceras gracias por la oportunidad de debatir aquí este vital asunto.

To: The Honorable Jimmy Van Bramer, Chair of the Cultural Affairs, Libraries  
International Intergroup Relations  
CC: The Honorable Francisco Moya  
The Honorable Karen Koslowitz  
The Honorable Laurie Cumbo  
The Honorable Joseph Borelli  
From: Joan P. Gibbs, Esq  
Rosemari Mealy, JD, PhD  
Date: October 29, 1019  
Re: Resolution 1092

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Greetings. We are both members of NY-NJ CubaSi, a broad coalition of organizations and individuals who for decades have worked for normalization of the United States relations with Cuba in all respects. We write in support of Resolution 1092 calling upon the President to lift the Cuban embargo and end the Cuban travel ban. We are submitting this memorandum on the Cuban embargo and the Cuban travel ban electronically because we are unable to attend the October 31<sup>st</sup> public hearing as we are traveling to Havana, Cuba on the 31<sup>st</sup> to participate in the “International Meeting of Solidarity for Democracy and Against Neoliberalism.”

## INTRODUCTION

During the administration of former US President Barak Obama, the US and Cuba commenced steps towards improving relations between the two countries. In November 2014, President Obama and then Cuban President Raúl Castro announced that the two governments would restore full diplomatic ties and ease the more than fifty years of bilateral hostilities.<sup>1</sup> The same day President Obama and President Castro also announced that they had agreed to an exchange of prisoners, including the remaining incarcerated members of the Cuban Five and the release of Alan Gross, a US contractor on humanitarian grounds. Thereafter, the US took a number of steps towards the relaxation of tensions. These steps included:

- Easing restrictions on travel to Cuba by allowing US citizens to travel to Cuba in groups or individually as long as they fell into one of twelve categories, including the two most popular; “people to people” visits and “support for the Cuban people.”
- Lifting several restrictions affecting the importing and exporting of goods between the US and Cuba;
- Removing Cuba from the US State Department Sponsors of Terrorism List;

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<sup>1</sup> Several weeks after taking office in 2009, President Obama had eased restrictions on remittances and travel, allowing Cuban Americans to send unlimited funds to Cuba and permitting US citizens to visit Cuba for religious and educational purposes. During the course of his first term, President Obama continued to modestly loosen restrictions in these areas.

- Allowing the Cuban government to open a bank account in the US for the purpose of conducting non-cash business transactions, which Cuba had been unable to do since the beginning of the embargo;
- Restoring US commercial airlines flights to Cuba for the first time in fifty years; and
- Authorizing cruise ship operations.

In addition, days before leaving office, President Obama repealed the “wet foot, dry foot” policy, which since its adoption in 1995 allowed Cubans who reached the US shores authorization to pursue permanent residency. The “wet foot, dry foot” policy was viewed by many as discriminatory because it applied only to Cubans, and not to other migrants seeking entrance to the US such as Haitians. President Obama’s repeal of the “wet foot, dry foot” policy brought US treatment of Cubans in line with its treatment of other migrants seeking to enter the US. The steps taken by the Obama administration towards normalization of relations with Cuba, according to the Pew Research Center, were supported by 75% of Americans.<sup>2</sup>

While campaigning for President, Donald Trump sharply criticized the steps taken by the Obama administration, and vowed that, if he was elected, he would reverse them. To the latter end, Trump and his administration has reversed many of the steps toward normalization taken by the Obama administration. In particular, the Trump administration has, among other things:

- manufactured a crisis to justify of the reduction of staff at the US Embassy in Havana to a skeleton crew and shut down most of its councilor services, including visa processing by charging that staff’s health had been damaged by “sonic waves”; the FBI investigated and discovered no evidence of the alleged “sonic attacks” against U.S. diplomatic personnel in Cuba;
- capped remittances – unlimited under the Obama administration- at \$4,000 a year;
- stopped group, educational or cultural, trips or “people to people” visits;
- stopped allowing cruise ships, private yachts or fishing vessels from stopping in Cuba;
- opted not to suspend Title III of Helms-Burton Act which provides US nationals who owned property in Cuba at the time of the Cuban Revolution with a private cause of action to sue in federal district courts any person or entity that knowingly “traffics” or uses property lawfully nationalized by Cuba decades ago;
- cancelled five-year B2 visas for Cuban citizens that allowed for multiple entries for up to three months ;<sup>3</sup>

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<sup>2</sup> See Pew Research Poll (<http://pewresearch.org/fact-tank/2016/12/13/americans-still-favor-ties-with-cuba-after-castros-death-u-s-elections/u.s-election/>) Dec. 2016.

<sup>3</sup> As a result of this abrupt change in US visa policies, which was effective two days after it was announced, Cuban citizens can now only obtain visas for one trip to the United States for a three-month period. Because the US embassy in Havana is operating with a skeleton crew and has shut down most of its councilor services, Cubans must not only pay \$160 for a US visa but also pay for travel and lodging in a third country, often to see their visa application denied. By contrast, applications for a Cuban visa are a mere formality as airlines and travel agencies are authorized to offer visas to anyone traveling at a cost of 50.00, plus the airline processing fee which is part

- announced a new policy denying visas to Cuban medical personnel involved in health-related collaborations with more than sixty countries; and
- sanctioned companies that participate in the shipment of fuel to Cuba, thereby generating an energy crisis that compelled the Cuban government to take savings and control measures;
- on the basis of gross slanders, announced that the former Cuban President Raul Castro, as well as members of his family, will not be granted visas to enter the United States; and
- announced the suspension of US airlines' flights to all Cuban destinations except Havana, as of December 10, 2019.

The Trump' administration's actions in reversing the steps taken by the Obama administration towards normalization are harmful to the both the people of the US and Cuba and to economies of both countries. "Rolling back" the steps taken by the Obama administration, according to Engage Cuba, "could cost US businesses and taxpayers 6.1 billion over the course of . . . [Trump's] first term and affect 12, 295 jobs across the country. Communities must reliant on the manufacturing, tourism, and shipping industries would be disproportionately affected, especially Gulf states with deep water ports and cruise terminals."<sup>4</sup>

### **THE CUBAN EMBARGO SHOULD BE ENDED**

Virtually since the triumph of the Cuban Revolution in January 1959, the United States has unsuccessfully sought through a variety of covert and overt means to overthrow the Cuban government. To this end, most infamously, covertly, the US, attempted to assassinate former Cuban President Fidel Castro over 600 times.<sup>5</sup> Many of these failed assassination attempts were publicly detailed in the Church Senate Committee's November 1975 interim report on *Alleged Assassination Plots Involving Foreign Leaders*.<sup>6</sup> Most famously, overtly and cruelly, the US, in

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of the traveler's purchase price of an airline ticket or travel package. Prior to the recent change in B2 visas, thousands of Cuban citizens have come to US on B2 visas to visit their families, shop and engage in cultural or academic exchanges.

<sup>4</sup> Engage Cuba, "The Economic Impact of Tightening U.S. Regulations on Cuba," (Washington, DC: May 31, 2019) at p.2.

<sup>5</sup> . See e.g., <https://cnnespanol.cnn.com/2016/11/26/fidel-sobrevivio-a-mas-de-600-intentos-de-asesinato-afriman-en-cuba/>;  
[https://eplpais.com/internacional/2016/11/27/america/1480216413\\_424327.html](https://eplpais.com/internacional/2016/11/27/america/1480216413_424327.html);  
<https://www.americatv.com.pe/noticicas/internacionales/fidel-castro-intentos-fallidos-cia-acabar-su-vida-n255696>

<sup>6</sup> See U.S. Congress. Senate. Select Committee to Study Government Operations with Respect to Intelligence Agencies Activities. *Alleged Assassination Plots Involving Foreign Leaders*, Interim Report, 94<sup>th</sup> Congress, 1<sup>st</sup> Session, 1975 at pages 71 to 179.

the hope of starving the Cuban people into rebellion, for nearly sixty years has imposed an economic blockade of Cuba.

The US first imposed an embargo on exports except for food and medicine to Cuba in 1960 under the Eisenhower administration. The embargo was expanded under the Kennedy administration. While the President of the US has the authority to amend regulations that govern certain aspects of trade as well as travel to Cuba, today the embargo is enforced primarily through six federal statutes: the Trading with the Enemy Act of 1917, the Foreign Assistance Act of 1961, the Cuban Assets Control Regulations of 1963, the Cuban Democracy Act of 1992, Cuban Liberty and Democratic Solidarity Act (also known as the Helms-Burton Act), and the Trade Sanctions Reform and Export Enhancement Act of 2000. In short, the ending of Cuba embargo requires the passage of a federal bill, signed into law by the President.

The Cuban blockade has long been opposed by a majority of the nations of the world. Indeed, every year since 1992, the United Nations General Assembly has passed a resolution declaring the embargo to be a violation of the Charter of the U.N. and international law. During the most recent vote in the United Nations General Assembly, in 2018, on a resolution condemning the blockade, 189 of the 193 members of that body voted in favor of the resolution. Two countries, the United States and Israel, voted against the resolution; two countries, Moldova and the Ukraine did not vote. Opposition to the embargo is not just international but also domestic with reportedly a majority of US citizens opposing it as well.

Notwithstanding the growing opposition to the blockade internationally and domestically, the Trump administration has moved to toughen the blockade. Notably, for the first time since the enactment of the Cuban Liberty and Democratic Solidarity Act (also known as the Helms-Burton Act), the Trump administration has opted not to suspend Title III of Helms-Burton. Helms-Burton has been widely condemned internationally, including even by US allies because of its limits on the ability of other sovereign nations to trade with Cuba. For example, Helms-Burton was vehemently condemned by both Canada and Mexico, and both countries enacted legislation aimed at blocking or limiting the enforceability of Helms-Burton judgments.<sup>7</sup>

Title III of Helms-Burton provides US nationals who owned property in Cuba at the time of the Cuban Revolution with a private cause of action to sue in federal district courts any person or entity that knowingly “traffics” or uses property lawfully nationalized by Cuba decades ago. Simply put, Cuba’s nationalization of these properties was legal because it was carried out in conformity with International and Cuban laws and many of the owners of the nationalized properties had abandoned it and fled to the US. Helms-Burton empowers the President to suspend Title III in six- month periods. As previously mentioned, every President since the enactment of Helms-Burton, mindful of the tensions its activation would cause with other nations, including US allies, has suspended its operation twice a year.<sup>8</sup>

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<sup>7</sup> See Anthony M. Solis, *The Long Arm of U.S. Law: The Helms-Burton Act*, 19 Loy. L Int’l & Comp. L. Rev. 709 (1997) at pages 726-732.

<sup>8</sup> See e.g., Peter McKenna, *Opinion: Trump, Cuba and Helms-Burton Revisited*, The Guardian, January 31, 2019.

The Trump's administration decisions to partially activate Title III harkens back to the days of the now discredited Monroe Doctrine as it constitutes an unlawful interference and meddling in the internal affairs of a sovereign nation in violation of well settled International laws and principles. In addition, this decision will result in the burdening of federal courts with essentially frivolous lawsuits because the judgments in these lawsuit will be largely unenforceable. This is so because the US, to our knowledge, is not a signatory to any international agreement on the reciprocal recognition and enforcement of court judgments. Because the US has not signed such an international instrument, any judgments resulting from Helms-Burton lawsuits will be difficult, if not impossible, to enforce on the basis of comity, particularly in countries with friendly relations with Cuba.<sup>9</sup>

The Cuban Embargo is a relic of the "Cold War" and should have ended with it. It is hypocritical for the US to justify the embargo on the grounds that Cuba has engaged in alleged human rights violations, while the US has Saudi Arabia, for example, as a close ally. Cuba clearly poses no threat to the national security of the US. The Cuban embargo is a failed policy. It has not caused the Cuban people to rebel despite the overwhelming hardships that it has caused as the majority of the Cuban people continue to support the Cuban government's transition to new forms of economic and social transformation. Cuba is a sovereign nation and should be respected as such by the United States. The embargo also contravenes international law and principles.

Moreover, the Cuban embargo is harmful to both the people of US and Cuba because it, among other things, inhibits collaborations between the two countries in a number of critical areas, including scientific research, medical care, and environmental protection to the detriment of the people of the US and the people of Cuba. That this is true is evidenced by the Memoranda of Understanding (MOU) signed during the Obama administration.

In particular, during the Obama administration, Cuba and US signed twenty-four MOUs in areas such as education, medical research, counter-narcotics, and environmental protection. Significantly, the Cuban Ministry of Health and the US Department of Health and Human Services signed an MOU concerning the development of pharmaceuticals for communicable diseases such as Zika and dengue and non-communicable diseases such as cancer. The Roswell Park Cancer Institute in Buffalo, New York, for example, commenced an intensive research collaboration for clinical trials of the Cuban lung cancer vaccine.<sup>10</sup> In addition, more than a dozen New York colleges and universities signed MOUs with major Cuban universities,

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<sup>9</sup> As previously noted, in response to Helms-Burton several foreign countries or entities specifically enacted legislation or adopted regulations that render judgements arising under the Helms-Burton Act unenforceable. For example, the European Union Council Regulation No. 2271/96 provides in pertinent part that any "judgment of a court or tribunal . . . [or] of an administrative authority . . . giving effect, directly or indirectly, to the [Helms-Burton Act] or to actions based thereon or resulting there from, shall [not] recognized or be enforceable in any manner." See Article 4, EC Regulation 2271/96.

<sup>10</sup> Engage Cuba, "The Economic Impact of Tightening U.S. Regulations on Cuba," (Washington, DC: May 31, 2019) at pp 5-6.



including the State University of New York at Cortland, SUNY New Paltz and SUNY Potsdam, the University of Buffalo and Lehman College of the City University of NY.<sup>11</sup>

### **The Cuban Travel Ban Should Be Ended**

Like the Cuban embargo, the restrictions on travel to Cuba have existed since 1963, when the Department of Treasury issued regulations to carry out the embargo. Although the regulations did not explicitly ban travel to Cuba, they placed restrictions on any financial transactions related to it, effectively banning travel. In the years since, the Department of Treasury Office of Foreign Assets Control (OFEC) regulations pertaining to travel have changed several times. In 1977, then President Carter lifted the travel ban altogether. Four years later, however, President Ronald Regan reinstated the restrictions on tourist and business travel but allowed continued travel by Cuban Americans visiting close relatives. President George H. W. Bush tightened the restrictions. President Clinton made several changes to the OFEC regulations. The ban on travel was codified in the Trade Sanctions and Export Act, which was signed into law by President Clinton in 2000. Accordingly, the travel ban can only be entirely lifted by an act of congress signed into law by the President.<sup>12</sup>

During the Obama administration, as previously mentioned, the restrictions on travel were eased to allow US citizens to more easily travel to Cuba in groups or individually. As a result of these changes, reportedly, over 600,000 US citizens traveled to Cuba in 2018 in groups or individually via airplanes and cruise ships.

Similar to its erasure of the Obama administration relaxation of the embargo, the Trump administration has also sought to erase the President Obama's relaxation of the ban on travel to Cuba. In June 2019, the Trump administration stopped group educational or cultural trips or "people to people" visits. The Trump administration has also banned travel to Cuba on cruises, private aircraft, yachts and stopped allowing fishing vessels to dock in Cuba. Most recently, in late October 2019, the Trump administration announced that it was suspending U.S. airlines travel to nine destinations in Cuba. The affected airlines, including American Airlines, Delta and JetBlue were given 45 days to end operations on the island related to these destinations. Once this new policy becomes effective in early December 2019, Americans will only be able to travel to one city in Cuba, Havana. The Trump administration's strengthening of the ban on travel to

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<sup>11</sup> See e.g., SUNY Cortland signs agreement with two Cuban Universities. Retrieved August 22, 2019. From <https://www2.cortland.edu/news/detail.dot?id=452df63b-f58f-4e98-bd99-a22f4a71adb0>; Representatives of the State University of New York sign a memorandum of understanding with the Cuban Ministry of Higher Education in Havana.. Retrieved August 22, 2019. From <https://sites.newpaltz.edu/news/2017/03/provost-international-programs-dean-join-suny-delegation-to-secure-historic-agreement-with-cuba/>; Lehman Launches Classroom Partnership with Cuban Universities. (2018). Retrieved August 22, 2019. From <http://www.lehman.edu/news/Lehman-Launches-Classroom-Partnership-with-Cuban-Universities.php>

<sup>12</sup> The United States Supreme Court has considered the ban in two cases and both times upheld it. See e.g., *Regan v. Wald*, 468 U.S. 222 (1984) and *Zemel v. Rusk*, 381 U.S. 1 (1965).

Cuba will reportedly result in a loss thousands of jobs in the airline, cruise and related industries and of revenue to the US of millions of dollars annually.<sup>13</sup>

## CONCLUSION

The Cuban embargo was first imposed under the Eisenhower administration, and is the longest economic sanction ever imposed by the United States on any country. Cuba, which is only 90 miles away from the United States, is the only country in the world for which the US maintains a statutory travel ban. Cuba clearly poses no threat to the national security of the United States. In conclusion, we strongly urge you to vote in favor of Resolution 1092., and to immediately present Resolution 1092 to the full membership of the City Council for a vote. Please do not hesitate to contact us if you have any questions about our testimony. Thank you for holding a public hearing on Resolution 1092, and for accepting testimony electronically

Respectfully submitted,

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<sup>13</sup>Engage Cuba, “The Economic Impact of Tightening U.S. Regulations on Cuba,” (Washington, DC: May 31, 2019) at pp. 3 -4. .

To the Members of the New York City Council

I wish to offer the following testimony in support of Resolution No. 1092, brought by Members Barron, Rodriguez and Van Bramer, and calling upon the President of the United States to lift the U.S. Embargo Against Cuba and end the Cuban Travel Ban:

I am a semi-retired clergyperson of the United Church of Christ denomination. I offer this testimony not only as an activist on behalf of a more open U.S. policy toward Cuba, but as a person of faith. It may come as a surprise to some of you to hear that religious faith is alive and well in Cuba, and that there is a lively and diverse church scene in that country. I know this because I have seen and experienced some of it in person, and because I continue to be in contact with friends and colleagues who minister actively in Cuba, as full participants in Cuban society, and who see no contradiction between their Cuban patriotism and their religious faith.

In the middle 1970's, I served as a staffperson with the Cuba Resource Center (CRC), a U.S. organization founded by religious denominations who had had a mission presence in Cuba before relations between the the two countries were broken. These and other U.S. religious groups knew from their own experience about the many Cuban Christians who chose not only to continue their faith practice, but to incorporate themselves fully into Cuba's new revolutionary society. As church people, we (the CRC) felt it was vitally important that American believers remain aware of their Cuban counterparts, and understand them not as opponents or "victims" of the Revolution, but as participants in a new society which they saw to be consistent, in many ways, with their Christian values. I visited Cuba several times with U.S. religious delegations and had the opportunity to worship there with fellow believers and talk with them about their lives in Cuban society, as well as to visit with other Cuban institutions -- schools, factories, medical facilities, neighborhood organizations, farms, government officials.

Since that time, I have continued to be active in favor of ending the U.S. embargo against Cuba, particularly with the Interreligious Foundation for Community Organization's (IFCO's) Friendship Caravans to Cuba. The embargo is an outdated remnant of the Cold War, that is of no benefit either to the U.S. and its security or economic interests, or to the Cuban people. While Cuba's political and economic system is different from the U.S., it represents no threat to this country. The U.S. effort to change that system through the pressure of the embargo has been ineffective for decades, even generations. U.S. policy has done nothing more than perpetrate extraordinary hardship on ordinary Cubans, and harden public opinion in Cuba, and in much of Latin America, against the U.S. A policy of normal relations and contact between our two countries is long overdue; one in which our differences can be addressed through regular diplomatic channels, both our countries can have the benefit of economic trade, and citizens of both countries can experience each others' societies for themselves.

I urge the New York City Council to approve Resolution No. 1092, to urge our national government to reverse its long-ineffective and cruel policy toward Cuba and replace it with one that is normal and humane.

Respectfully,

The Rev. Elice Higginbotham

100 LaSalle Street, Apt. 21-B  
New York, NY 10027

NYC Council, Resolution 1092, October 31, 2019  
Testimony of Nancy Cabrero

My name is Nancy Cabrero. I am the American-born daughter of parents who left Cuba and settled in Manhattan in 1956. Economic reasons and a chance at the American Dream motivated their migration. They also wanted my brother, who was ten years old at the time, to have access to higher education and tools to fulfill his potential.

Honorable members of the NYC Council, thank you for the opportunity to hear my presentation. I am grateful to be able to express to you how the embargo against Cuba, which is now approaching 60 years, makes it particularly difficult for Americans of Cuban descent like me to establish, bond with, and maintain relations with family members who live in Cuba. For this particular reason, knowing there are so many others, I am here to ask that you open your hearts to understand why it is imperative that the US-imposed embargo against Cuba be lifted immediately.

If you were to take a quick mental inventory of your entire family I bet many extended family members would come to mind who enriched your life in special ways and contributed in a significant way to the person you are today. Unfortunately, this is not something I can do. The embargo, or blockade as it is also referred to, did not allow me to know and feel the unique and special love of a grandparent, refer to anyone as Aunt or Uncle, have a friendship and a connection with a cousin who could also feel as close as a brother or sister, to participate in special and milestone events like birthdays, graduations, weddings, or celebrate holidays and participate in religious occasions. An effect of the blockade, during the sixties and seventies especially, was the prohibitive cost of phone calls to and from the island. Technical connectivity was a challenge and the quality of the call was extremely poor. Even a letter, still to this day, takes a month to be delivered; a response arrives two maybe three months

later, if and when it doesn't get lost in transit. When they're received, updates shared lovingly in letters are already old news. The obstacles to communicate weigh on each family member—you can't share stories easily, you can't laugh or cry together, and truly, it's hard to even really know who they are.

There is tremendous loss in all of this. Like so many other unjust laws that have existed in the law books of this country, these sanctions must be revisited for the purpose of changing them. I have faith and trust in you, the members of the NYC Council, to understand justice and work from a place of love and understand quality of life on a deeper level and use that to change and make new laws. I believe you will see the injustice of this blockade against Cuba and understand that for the reason of family relations and so many other reasons presented today, now is the time to put an end to all inhumane sanctions on Cuba and lift the Cuban blockade.

October 30, 2019

To whom it may concern

My name is Miguel Ernesto Melendez first generation Cuban/Puerto Rican born and educated in the USA.

I would first like to thank the Honorable New York City Council's Members for bringing this resolution to end the Blockade against Cuba here today for public testimony.

For my testimony I would like to enter into the official record "Resolution 73/8 of the United Nations General Assembly entitled "Necessity of ending the economic, commercial and financial blockade imposed by the United States of America against Cuba".

In this document you will find the economic, social, political and human rights defense of why the blockade must end NOW!

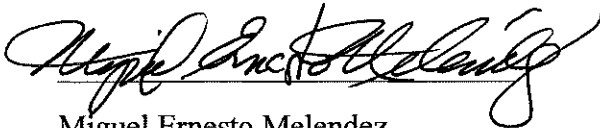
In the document you will find an overwhelmingly amount of the world's nations calling for the end of the blockade.

The blockade against Cuba qualifies, in conformity with the 1948 Geneva Convention, as a crime of genocide. The blockade ... violates the United Nations Charter. It prevents international trade and curtails free navigation. It gets to the point of penalizing the businesspeople from other countries who invest in Cuba.

It is the people of Cuba, with the support of the international community, who will say, 'Hasta la vista, blockade; hasta la vista, genocide

The United States must cease its aggression against Cuba. It must recognize Cuba's right to its self-determination. It must allow the Cubans to live in peace. It must recognize that ... Cuba is a free and independent country."

I respectfully submit... "Resolution 73/8 of the United Nations General Assembly



Miguel Ernesto Melendez

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JULIO 2019

# CUBA VS THE BLOCKADE

ON RESOLUTION 73/8 OF THE UNITED NATIONS GENERAL ASSEMBLY ENTITLED "NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL BLOCKADE IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA"

2019  
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**INTRODUCTION**

From April 2018 to March 2019, the period covered by this report, the tightening of the blockade continued to be the nerve center of US government policy towards Cuba, with effects that are ever more notable in their extraterritorial application. US strategy focused on consolidating confrontation and hostility both on the declarative level as in the implementation of measures of economic aggression against the country.

The climate of hostility in bilateral relations has been strongly marked by the increasingly aggressive rhetoric the US government uses against Cuba. As part of this escalation, the US attempted to introduce 8 amendments to the draft resolution against the blockade presented by Cuba on November 1st, 2018 at the UN General Assembly. The aim of its manoeuver was to change the tone of the text and fabricate excuses for the continuity and reinforcement of their genocidal policy, resorting to false allegations in the matter of human rights.

Despite the strong pressures exerted by the US, the international community rejected its proposals, at the same time as it expressed, yet again, its overwhelming support for the resolution condemning the blockade.

This report presents evidence of how the economic, commercial and financial blockade imposed against Cuba continues to represent a hindrance for the development of all the potential of the Cuban economy, for the implementation of the National Economic and Social Development Plan for Cuba, and for attaining Agenda 2030 and its Sustainable Development Goals.

From April of 2018 until March of 2019 the blockade has caused losses for Cuba of around \$4,343.6 million.



**FROM APRIL OF 2018 UNTIL MARCH OF 2019 THE BLOCKADE HAS CAUSED LOSSES FOR CUBA OF AROUND 4 343 600 000 DOLLARS.**

The significant negative repercussion of measures recently adopted by the United States to tighten the blockade against Cuba is not accounted for in this report since it exceeds the close of the period being analyzed. This information has been collected into the document that will be presented next year.

At current prices, damage accumulated during almost six decades of applying this policy have reached the figure of \$138,843.4 million. Taking into account the depreciation of the dollar in regards to the price of gold on the international market, the blockade has caused harm quantifiable at over \$922,630 million, a value representing a decrease of 1.2 percent in regards to the earlier period due to the 1.6 percent decrease in the price of gold.

To transform the cost of the blockade into the country's payment capacity would allow us to provide an additional source of funding that is substantive and sustained and which grants greater dynamism to the investment programs associated with the strategic sectors in the National Economic



**DAMAGE ACCUMULATED 138 843 400 000 DOLLARS**

and Social Development Plan up to 2030. Thus the necessary conditions would be created to gradually achieve sustained rates of growth in the annual Gross Domestic Product (GDP).

In the period being analyzed, strengthening the extraterritorial application of the system of sanctions against Cuba was shown in the constant repercussions on Cuban enterprises, banks and embassies which deal with colossal obstacles in their commercial and financial activities in many countries around the world.



On three occasions, the US Department of State broadened the "Restricted List of Cuban Entities and Sub-Entities" that are the object of additional tax sanctions due to blockade regulations. This measure has caused considerable harm to the country's economy, because of its effect of intimidating the international business community. Add to this the provisions of the Office of Foreign Assets Control (OFAC) of the Treasury Department and of the Bureau of Industry and Security (BIS) of the Department of Commerce of the United States to eliminate, as of 5 June 2019, the general permits for "People-to-People" group educational travel and to refuse permits for non-commercial aircraft and passenger ships for temporary stays, including cruise ships, thereby having severe repercussions on the number of visitors to Cuba. All these actions were taken for the deliberate and declared objective of causing economic harm and depriving Cuba of financial resources.

A demonstration of the tightening of the US government's anti-Cuban policy, without precedents, was the decision to permit the possibility of, under Title III of the Helms-Burton Act, taking judicial actions in US courts before lawsuits filed by US citizens or entities against Cuban enterprises or individuals or those of third countries which have

commercial relations with properties nationalized in Cuba in the 1960s. This decision ended the practice assumed from 1996 by earlier US Democratic and Republican governments, and by President Trump himself in the first two years of his mandate, who had suspended this possibility every 6 months.

*The Helms-Burton Act constitutes a juridical instrument of political coercion that sets out actions of damaging economic pressure on the sovereignty of Cuba and of third countries for the purpose of asphyxiating the Cuban economy and to increase the hardships of the Cuban people. It seeks to perpetuate the climate of hostility between Cuba and the United States and to deny the Cuban nation the right to self-determination. Its regulations run counter to International Law, to the principles of the UN Charter and the rules established by the World Trade Organization. These regulations have aroused the resounding rejection of numerous actors in the international community and representatives of international bodies.*

The blockade constitutes a massive, flagrant and systematic violation of the human rights of all Cuban men and women. Because of its declared purpose and the political, legal and administrative framework sustaining it, these sanctions qualify as an act of genocide according to the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and as an act of economic warfare according to the Naval Conference of London of 1909.

In the current situation, more now than ever before, we impose our claim on the US government that they fulfill the 27 resolutions adopted by the international community within the framework of the United Nations General Assembly and that they end, without any conditions whatsoever, their policy of blockade against Cuba.

## 1. CONTINUITY AND THE TIGHTENING OF THE BLOCKADE POLICY

### 1.1 VALIDITY OF THE LAWS OF THE BLOCKADE

The laws and regulation sustaining the blockade policy and kept in force and they are applied with strict rigor by US government agencies including the Department of the Treasury and Commerce and in particular the Office of Foreign Assets Control (OFAC).

The principal laws passed by Congress and the administrative provisions establishing the blockade policy are:

- Trading with the Enemy Act of 1917 (TWEA). Its section 5 (b) delegated the senior executive branch with the possibility of applying economic sanctions during times of war or in any other period of national emergency, and it prohibited trading with the enemy or with allies of the enemy during wartime. In 1977, the International Emergency Economic Powers Act (IEEPA) restricted the president's powers to impose new sanctions during times of national emergency. Nevertheless, the TWEA continued to be applied against Cuba, even when the White House had never declared any national emergency related to the Island. Since then, successive US presidents have extended the application of the TWEA for Cuba. Under this legislation, the oldest of its type, the Cuban Assets Control Regulations (CACR) were adopted in 1963, by virtue of which US nationals or persons subject to US jurisdiction were prohibited from carrying out financial transactions with Cuba. Cuban assets were frozen and the importing of goods of Cuban
- Foreign Assistance Act (1961). This authorized the President of the United States to establish and maintain a total "embargo" on trade with Cuba and it prohibited granting any kind of aid to the Cuban government. It also established that US government funds designated for international aid and delivered to international bodies may not be used for any programs related to Cuba. It prohibits granting any kind of assistance foreseen under this law or any other benefit foreseen by any other law to Cuba until such time as the President should determine that Cuba has undertaken actions directed towards returning to American citizens and companies at least 50 % of the value or just compensation by the Cuban government after the triumph of the Revolution.
- Presidential Proclamation 3447. Issued on 3 February of 1962 by President John F. Kennedy, it decreed the "embargo" on all trade between the US and Cuba in compliance with Section 620 (a) of the Foreign Assistance Act.
- Cuban Assets Control Regulations of the Department of the Treasury (1963). They stipulated the freezing of all Cuban assets in the US; the prohibition of all financial and commercial transactions unless approved by a permit; the prohibition of Cuban exports to the US; the prohibition, for any natural or juridical person of the United States or third countries, on carrying out transactions in US dollars in Cuba; just to name a few.
- Export Administration Act (1979). Section 2401 (b) (1) "National Security Control", "Policy towards determinate States", established

the Trade Control List, by means of which the President of the United States maintains a number of countries upon which they are able to set special export controls for considerations dealing with national security. Cuba is included on this list.

- Export Administration Regulations (EAR) (1979). They establish the general control bases for articles and activities subject to EAR controls, according to the sanctions imposed by the US government. They establish a general policy of refusal for exportation and re-exportation to Cuba.
- Cuban Democracy Act or the Torricelli Act (1992). It prohibited US companies in third countries to trade goods with Cuba or with Cuban nationals. It also prohibited third country ships to touch port in Cuba, to enter US territory within a term of 180 days, except those having a Secretary of the Treasury permit.
- Cuban Liberty and Democratic Solidarity Act or Helms-Burton Act (1996). It codified blockade provisions, broadening its extra-territorial scope by the imposition of sanctions on executives of foreign companies who make transactions with the nationalized American properties in Cuba and the threat of lawsuits in US courts (this last one has not been applied). Likewise, it limited Presidential prerogatives to suspend the blockade even though it preserved his powers to authorize transactions with Cuba by issuing permits.
- Section 211 of the Supplementary and Emergency Allocations Act for the 1999 fiscal year. It prohibits recognition by US courts of the rights of Cuban companies on trademarks associated with nationalized properties.
- Trade Sanction Reform and Export Enhancement Act (2000). This authorized the export of agricultural products to Cuba,

conditioned by payment in cash and in advance and without US funding. It prohibited travel to Cuba by Americans for tourism, defining "tourism" or "tourist activity" as any activity related to travelling to, from or inside Cuba that has not been expressly authorized in Section 515.560 of Title 31 of the Federal Regulations Code. In other words, it limited travel to the 12 categories authorized at the time the aforementioned legislation was passed.

#### 1.2 PRINCIPAL BLOCKADE MEASURES ADOPTED AS OF JUNE 2018

During the past year, Cuba-US relations have been marked by the hostile policy promoted from Washington against Havana. In this context, the reduction imposed by the US in both Embassies has been maintained and they proceeded to close the Local Office for United States Citizenship and Immigration Services in Cuba, transferring some of their services to Mexico.

Furthermore, the mechanisms of persecution on the jurisdiction of third countries for Cuban financial transactions have continued, producing an increased deterring effect from the economic point of view. The Office for the Control of Cuban Assets and other US agencies have levied fines on a number of third country companies for violating different sanctions programs including the Cuban Assets Control Regulations. The most severe repercussions derived from these sanctions have been recorded in the banking-financial sector. Between June 2018 and April 2019, the US government imposed new sanctions on third country companies or banks, including those in the US. The total amount of these penalties ran to \$3,751,449,017.

Repercussions on Cuban and third country entities due to the blockade have been maintained, thereby confirming the full validity of this arbitrary policy

that is in violation of International Law. Next, some examples:

On 19 July 2018, the manufacturer of Tesla, Panasonic batteries suspended relations with its Canadian supplier SHERRITT INTERNATIONAL CORP because cobalt from Cuba was being used. The decision of the Japanese manufacturer occurred after requesting guidance from OFAC of the US Department of the Treasury on the interpretation of the scope of the US prohibition on imports originating in Cuba.

On 9 August 2018, it was learned that the PICHINCHA bank agency in Ecuador refused to provide their payment services to a client who had acquired Cuban medicines. The bank alleged that Cuba is part of the countries identified by OFAC as terrorist, drug trafficking or international criminal activity foreign governments.

On 15 August 2018, it was learned that the COMMERZBANK of Germany and the UNICREDIT S.P.A. branch in Italy blocked the sending of 7,500 Euros to Argentina, carried out by the Euskadi-Cuba Friendship Association in order to support a Cuban project for eye health in that country.

On 18 October 2018, it was learned that the Nicaraguan branch of the US LAFISE bank refused to carry out a number of transfers from the Nicaraguan land transportation logistics cargo company, MULSEPROSA (Múltiples Servicios Profesionales S.A), required to ensure payment of the stand at the FIHAV 2018 trade fair and to make reservations at the Parque Central Hotel which would be providing their accommodations during their stay in Cuba. This situation resulted in MULSEPROSA not participating in FIHAV 2018. The reasons for not doing the transfers were due to instructions from the bank president who was complying with indications from the United States.

On 14 November 2018, the US Department of State updated its Restricted List of Cuban Entities and Sub-entities with the addition of 26 companies and sub-entities with which US citizens cannot do direct financial transactions. Most of the new entities were hotels and companies involved in tourism.

On 21 November 2018, it was learned that the British company Adler Manufacturing Limited (ADLER), devoted to promoting companies and business in the United Kingdom via printed products informed the tourism office of the Cuban Embassy in the UK about the cancellation of an order done on 25 September of that year. ADLER explained that their new transport company was the multi-million dollar US company UPS (United Postal Service of America), and for that reason it could not maintain relations with Cuba.

On 14 February 2019, OFAC imposed a sanction of \$5,512,564 on APPLICHEM GMBH, a company headquartered in Darmstadt, Germany, for 304 apparent violations of the Regulations to Control Cuban Assets. APPLICHEM GMBH is a company that manufactures substances for laboratories and chemical products for use in industry and it operates as a subsidiary of the US ILLINOIS TOOL WORKS INC.; it sold its products to Cuba between May of 2012 and February of 2016 in violation of the laws of the blockade, in accordance with OFAC indications.

On 25 February 2019, a Cuban delegation made up of representatives of the Empresa de Tecnologías de la Información y Servicios Telemáticos Avanzados (CITMATEL), the University of the Information Sciences (UCI), Empresa Nacional de Software (DESOFTE), Empresa de Telecomunicaciones Móviles (MOVITEL), Sociedad Cubana para las Telecomunicaciones (CUBATEL) and the Chamber of Commerce as coordinator was excluded from the Mobile World Congress 2019, held in Barcelona. This event is considered to be

one of the most important in the world in the field of mobile telephone services and it is organized by an association of mobile operators named GSMA, governed by or with interests of the US, of which Cuba is a member through its Ministry of Communications. When the Cuban delegation attempted to get online accreditation, they saw the warning that access by Cuba, Syria and Iran was prohibited because of US government regulations.

On 11 March 2019, the US State Department announced the incorporation of 4 new sub-entities (Gaviota Hoteles Cuba, Hoteles Habaguanex, Hoteles Playa Gaviota, Marinas Gaviota Cuba) and an entity belonging to Gaviota (Fiesta Club Adults Only, of the Blau Marina Varadero) to the List of Restricted Cuban Entities which entered into force on 12 March 2019.

On 5 de abril de 2019, OFAC included on its list of sanctioned parties 34 ships owned by the Venezuelan oil company PDVSA, as well as two other foreign companies (BALLITO SHIPPING INCORPORATED, headquartered in Liberia and PROPER IN MANAGEMENT INCORPORATED, based in Greece), alleging they had provided services to Venezuela to send crude to Cuba. In accordance with the Treasury Department, the sanctions include freezing financial assets that they may have under US jurisdiction and the prohibition of financial transactions with the entities and ships included on the list.

On 11 April 2019, OFAC imposed a sanction on ACTEON GROUP LTD. (ACTEON) and its subsidiary 2H Offshore, both with headquarters in England, for violations of the Regulations for the Control of Cuban Assets. The companies had to pay \$227,500 dollars. ACTEON must pay another \$213,866 for additional violations to the laws of the blockade against Cuba.

On 17 April 2019, US Secretary of State Mike Pompeo announced that as of 2 May, under Title

III of the Helms-Burton Act lawsuits by US citizens will be allowed against any natural or juridical persons who "traffic" with property nationalized by the Cuban government at the beginning of the Revolution. On that same date, National Security Advisor John Bolton announced additional measures against Cuba destined to limit transfers of funds from the US, to restrict even more travel to Cuba for non-family reasons, and to put an end to the use of U-Turn financial transactions which permit Cubans to make international transfers. With the intention to put pressure on third country companies, to intimidate them and force them to leave Cuba, Bolton warned that from now on Title III of the Helms-Burton Act would be applied much more rigorously to prohibit entry into the US of executives and their families along with owners of any entities that "traffic" with nationalized properties.

On 23 April 2019, the US State Department announced new updating to the List of Restricted Cuban Entities with the incorporation of another 5 entities (Aerogaviota, Santa Isabel Hotel, Marina Varadero Diving Center, Meliá Marina Varadero Apartamentos and El Caney Varadero Hotel), that entered into force on 24 April of that year, thereby constituting the third update to the arbitrary list since it had been conceived in November of 2017.

In May of 2019, the International Air Transportation Association (IATA) cancelled access for the HAVANATUR travel agency and the Cubana de Aviación airline to mechanisms for payment of and reservations for air tickets (BSP), for the offices of these Cuban entities in Mexico, France and Italy, thereby citing the blockade regulations. This decision implies significant financial and operational repercussions for the Cuban entities.

On 4 June 2019, OFAC and the Bureau of Industry and Security (BIS) of the US Department of Commerce announced that as of 5 June of that year they would eliminate general permits for "People-

to People" group educational travel and they would apply a policy of refusing permits to non-commercial aircraft and passenger and recreational ships in temporary stays, including the arrivals of cruise ships to Cuba. OFAC also stipulated that US travellers arriving in Cuba under any one of the 12 categories permitted during the Barack Obama government could not effectuate direct financial transactions with any companies included on the List of Restricted Cuban Entities. These measures reinforce even further the blockade against Cuba and cause great harm to the country's economic growth, especially in the area of tourism.

On 3 July 2019, OFAC included the CUBAMETALES company on the List of Specially Designated Nationals claiming that the Cuban entity was involved in importing oil coming from Venezuela.

### 1.3 APPLICATION OF THE HELMS-BURTON ACT

From its entry into force in 1996, the Cuban Liberty and Democratic Solidarity Act (LIBERTAD), also known as the Helms-Burton Act, codified the blockade against Cuba and strengthened its extraterritorial reach. Besides pursuing the imposition of a government in Cuba that would be directly subordinated to the interests of Washington, this act wanted to internationalize the blockade via coercive measures against third countries in order to interrupt their trade and investment relations with Cuba.

In January of 2019, the US State Department communicated its decision to suspend for just 45 days the possibility of taking legal action in US courts against entities that "trafficked" with properties nationalized by the revolutionary Cuban government in the 1960s. Similar suspensions were done on March 4th and April 3rd of this year via communiqués of the State Department,

with a strong threatening component, excuses and information to attempt to distort reality.

The possibility of suing the beneficiaries of the supposed "traffic" had been consistently suspended every six months since 1996 by all the US governments, both Democratic and Republican, including that of President Donald Trump in the first two years of his term. Nevertheless, the pressure exerted by a small group of anti-Cubans holding key positions in the current government and divorced from the positions of broad sectors in the US and the world to reject the blockade, conditioned an end to the suspensions.

The definition of "traffic" conceived by the Act is extremely broad and covers activities that go from transferring, distributing or repartitioning nationalized properties to their purchase, receipt, investment and leasing. In this sense the suits covered by Title III permitted since the month of May, reinforced the application of the blockade and of its extraterritorial effects.

For the purpose of suffocating the Cuban economy and increasing the population's shortages, the Helms-Burton Act was conceived as a mechanism for brutal and illegal pressure by the US government not just against Cuba but also against third countries, their governments and enterprises. Its aims are unlawful and contrary to International Law and the principles and purposes of the United Nations Charter, including the rules of the multilateral trade and commerce system.

Title II of the Helms-Burton Act, for the apparent desire of demanding indemnity or permitting lawsuits to be filed on "US" properties nationalized in Cuba, it really presents itself against foreign investment and the island's economic growth.

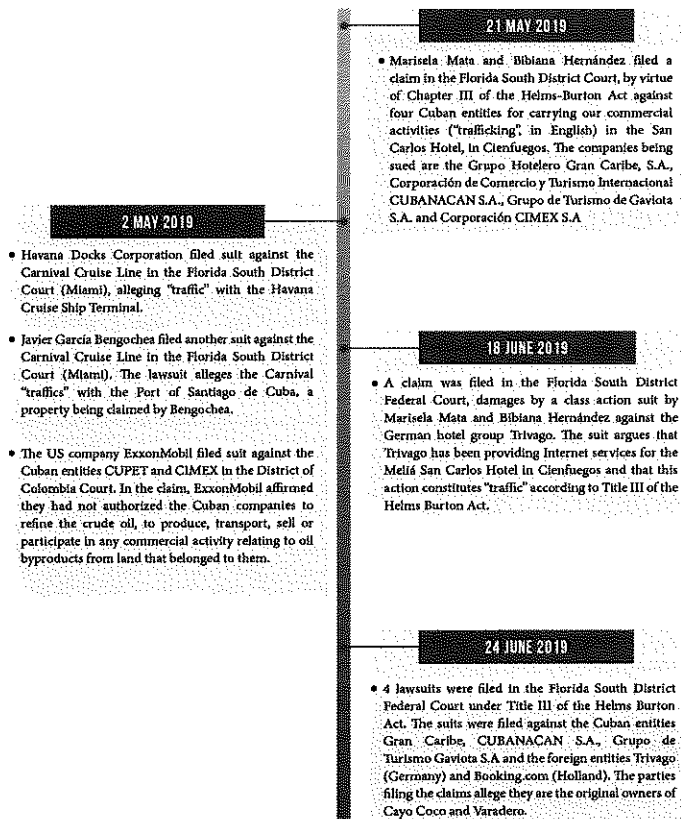
The decision of the US State Department on 17 April of 2019 to permit the lawsuits conceived by Title III ignored the position of members of Congress,

including Republican members, the business sector, a variety of organizations and US public opinion which supports mutually beneficial economic and commercial relations with Cuba. The behavior of the current US government constitutes an affront to the international community which for 27 consecutive years has condemned, almost unanimously, the US blockade against Cuba, including the Helms-Burton Act. It ignores successive resolutions of the UN General Assembly and the declarations of the Summits of Heads of State and/or Government of the European Union-Latin America and the Caribbean, of the African Union, the Community of Latin American and Caribbean States (CELAC), the Group of 77 and China and the Non-Aligned movement, among other organizations, which have demanded an end to the blockade on Cuba.

That decision, as Title III of the Helms-Burton Act establishes, opened up the possibility of filing lawsuits not just against persons who were US citizens at the time of nationalization. It recognizes equal rights for any person who is a US citizen today, including official representatives or figureheads of the Batista dictatorship which governed Cuba until 1959, whether they were murderers and torturers at the service of the Batista regime or crooks and conmen of the public purse and the other resources of the Cuban people.

Ever since the implementation of this decision, Cuba's economic activities have been powerfully affected, particularly those related with foreign trade and foreign investment relations. Dissuasive and intimidating effects are perceived and these together with the fear generated by the remaining regulations and laws of the blockade, are impeding the development of Cuba's trade ties with the world. No citizen or sector of the Cuban economy can escape the deleterious effects of this unilateral policy; it hinders the development to which any country is entitled in a sovereign manner.

Up to the date of writing this report, concrete examples of the application of this title of the Helms-Burton Act have been recorded, as shown below:



Law 80 of Reaffirmation of Cuban Dignity and Sovereignty, approved by the National Assembly of the People's Power in December of 1996, establishes that the US regulation is inapplicable and has no value or legal force whatsoever on Cuban national territory. It reaffirms the willingness of the Cuban government to seek proper and fair compensation for the assets expropriated from natural and juridical persons who at that time held US nationality or citizenship. Furthermore, it offers total guarantees to foreign investors in Cuba as its Article 5 establishes that the government shall be authorized to adopt "additional provisions, measures and facilities as necessary for the total protection of current and potential foreign investments in Cuba and the defense of the legitimate interests of these before the actions that may be derived from the Helms-Burton Act".

Along with that, the Constitution of the Republic provides that "the State promotes and provides guarantees to foreign investment as an important element for the country's economic growth, on the basis of the protection and rational use of human and natural resources, as well as respect for national sovereignty and independence."

The serious extraterritorial nature and the unacceptable precedent of violation of International Law proposed by the Helms-Burton Act, especially its Title III, determined that a number of countries or groups of countries have adopted laws or other provisions as antidotes for the protection of their citizens and entities.

## 2. THE BLOCKADE VIOLATES THE RIGHTS OF THE CUBAN PEOPLE

### 2.1 REPERCUSSIONS ON SECTORS HAVING THE GREATEST SOCIAL IMPACT

From the beginning of the application of the blockade against Cuba, the health and food sectors have been objectives prioritized by the aggression of the US governments. Maneuvers directed to promote hunger and disease among the Cuban people and, with it, to undermine support for the Revolution, have constantly been present in the plans and programs of the "dirty war" against Cuba.

In spite of the destructive strategy of the US government, thanks to the humanistic policy of the Cuban Revolution, we have attained results in the social sphere that are comparable to those in developed countries. The health sector, for example, has permanently remained among the priorities of the Revolution. Both the Constitution of 1976 as the Constitution in force today ensures that the state of wellbeing of the people has been represented as an unavoidable right. The current Constitution, in its Article 72, enshrines public health as "the right of all" and it establishes the responsibility of the State to guarantee access, the free nature and the quality of the services of care, protection and recovery".

However, the damage caused by sanctions against Cuba in the area of health is undeniable. This hostile policy hinders the acquisition of technologies, raw materials, reagents, diagnostic means, equipment and spare parts, as well as medicines for the treatment of serious diseases such as cancer. These consumables must be bought in faraway markets, on many occasions via intermediaries, and this necessarily increases their prices.

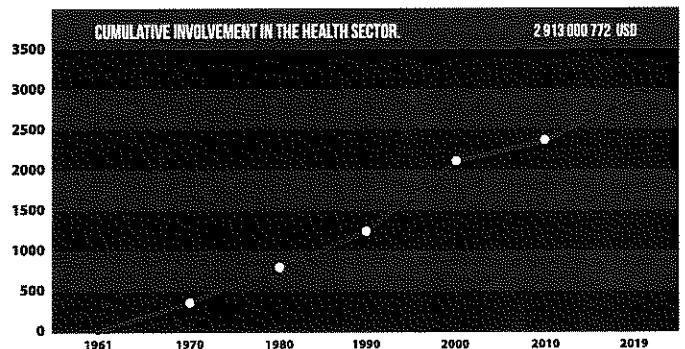
Not being able to have the ideal medicines or technology for a disease has in some cases resulted in an impediment for the saving of lives. The relatives of patient "JCHC", with Medical History Number 68100309926 at the "Hermanos Ameijeiras" Clinical-Surgical Hospital, who died on 15 June 2018 due to spongiform myocardopathy with terminal cardiac insufficiency, will never be able to forgive that they were unable to have the

circulatory support of IMPELLA, produced by the US company ABIOMED, which could have saved JCHC's life. Due to the restrictions of the blockade against Cuba, the aforementioned company has not answered reiterated requests to buy that equipment specialized to assist the circulation of patients in cardiogenic shock and terminal cardiac insufficiency.

Between April of 2018 and March of 2019, losses to the Cuban health sector totaled \$104,148,178, a figure exceeding that of the previous year by \$6,123,498.

In the period analyzed, the Cuban company exporting and importing medicines, MEDICUBA S.A., sent out requests to 57 US companies in order to buy the consumables needed for our health system. Until the present, 50 of these companies have not answered and another 3 have alleged that, due to the blockade regulations, they are not authorized to sell Cuba any medicines or equipment. Among MEDICUBA's requests, we find the following:

- The US company PROMEGA CORPORATION, the manufacturer of enzymes and other products for biotechnology and molecular biology, was contacted to buy reagents and consumables used in the diagnosis of genetic diseases. On 16 January 2019, said supplier communicated that "the US Department of the Treasury applies commercial sanctions prohibiting industries with headquarters in that country to sell products and provide technology and/or services to Cuba".
- The US company BRUKER was contacted for the purchase of the spectrophotometer, equipment used in laboratories to quantify substances and micro-organisms. When they received the request they answered that, until today, they cannot do business with Cuba.
- The US company STRYKER was contacted for the purchase of extendible endoprostheses used for the conserving or saving surgical treatment



for upper and lower limbs, responding to a need of the National Cancer and Radio-biology Institute (INOR). But until the present day no answer has been received from the company. Faced with the impossibility to obtain these prostheses, which have greater quality from a functional point of view, INOR has had to resort to fixed prostheses for patients who require the extendible ones.

- Several US enterprises have been contacted for the purchase of new drugs for the treatment of cancer. However, up to the present we have received no answer. Some examples:

**FARMACÉUTICA PFIZER INC.:** we requested Crizotinib, a medicine used for lung cancer treatment, Palbociclib used for the treatment of metastatic hormone sensible breast cancer and Sunitinib the only existing efficacious medicine in the world for the treatment of advanced or metastatic renal cancer. The "Hermanos Ameijeiras" Hospital on average diagnoses 20 cases of advanced renal cancer a year and these are being deprived of the most effective treatment.

**BRISTOL-MYERS SQUIBB:** we requested Anti PD-1 antibody for the treatment of metastatic melanoma, lung cancer, Hodgkins lymphoma and other diseases.

**GENOMIC HEALTHS:** we requested Oncotype DX breast cancer test, a diagnostic test that permits identifying the risk of reoccurrence in patients with early breast cancer and Oncotype DX colon cancer test, a diagnostic test that permits identifying relapse risk in patients having colon cancer in stages II and III.

- The US company BOSTON SCIENTIFIC was requested for the percutaneous valve aortic prosthesis, a method for minimal invasion implantation with which around 60 over-70 patients with degenerative aortic valvulopathies

are benefitted each year. Acquisition of this device would contribute to decreasing the number of deaths in Cuba where the first cause of death is cardiovascular disease. But said company, world leader in the production of these valves, has not answered our request.

- The US company ZIMMER BIOMET was contacted for the purchase of hip, knee and dental prostheses. But the company responded that, because of the blockade, they were not authorized to do business with Cuba.

Other examples showing the losses caused by the blockade in the health sphere during the period covered by this report are:

- On November 2018, the German company Isotrak USA Eckert & Ziegler Reference & Calibration refused to supply MEDICUBA with an initially contracted radioactive source necessary to do quality control on radionucleotides in the diagnosis of cancer. The company declared it was not willing to do business with Cuba as a result of the US restrictions on the island.

- On 26 February 2019, a number of suppliers informed MEDICUBA they were unable to deliver the contracted pulmonary ventilators due to the fact that the manufacturers, IMT MEDICAL AG y ACUTRONIC, had been bought by Vyair Medical Inc., a company headquartered in Illinois, USA. The pulmonary ventilators are of utmost importance for the Cuban health system since they are used to mechanically assist patients when spontaneous pulmonary ventilation put their lives at risk.

- The Pedro Kouri Institute of Tropical Medicine (IPK) received a negative answer from the Federation of Universities for Animal Welfare when they requested access to funds for projects offered by the English institution. The

Federation expressed that because of sanctions imposed on Cuba by the United States, they were unable to make financial transactions to the Island.

In the period being analyzed, Cuban health professionals were unable to take part at meetings, scientific events and academic exchanges held in the US. This is due to the fact that visa requests by Cuban doctors were refused or issued after the dates for the events.

Article 77 of the Cuban Constitution establishes that "everyone has the right to healthy and adequate food. The State creates the conditions to strengthen food security for the entire population".

According to the World Food Policy Report of 2018, Cuba is one of the first 14 countries that have been able to reduce the rate of hunger and malnutrition in a sustained manner for several years. Furthermore, Cuba is among the nations which have most advanced in their food policies in equality and are the closest to attaining the goals included in the second objective in the Agenda for Sustainable Development 2030.

Despite the abundant resources and efforts the Cuban State devotes to the food and agriculture branch, the consequences of the blockade are present in this sector; it has recorded repercussions that total \$412,230,614.

The enterprises in charge of producing food products in the country import approximately 70 % of their raw materials from different markets, among which are Spain, Brazil, Argentina, Italy, Canada, India, the Dominican Republic and Mexico. Until the present, the blockade has made it impossible to make purchases in the US market which is attractive because of its prices and proximity and because it has a variety of offers in raw materials, materials and equipment necessary for modernizing production lines.

Repercussions caused by the blockade in the food sector are also derived from the impossibility of placing Cuban products into the US market. The enterprise Ron Havana Club, one of the most prestigious in the world in the production of spirits, lost \$41,360,000 because of this.

Education, sports and culture are also among the most sensitive sectors to be affected adversely by application of the blockade.

Article 73 of the Constitution of the Republic of Cuba enshrines the inalienable right of Cubans to education. To guarantee this right, the State invests 23.7 % of its budget in this sector.

The achievements attained by the Cuban Revolution in the sphere of education and its contribution to other peoples throughout the world are acknowledged internationally. The preliminary analysis of the goals contained in Objective 4 of Agenda 2030, showed that they have all been fulfilled by Cuba. Nevertheless, in spite of the efforts made by the State, the quality of educational services has been adversely affected due to the regulations imposed by the economic, commercial and financial blockade of the government of the United States.

The principal repercussions reported in this field are determined by the payment of increased rates for freight in order to transport the products acquired in far-off markets, the limited access to scientific information and to the IT tools necessary for the production of educational multimedia productions, as well as due to the obstacles in place for receiving payment for the professional services being offered abroad.

Some examples of the repercussions reported in the sector of education in the period being analyzed are:

- The University of Sancti Spiritus was unable to purchase 20 SMART BRAILLER machines

and the audio accessories from the PERKINS company which are necessary for training students in the Special Education degree course at the under and post graduate levels. Both technologies are manufactured in the US. Despite the fact that treatment of persons with special needs constitutes a priority for the Cuban government, as a result of the restrictions imposed by the blockade disabled persons have limited access to much of the equipment that would improve their quality of life and foster their social inclusion and participation.

- In the period, two international conferences (Webinar) of the Erasmus Network + RIESAL were held for the training of specialists who work on developing the internationalization processes of higher education. But because of the regulations of the blockade, Cuban officials could not take part in these online events because they were not allowed to access the following webpage: <https://riesal.adobconnect.com/defaulteventtemplate/>.
- On 23 January 2019, the bank Société General de Paris withheld a bank transfer for 7,474 Euros destined for Cuba to pay for the professional services of Cuban professors in Equatorial Guinea.
- Three educational programs that had been planned for the start of 2019 by the Enrique José Varona University of Pedagogical Sciences and three US universities (Minnesota, CUNY and Social Movements of Chicago) were cancelled. The Pedagogical University lost \$11,000 as a result.

One of the greatest conquests of the Cuban Revolution has been the development of sports. Article 74 of the Constitution establishes that "people have the right to physical education, to sports and recreation as essential elements for their quality of life". In spite of efforts made by the Cuban

State and government for the promotion of sports activities, this sector has not escaped the damage caused by the US policy of blockade.

Some of the most significant examples in the period are:

- Cuba has been limited in its acquisition of sports equipment, mandatory according to the official regulations of international federations, because they are manufactured by US companies such as LOUISVILLE, WILSON, XBAT, RAWLINGS and EASTON. To make these purchases, we have had to resort to third countries with a considerable increase in the prices of the products. If Cuba were able to access directly to the US market, these products could be purchased at prices approximately 30 % lower.
- The 22nd edition of the Terry Fox Run could not be held this year after a communication was received from the director of this international foundation that informed us that they could not assist in organizing the event or to continue supporting Cuba in its cancer research. Consequently, the foundation could not even transfer to the National Oncology and Radiology Institute the funds foreseen for the development of the project named "Antitumor assessment of chemotherapy and immunotherapy combined in experimental cancer models" that should be completed this year.
- The Caribbean Baseball Confederation has not been able to reach an agreement with the US government to create a legal channel that would permit paying for the prizes to Cuba. The Cuban team that participated in the Caribbean Baseball Series held in Panama from the 4th to the 10th of February of 2019 was unable to receive their \$72,000 prize after they won second place in the event. The same thing

happened with a number of Cuban athletes who were unable to receive their \$5,000 prizes each.

- The financial persecution imposed by the US government against the banks in third countries has made it impossible for CUBADEPORTES to be paid for their services, both for exporting technical assistance and for commercializing activities in Cuba.

The development of culture in all of its manifestations is a priority for the Cuban State. In its Article 79, the current Constitution of the Republic establishes that "everyone is entitled to participate in the cultural and artistic life of the nation". Nevertheless, this sector continues to be one of the most adversely affected by the application of the policy of blockade by the US against Cuba.

Some of the repercussions recorded in the sector of culture during the period are:

- Of the 37 artistic units that could have promoted their work in US territory, only 24 received permission to enter the country; this represents 13 projects less when compared to the preceding year. Nonetheless we must point out the positive promotional impact of the Festival of Cuban Arts held at Washington's Kennedy Center that included the presence of 104 musicians.
- Despite the various US companies that have shown their interest in negotiating with the BIS MUSIC agency, they have refused to send their legal documentation to perform the corresponding contracts for fear of the blockade's restrictions. As a result, losses of over \$100,000 have been recorded.
- A number of agencies in Colombia, Peru and France rejected business arranged with the Empresa de Grabaciones y Ediciones Musicales (EGREM), for fear that they would

not be able to make transfers to Cuba to pay for the services. For this reason, approximately \$200,000 was lost.

- Business persons who traditionally promoted groups in the EGREM Catalogue in the US market and in other countries refused to continue with their work in 2018 due to the increased blockade measures.
- Because of the intensification of this policy, the Third Encounter of American and Cuban Editors, Distributors and Literary Agents, scheduled to be held in Cuba during the 2019 International Book Fair, was prevented from happening. Cuba's participation at expos, editorial and literary events, as well as book fairs in the US, became impossible.
- The blockade has serious repercussions on professional artistic training (at the elementary, middle school and higher education levels) by imposing limitations on acquiring the necessary items such as musical instruments and accessories for the visual arts, ballet and dance. In spite of this, the Cuban State has not stopped any child with the skills and talent to take this training without paying any tuition; this represents an extraordinary effort if one takes into account that the cost of a basic education for one student in one academic year in any of the arts manifestations hovers around the figure of \$15,000 and \$16,000. For example, on average, \$17,610 is spent to make sure that each ballet student has a leotard for the school year. If it were possible to access the US market to buy these garments, Cuba would save more than half of the amount spent to buy the leotards elsewhere.



2.2 REPERCUSSIONS ON ECONOMIC GROWTH

The blockade continues to be the fundamental obstacle for implementation of both the Economic and Social Development Plan until 2030 and the United Nations Sustainable Development Goals. In the period analyzed, the harm caused by the blockade in the sectors of production and services was calculated to be \$79,000,000; this represents an increase of 28 % when compared to the previous period.

Transforming the cost of the blockade into the country's payment capacity would allow us, in the midterm, to have an official, substantive and sustained financing source that would provide greater dynamics to the investment programs associated with the strategic sectors of the Economic and Social Development Plan until 2030. Thus the terms to achieve the goals set for the year 2030 would be shortened. In less than 5 years the country's infrastructure situation would be turned around, assuring for example the transformation of the national energy matrix with participation in the sources of renewable energy at more than 24 %.

In financial terms, to have this amount of money available would allow us to favorably turn around the financial exposure of the country abroad, both from the qualitative and quantitative points of view, thereby consolidating the trust of the investors and external creditors and substantially increasing the capacity to access financial markets and capital.

The biopharmaceutical industry, one of the strategic sectors of the country's economy, is adversely affected every year with million dollar economic losses in research, development, production and the commercialization of its products, as a result of the blockade. US measures against Cuba not only limit academic and scientific exchanges but they also deprive the US people from receiving the benefits of biotechnological and pharmaceutical products developed in Cuba, products that are extremely new and promising for human health.

Some examples of repercussions caused by the blockade in this sector are:

- The Genetic Engineering and Biotechnological

Center (CIGB) reports lost revenues because of not being able to export Heberprot-P to the United States, a medicine that is unique in the world for the treatment of the diabetic foot (UPD). Under the hypothesis that just 5 % of US patients who are diagnosed with UPD each year would use this medicine, exports to the US would have amounted to \$103,000,000 in 2018.

- The import-export enterprise FARMACUBA reported the existence of difficulties in obtaining raw materials for the elaboration of medicines as the result of the blockade against Cuba. Between April 1st of 2018 and March 31st of 2019, interruptions in the manufacturing process of medicines occurred in the "8 de Marzo" producer enterprise because they were unable to purchase the raw materials with the required periodicity. Approximately 2,000 units of the oral suspension and 61,184 capsules could not be produced.
- A manufacturer of medicines in an Asiatic country informed that it could not ship injectable 250mg/5ml Fenitoina to Cuba because the banks in said country were refusing to process any documentation related with the Island for fear they would be sanctioned by the US. This situation entailed seeking out another supplier in Latin America in less favorable conditions.

Repercussions on the production of large sized parenteral serums due to the lack of bottling materials: the Columbia supplier PROENFAR was hired for the purchase of these consumables. But since they have an American shareholder, the operation could not be done and the production of 1,995,300 bags of serum was affected.

Repercussions on the delivery of printed aluminum foil for Nicotinamida in March of 2019 and possible repercussions in September and October for Dipirona and Alprazolam: the supplier DEVEXPORT was bought by a new manufacturer who refuses to sell printed aluminum foil to Cuba because of the blockade regulations.

The measures announced by President Donald Trump against Cuba as of 2017 continue being applied with rigor and have serious repercussions on tourism, one of the strategic sectors in the economic and social growth of our country. But in the month of August of 2018, the US State Department lowered the advisory on dangers for travel to Cuba from Level 3 (reconsider the trip) to Level 2 (exercise precautionary measures).

From April 2018 to March 2019, the US blockade against Cuba has caused losses to Cuban tourism amounting to some \$ 1 383,000,000, in important spheres related to travel, services, operations and logistical assurances. Had the blockade not existed, we estimate that 35% of all the visitors to Cuba in one year could come from the United States. Under this hypothesis, the total number of tourists from the US in 2018 would have been 1,656, 298, thereby becoming the main market emitting visitors to Cuba.

Just to cite a few examples:

The Empresa Laboratorio Farmacéutico Oriente of BIOCUBAFARMA reported the following repercussions:

- Repercussions on the Vitamin A raw material for the production of the Nutriforte vitamin complex: the bank of the supplier company refused to receive the payment corresponding to Cuba and this forced the country to pay more money through third parties. Consequently, the production was adversely affected by 78,694,200 tablets.

SUSTAINABLE DEVELOPMENT GOALS



People" group educational visits aggravated the negative impact on the arrival of US tourists in Cuba. If the earlier prohibition on "People-to-People" travel for individuals that forced visitors coming from the US to visit Cuba sponsored by some American organization was already discouraging the arrival of American tourists to Cuba, the new measure completely suppresses the possibility of travel in this category.

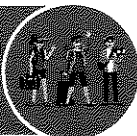
The blockade has also caused repercussions to the communications and IT sector, including telecommunications. This policy constitutes the principal impediment to the flow of information and broader access to the Internet and to information technologies by the Cuban people, by making connectivity in the country difficult and more costly, to condition access to platforms and technologies and to use cyberspace to subvert the Cuban political and legal system.

The economic losses to the system of communications during the period from April 2018 to March 2019 are estimated at over \$5,000,000. Empresa de Telecomunicaciones de Cuba S.A. (ETECSA) continues to be the entity that has been most affected, recording approximately 98% of the total amount of losses.

Among the most significant examples of the period, the following stand out:

- Training professionals in the communications sector has been adversely affected because it is impossible to pay for the courses offered by the Chilean company ALGORITMO. This situation has put off holding 5 scheduled courses in 2018, courses necessary for the implementation and development of higher quality services.
- The policy of the blockade affects free access from Cuba to the contents of the internet and the right to freedoms expressed and accepted by the authors producing software with the General Public License (GNU-GPL). Damage is materialized via the refusal to access service or to download information, when it is recognized that the link is being done from an internet address (IP) granted to the Cuban domain.cu.
- Cuba is denied access to the official information on first line technological sites and this makes it difficult to self-train or long-distance train. Such are the cases of Cisco, VMWARE, Google

**LOSSES CAUSED TO CUBAN TOURISM**  
1 383 000 000 DOLLARS



- In spite of the fact that during the period there was an increase in the number of cruise ship visitors arriving, the entry of US visitors by air decreased by 28.6%, representing a decrease of 103,161 visitors when compared to 2017 and it negatively impacted on incoming revenues. The policy adopted as of 5 June 2019 by the US government to refuse permits for non-commercial planes and passenger and recreational ships for temporary stays, including cruise liners to Cuba, harms travel by Americans to Cuba and revenues for this reason to an even greater extent.
- The CUBATUR travel agency suffered from monetary-financial repercussions amounting to \$497,800 as the result of bank service charges, variations in exchange rates and the use of bank payment gateway alternatives.
- HAVANATUR suffered from losses because corresponding banks refused to process payments to clients, bank accounts were closed in third countries, funds were withheld and credit card processing services were cancelled.

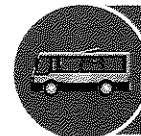
Code, Google Web Designer and Google Page Speed Insights.

- RADIOCUBA specialists have found it impossible to attend the annual conference offered by the satellite service provider MARLINK SAS, which has been held on two occasions in New Orleans.
- Blockade restrictions have prevented International Money Orders (GPI) from being sent; for this reason the Mail-Money Order Agreement for the sending of international money orders with the designated operator being the United States has not been signed.
- ETECSA was a member of the Global System for Mobile Communications (GSM) up to December 2017, the date on which it received a letter from the Legal Director of the GSM association to announce the suspension of membership in said organization of the Cuban enterprise. The executive alleged their obligation to follow the US law regarding commercial sanctions for those providing services to Cuban companies. In this way ETECSA could only participate in the public events being held outside of US territory.
- The blockade prevents access to high-end brands and/or equipment, leaders in the market of info-communications or those which are distributed or hold patents from US entities, among others, land phones, mobile phones, antennas, IT systems, etc.

The transportation sector has also been considerably affected by blockade regulations. Total losses in this area during the period analyzed are over \$170,000,000; this represents an increase of over 69 million when compared to the preceding period.

Among the significant examples in the period are the following:

- The Netherlands supplier of Caterpillar prohibited the Dutch company DAMEN, principal supplier of Caterpillar and Cummings parts and spare parts to the DAMEX shipyard of Santiago de Cuba from selling Cuba the necessary repair and maintenance supplies for Empresa Prácticos de Cuba ships.

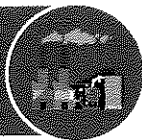


**LOSSES CAUSED TO THE TRANSPORT SECTOR**  
170 000 000 DOLLARS

- Cubana de Aviación S.A. cannot use the services of ATCO (Airline Tariff Publishing Company) which is in charge of publishing the air fares for over 500 airlines and has its main offices at the Dulles International Airport of Washington D.C. Due to blockade restrictions, Cuba must make additional payment of \$1,300 per month to have access to download air fares from the distribution system.
- The Spanish airline Air Europa (UX) refrained from finalizing the Code Share Agreement and from fulfilling agreements signed with Cubana de Aviación since it is operating with Boeing, whose fleet is manufactured in the United States.

In the period analyzed, repercussions caused by the blockade on Cuban industry surpassed \$49,000,000. With the total amount of these negative effects, Cuba would have been able to purchase the necessary raw materials for our industries, such as calcium carbide to produce acetylene, mixes to produce tires, semi-extendable paper to produce multi-layer bags, etc.

Some of the most significant examples are:

**LOSSES CAUSED TO  
CUBAN INDUSTRY  
49 000 000 DOLLARS**


- The Chemical Industry Business Group (GEIQ) cannot purchase spare parts and replacement machinery for air compressors, LEFI pumps and BURTON CORBLIN and GARO equipment, due to the presence of American shareholders in these companies. This caused severe harm to the production of chloride in Cuba. Likewise, it was not possible to rent ISO containers for medicinal oxygen, manufactured in the US, because the suppliers were afraid of being fined by OFAC.
- The Electronics Group (GELECT) covers production and services for electrical and electronic equipment, IT solutions, means, parts and spare parts for telecommunications. Due to the dissuasive nature of the blockade, this business group has not been able to sign agreements negotiated with a number of suppliers and this prevents and makes dealings with importers more expensive, and it makes it impossible to have access to the principal technologies and materials necessary to undertake these productions. This determines that the country must purchase these items in other geographical regions, with the prices for national production increasing by almost \$2,000,000 due to freight costs.

As a result of the blockade, the construction sector continues to deal with difficulties in accessing more efficient and lighter construction technologies that would consume fewer basic materials and energy components. In the period analyzed, it was not

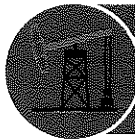
possible to purchase D55 augers that are necessary for the construction materials industry, via ATLAS COPCO, based in an Asian country. Due to the blockade the headquarters of said company prohibited the sale of these products to Cuba.

Exports in this branch are also hindered due to blockade regulations. An example of this is the impossibility of signing a contract with ABSTRAD & COMMERCE LIMITED to export 300,000 tons of Algaba stone. The company has not been able to locate a ship willing to move the merchandise from Cuba to the destination country.

In the energy and mines sector, repercussions on their enterprises have amounted to \$78,336,424, for an increase of over \$18,000,000 when compared to the past year.

The most significant examples in the period are the following:

- The Moa Nickel S.A joint enterprise suffered losses in the production of 40 t of nickel and cobalt sulfurs for export. This was due to the fact that the principal manufacturers of parts and key parts for the production process have been withdrawn as a result of the dissuasive effect of the blockade. That led to increased maintenance costs, lost time in searching out replacement suppliers, delays in arrivals and greater importing costs. MS SALES shut down its operations with Cuba when it was absorbed by an American company and Veostalpine, one of the principal suppliers of electrodes, shut down operations by the risk country generating

**LOSSES CAUSED TO THE  
ENERGY AND MINING SECTOR  
78 336 424 DOLLARS**


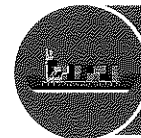
the blockade, thereby not fulfilling already signed contracts.

- In the Electrical Union Business Group, there is very limited access to spare parts for BAZAN motors, manufactured by the Spanish company NAVANTIA. This company has refused to do business with Cuba for fear of the consequences from the blockade. Therefore, spare parts can only be purchased through a single supplier at twice the market cost.
- The British COMPAIR consortium joined an American group and so has cut off all relations with projects using its technology developed in Cuba for centralized compressed air stations. Consequently, there is no access to spare parts for all the equipment initially installed; it has had to be modified using other technologies, thereby adding additional costs to those originally anticipated.
- In September and November of 2018, two contracts were signed with General Electric International INC for additional supplies for the turbine at the Central Termoeléctrica Antonio Guterres and to modernize the Planta Eléctrica Pico Santa Martha, respectively. Nevertheless on 5 February 2019, we received notification from the US CENTENNIAL BANK informing us that, taking into account the activation of Title III of the Helms-Burton Act, financing for these two contracts had not been authorized.

### 3. REPERCUSSIONS ON THE FOREIGN SECTOR OF THE CUBAN ECONOMY

#### 3.1 REPERCUSSIONS ON FOREIGN TRADE AND COMMERCE

Total repercussions of the US blockade on Cuba's foreign trade between April of 2018 and March of 2019 was \$2,896,581,555, with the resulting increase of negative effects that makes it difficult to carry out and which distorts foreign trade.

**LOSSES CAUSED TO FOREIGN  
TRADE  
2 896 581 555 DOLLARS**


Besides the quantified repercussions, we cannot overlook the dissuasive and intimidating effect of the blockade policy on the US and third country business sectors. There are even greater repercussions due to banking-financial institutions that refuse to work with Cuban entities and in the sector involving investments in the country.

In foreign trade, the greatest repercussions can be noted in the losses due to exports of goods and services, reaching \$2,343,135,842. This figure was notably affected by the decrease in US visitors during the period, a trend that has been maintained since 2017 as a result of the media campaign against traveling to Cuba and the manipulation of the presumed health-related incidents affecting American diplomats in Cuba.

Losses as a result of the geographical relocation of trade are estimated at \$1020.2 million, representing an increase of 18 % in comparison with the preceding period.

Repercussions due to the impossibility of access to the US market are calculated at \$163,108,659. The most affected sectors were health, energy and mines, telecommunications and IT, agriculture, construction and industry, involving 74.4% of losses, for a total of \$121,423,969.

As a result of the blockade restrictions, it is not possible to export to the US any Cuban brands that are registered in the US market. This is the case of Cubita coffee, Caney and Varadero rums, and charcoal. Likewise, sales of these rum brands in the European market also deal with severe limitations. The chains by which these products are sold do not allow their simultaneous sale with other brands coming from the US. This has translated into a decreased demand by clients who import and distribute them throughout Europe.

The impossibility of access to the US market also prevents the sale of other Cuban goods such as sugar and honey in the US. In the case of sugar, just the losses attributable to the exclusion from the system of sugar quotas has represented a loss of more than \$ 29 million.

On the other hand, the possibility of importing food products from the US has not meant the elimination of discriminatory commercial, financial and logistical practices which negatively affect economic results for imports from that market. This situation is maintained in spite of efforts made in the US agricultural sector in order to promote their commercial relations with Cuba in this area. Said irregular trade does not permit any type of financing, a situation that forces our Empresa Comercializadora de Alimentos (ALIMPORT) to resort to markets with loan facilities that are located far away and whose freight rates are much higher. Due to the increase caused by the blockade on the so-called risk country, creditors apply rates approximately 5% higher than normal. Moreover, by not being allowed to pay third parties abroad in USD, we must buy reimbursement currencies, with the resulting losses derived from the rates of exchange.

For example, the Cuban enterprise AT Comercial S.A. reported losses due to not being able to have access to the US market to purchase certain food products which had to be purchased at higher prices

through intermediaries and in far away countries.

In this period, repercussions due to not being able to use the USD reaches \$85,139,436 and the increased cost of financing/risk country is at \$47,290,204. In these indicators the lack of access to bank loans or soft loans plays a part. Cuban enterprises must work with commercial loans granted by the suppliers themselves, with disadvantageous financial terms.

The negative repercussions for using commercial intermediaries and the resulting increased prices for merchandise amounts to \$173, 210, 916, showing an increase of 189% when compared to the preceeding period.

Another variable which continues to cause serious repercussions on our economy are the surcharges for freight and insurance that must be paid due to geographical relocation of trade to more distant regions. Because of this, we calculate losses of \$72,160,602.

The following table shows the repercussions of the blockade on Cuba's foreign trade in the period between April of 2018 and March of 2019:

**3.2 REPERCUSSIONS ON FINANCES**

Repercussions caused by the imposition of the blockade by the US against Cuba have continued to grow, with a marked international nature in the banking and financial sphere. This has resulted in serious difficulties that prevent the normal and correct functioning of the sector and increase the



LOSSES DUE TO:	USD
Impossibility of access to the US market	163.108.659,16
Use of intermediaries/more expensive goods	173.210.916,43
Increased freight and insurance costs	72.160.602,95
Export revenues lost	2.343.135.842,95
Risk country/increased financing costs	47.290.204,71
Prohibition on use of USD	85.139.436,80
Other repercussions*	12.535.892,72
<b>TOTAL</b>	<b>2.896.581.555,72</b>

Additional costs for operations through banks of third countries/bank commissions/types of payment instruments, withheld payments, broken contracts, litigation, etc.

costs associated with banking and commercial operations. The period has been characterized by the tendency of foreign financial institutions and banks to refuse to carry out operations with Cuban banks, as well as the closing of accounts and codes for the exchange of financial information established by the Society for Worldwide Interbank Financial Telecommunication (SWIFT).

Between April 2018 and March 2019, losses for the Cuban banking system were recorded by 140 foreign banks. In this period, there were 12 more foreign banking institutions added to the policy of refusing services citing the US blockade. The US is attacking the normal functioning and operations of Cuban banking institutions which must work in a climate of permanent tension, uncertainty and adversity in order to guarantee the secure movement of their financial flows.

In the period analyzed, monetary-financial losses were estimated at \$725.8 million, representing

a growth of 35% when compared to the previous period.

The principal difficulties presented by Cuban banking institutions during the period analyzed were:

**Increased blockade measures associated with IT services:**

- Difficulties related with access to new technologies of the Society for Worldwide Interbank Financial Telecommunication (SWIFT) persist due to the fact that most of the enterprises facilitating software and technologies are American.
- A number of foreign banks requested Cuban banking entities to cancel their message codes via SWIFT that serve as authorizations which are exchanged with correspondent banks and permit filtering and limiting the message

service received and the type of message being sent (RMA).

**Restrictions for the use of USD in commercial and financial transactions with foreign countries:**

- Restrictions for the use of USD in Cuba's foreign commercial and financial transactions remain; this creates substantial losses due to the variance in rates of exchange between the USD and that of third countries where the payments are being effectuated.

**Refusals to provide bank services:**

- Account closure requests: 8 foreign banking entities, of these 7 in Europe and 1 in Asia.
- Refusals to transfer funds from or to Cuba and to provide other banking services: 15 entities, of which 9 are in Asia, 3 in Europe, 2 in Latin America and 1 in Oceania. The following example is an outstanding one:
  - A Latin American bank informed its Cuban counterpart via SWIFT messaging, that as of January 2019 it would be impossible to participate in letters of credit transactions and international transfers involving the entities listed by the US Department of State (Cuban Restricted List).
  - Refusals to process bank documents entail seeking out alternatives for locating banks that accept doing business with Cuba in order to be able to pay suppliers or receive revenues in foreign currencies. For Cuba this represents not having resources available at the opportune time in order to fulfill its obligations and/or acquire the most needed products, in addition to the uncertainty generated about the destination of the funds.
- Withholding funds of Cuban entities in foreign banks: 2 banks in Europe
- Cancellation of SWIFT messaging codes by foreign banks serving as authorizations that

they exchange with correspondent banks: 24 entities, of which 15 are in Europe, 3 in Latin America, 2 in Asia, 2 in Oceania, 1 in North America and 1 in Africa. For example:

- We received information from a Latin American bank stating they were in no condition to exchange information even when the bank itself had previously requested communication requesting the exchange of codes via SWIFT.
- Foreign bank refusals to notify and/or process letters of credit operations: 16 institutions, of which 15 were Asian and 1 European. In most of the cases, the refusals generated losses due to unnecessary delays since the Cuban enterprise had to contact their suppliers to locate an alternative bank that would process the documents.
- Returning bank operations: 63 entities, of which 37 were from Europe, 13 from Asia, 8 from Latin America, 3 from North America, 1 from Africa and 1 from Oceania. The following example stands out:
  - A European banking institution returned a transfer to a Cuban bank due to the fulfillment policies of the beneficiary bank, despite the fact they had provided additional information as previously requested.
- Cancellation of bank operations and correspondent agreements: 8 banks, of which 3 were Asian, 3 European and 2 Latin American. Some examples:
  - A Latin American bank informed its Cuban counterpart they were cancelling relations with Cuba using the argument that it is a country sanctioned by OFAC and the persons or institutions that hire or provide financial assistance to those included on said list run the risk of being treated as drug traffickers, international criminals or terrorists.

- A European bank institution requested the cancellation of operations with Cuba due to the different international embargos and US sanctions; this forced the Cuban bank to seek out new alternatives in said country.

- Two Latin American Banks communicated that they would not execute new transactions coming from Cuba. This situation limits payments to suppliers and the receiving of resources derived from Cuban exports. This affects clients such as Cubana de Aviación, FARMACUBA, CUBADEPORTE and Cuban importing entities.

• Requests to Cuban banks for additional documents and other requirements in order to carry out banking operations: 4 bank institutions, of which 2 are from Asia, 1 from Europe, 1 from North America. Some examples:

- A European bank merged with another European bank and to make official the account of a Cuban bank in its books it requested, via SWIFT, unusual requirements that had never before been indicated, referring to the fact that in the payments effectuated the Cuban bank institution could not involve clients having anything to do with the military sphere, the armed forces, police forces, or with any assets originating in the US.

- A European bank entity requested additional unusual information from a Cuban bank in order to carry out transfer operations, such as confirmation that the merchandise would have no military use, alleging the requirements of the fulfillment regulations of their bank.

**Cuban entities must access foreign financing under extremely complicated conditions:**

- Cuban bank and business entities have to pay high interest rates that are above those established in the market for similar operations in other countries. This is due to the imposition

of surcharges as the result of the risk country classification applied to Cuba, the principal element in the determination of feasibility and costs of financial operations that are increased because of the blockade in force.

**Difficulties in sending and receiving bank documents via messaging agencies:**

- DHL Express-Habana sent a Cuban bank a list of countries that have limited package sending services due to the restrictions imposed by OFAC, with the following text: "Clients may only make deliveries under their responsibility, after they have been first notified by the postal agent. If clients insist on carrying out the imposition, DHL takes no responsibility for anything that might happen with the delivery after being notified; the client loses that right. We emphasize that any country sending DOX or WPX to Cuba must have a Letter of Indemnity (LOI), at the decision of the client".

- Another agency, The People Network (TNT) of the United Kingdom, communicated to a Cuban banking entity that it could not continue to offer its services. The refusal was related to the list of restricted Cuban entities published by the US Department of State. In this case, it dealt with the payment documents of a Cuban exporter entity.

- A Cuban bank received communication from a North American banking entity proposing that they were not agreeing to sign the documents required by DHL Express which establishes that, should there be any fine for transmitting documents to Cuba, the bank would assume all responsibility.

All of these obstacles determine that documents should be sent as copies via e-mail, including shipping documents, and not the originals that should be directly received by DHL. This situation

generates difficulties for Cuban importers since they must seek out other alternatives in order to receive documents. On the other hand, there is not the same guarantee and security for sending said documents whenever the shipment is done via banks.

#### 4. THE BLOCKADE VIOLATES INTERNATIONAL LAW. EXTRATERRITORIAL APPLICATION.

The extraterritorial application of the blockade continues to be a distinctive sign of the aggressive policy of the US government against Cuba. This network of sanctions seriously hurts our country but it also affects the interests and sovereign rights of third countries; this constitutes a violation of international law, the purposes and principles of the UN Charter and the regulations of free trade.

In the period analyzed application of the blockade intensified; this includes the decision of the US government, under Title III of the Helms-Burton Act, to permit the possibility of taking legal action in US courts against entities that "traffic" with properties nationalized in Cuba in the 1960s. This provision attacks the freedom of trade and reinforces the extraterritorial nature of the sanctions against Cuba, besides harming the economic and commercial relations of the Island with the international community.

The Helms-Burton Act, in violation of the principles of international law and the free determination of peoples, the freedom of trade, sovereign equality and nonintervention in the internal affairs of States, is totally inapplicable in Cuba. Law 80 for Reaffirmation of Cuban Dignity and Sovereignty, approved by the National Assembly of the Peoples'

Power in December of 1996, declares that the above-mentioned US regulation is illegal and without any legal value whatsoever in Cuban national territory.

Enactment of the Ley Helms-Burton Act led to the approval of "antidote laws" designed by third countries such as Mexico, Canada and the European Union, in order to protect themselves against the effects caused by application of this regulation.

The European Union approved a "Blockade Statute" which prohibits the execution of US judicial sentences related to Title III of the Helms-Burton Act within their territory. The Canadian government amended the Law against Foreign Extraterritorial Measures, establishing that "any sentence issued in conformity with US legislation shall not be recognized nor may it be executed in any way in Canada". As for Mexico, it has the Law for Trade and Investment Protection from Foreign Norms that Violate International Law.

#### 4.1 REPERCUSSIONS ON CUBAN ENTITIES (EXAMPLES)

In the period analyzed, repercussions on Cuban entities in their commercial relations with third countries via the closing of bank accounts, the impossibility of carrying out transactions to pay or receive payment for services and the cancellation of commercial agreements have continued to be intensified. Next, some examples:

**On 1 June 2018**, the Luxemburg branch of the Dutch ING Bank refused to carry out a transaction coming from the Luxemburg enterprise e-Time Corp. directed to CUBAEXPORT, as a result of the US blockade against Cuba.

**On 12 June 2018**, the New Zealand branch of the Australia and New Zealand Banking Group (ANZ) sent a letter to the Travel Agency Association of

New Zealand (TAANZ) informing them that as of that moment any transaction or dealings directly or indirectly related to countries under US sanctions, including Cuba, were prohibited.

**On 2 August 2018**, the Brazilian branch of the US company FEDEX cancelled their services for the Cuban embassy and consulates in that country based on instructions received from headquarters in the US, due to the fact that Cuba is under OFAC sanctions.

**On 15 August 2018**, it was learned that the Banco Santander Rio in Argentina did not make a transfer indicated by HAVANATUR to the BFI for \$250,000 (ordered with the equivalent amount in Euros).

**On 16 August 2018**, it was learned that the Dominican banks BANRESERVAS and BHD-León closed the accounts belonging to the Dominican Republic branch of Cubana de Aviación because Cuba is under US sanctions.

**On 21 August 2018**, the Panamanian bank MULTIBANK closed the current account in dollars of Cubana de Aviación S.A in Panama City.

**On 28 August 2018**, the subsidiary of the US company FEDEX in Saint Lucia proceeded to close the account of the Cuban embassy in that country due to blockade regulations.

**On 30 September 2018**, the Bahamas branch of the American company FEDEX closed the account of the Cuban embassy in that country according to directions from their legal department in the US.

**On 1 October 2018**, it was learned that the Surinam branch DSB refused to continue processing transactions in dollars for the Cuban embassy in that country due to blockade regulations.

**On 2 October 2018**, the Hilton Fukuoka Sea Hawk Hotel in Japan cancelled a reservation from the Embassy of Cuba in that country following

instructions of their headquarters in the US, alleging that they could not provide services due to the US sanctions against Cuba.

**On 16 October 2018**, the Jamaican branch of the American company FEDEX froze delivery of two passports done from the Cuban Embassy in Washington for the Cuban diplomatic mission in Kingston, due to US sanctions against Cuba.

**On 30 October 2018**, the Panamanian financial entity MULTIBANK sent an Affidavit to the Cuban embassy in Panama that sought to establish "disassociation" with Cuba. The note had to be signed by the Cuban ambassador in Panama as the legal representative of Cuba, and it mentioned the blockade regulations.

**On 29 November 2018**, the private capital Halyk Bank, merged with the KAZKOM Bank in Kazakhstan sent a letter to the Cuban embassy in that country after temporarily freezing their accounts, changing numbering without prior notice and charging a high bank commission. The letter stated that the decision was made because of the blockade regulations.

**On 17 December 2018**, it was learned that the subsidiary of the American FEDEX company in Saint Kitts and Nevis communicated to the Cuban embassy in that country that they were suspending the package delivery services that they had been offering.

**On 17 December 2018**, Malaysia's MAYBANK notified Cuban citizen Miguel Morales about the closing of his account after receiving instructions as the result of blockade regulations.

**On 4 January 2019**, it was learned that the National Bank of Canada communicated to the Canadian company INTERCOPEX LTD based in Toronto about new DHL requirements for countries under sanctions, including Cuba that would prevent

processing their documentation going to Cuba. As a result of the holding back of DHL services, the National Bank of Canada notified all Cuban banks about this situation.

On 16 March 2019, the supplier DEVEXPORT communicated to the Cuban importer company CEXNI about the impossibility of effectuating deliveries corresponding to Contract 80063, for the purchase of 143 tons of sodium cyanide briquettes, directed to the production of Doré (gold). This was due to the fact that the authorities of the country of the manufacturer prohibited shipments to Cuba during 2019, arguing that they were avoiding sanctions on their companies by the US Department of the Treasury, for doing business with Cuba.

In February of 2019, MEDICUBA received several communications from suppliers with whom they had signed agreements, informing them that the Banco MULTIBANK of Panamá announced the closing of accounts to Cuba; this generated difficulties for receiving payments and executing commercial operations and they had to seek out other alternatives and supplement the already signed agreements.

In April of 2019, executives of the National Oil, Gas and Metal Corporation of Japan (JOGMEC) sent the Cuban Embassy in Japan the decision that three of their enterprises were cancelling their participation in a joint project with CUPET on a geo-chemical study for a possible project at risk for one or more blocks in coastal waters and/or on land. They alleged that the decision was taken due to the fact that the business of the enterprises involved was in the United States.

#### 4.2 REPERCUSSIONS ON THE BANKING AND FINANCIAL SECTOR (EXAMPLES)

On 5 October 2018, OFAC imposed a fine of

\$5,263,171 on the J.P. MORGAN CHASE bank for undertaking transactions and providing unauthorized services to clients included on the List of Specially Designated and Blocked Persons between 2008 and 2012.

On 19 November 2018, the banking-financial entity Société Générale S.A. headquartered in Paris, France, agreed to pay a total of \$3,40,231,916 to OFAC of the US Department of the Treasury, Office of the Attorney General of the Southern District of New York, Office of the Attorney General of the District of New York County, the Federal Reserve and the Department of Financial Services for the State of New York for violating the Regulations for the Control of Cuban Assets, Iranian Transactions and Sanctions Regulations and Sudanese Sanctions Regulations. According to OFAC, Société Générale S.A. processed 796 transactions that involved Cuba for a total of over \$5,500 million between 11 July 2007 and 26 October 2010. This is the second largest penalty imposed on a financial institution for having had relations with Cuba.

On 1 April 2019, the Panamanian MULTIBANK closed an unspecified number of bank accounts of Panamanian enterprises and those of other nationalities that do business or have relations with Cuba, including the news agency correspondent office of Prensa Latina.

On 9 April 2019, OFAC of the US Department of the Treasury imposed a sanction on the STANDARD CHARTERED BANK, based in England, for apparent violations of the Regulations for the Control of Cuban Assets and other programs of sanctions applicable to Iran, Syria, Sudan and Myanmar. In order to avoid a lawsuit the British company agreed to pay \$639,230,750 to OFAC and \$2,715,100,479 to other US government and state institutions.

On 15 April 2019, OFAC imposed sanctions on

the European affiliates of the UNICREDIT GROUP in Germany, Austria and Italy for violating the Regulations for the Control of Cuban Assets and other programs of sanctions applicable to Myanmar, Sudan, Syria, Iran and Libya. Consequently, and in order to avoid a civil lawsuit, UNICREDIT BANK AG agreed to pay \$553,380,759, UNICREDIT BANK Austria AG agreed to pay \$20,326,340 and UNICREDIT S.P.A. agreed to pay \$37,316,322 to OFAC and other US government and state institutions.

## 5. WORLD OPPOSITION TO THE BLOCKADE

### 5.1 OPPOSITION IN THE UNITED STATES

Despite the marked deterioration imposed by the current US government in its relations with Cuba, many sectors inside US society manifest their opposition to the blockade against the island.

Representatives of the agricultural, cultural, academic and business sectors have not only rejected this policy which violates International Law but they have been active in their attempts to exert political influence in the executive and legislative branches at both state and federal levels. Groups such as Engage Cuba, for example, have broadened their reach and diversified on the basis of establishing new state councils in US territory.

**Engage CUBA**  
COALITION

The drawing up of some agreements and businesses has shown the interest of these sectors in favoring healthy bilateral ties which are mutually beneficial. The willingness of many Americans to contribute to improving relations and lifting the blockade imposed against Cuba has been confirmed.

The following are some examples of the opposition to the blockade in the United States:

- On 5 April 2018, the Republican Senator for Arkansas, John Boozman, Head of the Raw Materials Subcommittee, Risk Management and Commerce of the Senate Agriculture, Nutrition and Forestry Committee, published an article entitled "It's time to expand US agricultural exports to Cuba" on the website for the Washington DC 100 project of the public relations firm Story Partners. Boozman criticized the prohibition on offering private loans for US agricultural exports to Cuba and he referred positively to the draft Expansion of Agricultural Products Act introduced in the Senate by him and the then-Democratic Senator for North Dakota, Heidi Heitkamp.
- On 19 April 2018, Democratic Congresswoman for Florida Kathy Castor wrote on the Twitter social media that her hope for the future in Cuba and the US is that the governments listen to persons of both nations who want changes, commitment and greater freedom. The legislator added that it is essential for both parties to participate and speak in a complicated and modern world, and she noted: "We are neighbors in spite of everything".
- On 19 April 2018, the president of Cuba Educational Travel, Collin Lavery, issued a communiqué in which he questioned the blockade policy, the distancing and hostility of Pres. Donald Trump towards Cuba. He stated that Trump was eliminating the US people and its institutions from the game and that in

the absence of an intelligent US policy it was essential that the peoples of the two countries should continue building ties. Laverty indicated that his organization would continue working tirelessly to unite the two countries, while awaiting improvement in bilateral relations.

- **On 23 April 2018**, Republican Congressmen Roger Marshall of Kansas, Rick Crawford of Arkansas and Tom Emmer of Minnesota published an article in the specialized digital media Feedstuffs under the title of A simple solution could open up a 2 billion dollar market for American farmers. The publication called on the Donald Trump government to maximize profits for American farmers and showed the commitment of the legislators in supporting the Cuban private sector via the use of their authority to more widely open the doors of their country for Cuban agro-industry. They argued that the US could sell their products to Cuba; agricultural sales from Arkansas could reach 52 million dollars; Kansas could exceed 55 millions, with a 25% increase in wheat sales, and Minnesota could see sales increase to 50 million dollars.
- **On 4 June 2018**, then-Republican Senator for Arizona Jeff Flake stated at a press conference in Havana that he had never been in favor of the blockade but was in favor of normalizing Cuba-US relations. He added that he was very pleased to observe increased travel to Cuba by Americans in the 2014-2016 period and that, in spite of some steps backwards, with his visit he was hoping to ensure that Americans knew that travel to Cuba was safe.
- **On 7 June 2018**, The Congressional Round Table on commercial relations with Cuba took place with the participation of US legislators and executives of the Engage Cuba group. Arkansas Senator John Boozman stated that

US farmers were in a situation where almost all the prices for basic products were low and so opening bilateral trade with Cuba would be beneficial for everybody. Representative from Minnesota Tom Emmer also referred to the possibility of encouraging bilateral agricultural and economic capacities and the necessary opening of more export markets. He added that the embargo is a failed policy and therefore he would continue pressure to lift it. At the Congressional Round Table Representative Rick Crawford of Arkansas said that a commercial opening with Cuba would make it possible to improve relations between the two countries.

- **On 7 June 2018**, the lobbying group Engage Cuba indicated in a Twitter message that "it is time to leave to one side the policy and do what's right: support Congress for trade between Cuba and the US."
- **On 10 June 2018**, the 18th Engage Cuba State Council was created in Pennsylvania with the participation of a bipartisan group of state officials, business and agriculture leaders. At that occasion James Williams, President of the Group, urged Congress to lift the restrictions on Cuba that were so harmful for both the inhabitants of Pennsylvania and Cuba.
- **On 11 June 2018**, representatives of the Pennsylvania State Congress and associates of the Engage Cuba executive committee urged the US Congress to lift restrictions on Cuba, alleging that they harm the residents of that state and Cubans, to an equal degree.
- **On 13 June 2018**, the National Association of State Departments of Agriculture. (NASDA) demanded that the Donald Trump government lift the blockade and normalize bilateral trade relations.

- **On 13 June 2018**, the Senate Agriculture Committee approved an amendment to the Agriculture Improvement Act of 2018 in favor of Cuba, a proposal made by Senators Heidi Heitkamp of North Dakota and John Boozman of Arkansas. The amendment sought to promote funds to increase access to the Cuban market of agricultural products grown in the US.
- **On 13 June 2018**, then-Democratic Senator for North Dakota Heidi Heitkamp stated in a press release that "in North Dakota we know how important trade is for farmers and ranchers. Loosening up the embargo on Cuba was an important step in the demand for the creation of American agricultural imports on the Island but we can do much more to support profitable agricultural commerce with Cuba". She added that North Dakota farmers see Cuba as a natural market for their local products such as beans, chickpeas and edible lentils; she indicated that their bipartisan amendment gives the US Department of Agriculture (USDA) the capacity to build reliable commercial alliances between the producers in North Dakota and Cuban buyers, at no additional cost for the taxpayers.
- **On 14 June 2018**, the National Association of State Departments of Agriculture (NASDA) sent a letter to Pres. Donald Trump, to the Senate and to the House of Representatives of that country, demanding the end of the blockade against Cuba.
- **On 20 June 2018**, Dr. William M. LeoGrande, professor of Government and Dean Emeritus of the American University Faculty of Public Affairs, offered his statements to an audience in the US House of Representatives. He acknowledged that the sanctions imposed on Cuba for decades had not been successful and that there was no reason why they shouldn't have relations with Cuba. He said that he

agreed that American farmers should be able to finance agricultural sales to Cuba and that restrictions on travel to Cuba should be lifted. He added that US enterprises should be able to trade with and invest in Cuba.

- **On 28 June 2018**, then-Democratic Senator for Missouri, Claire McCaskill, indicated that she supported increased trade with Cuba in an interview to Brownfield Agricultural News For America, a radio news website.
- **On 28 June 2018**, the US Senate approved the draft Agriculture Act of 2018 which includes a provision to authorize the use of funds for US commercial promotion in the increased access to Cuba. The provision, presented by then-Senator Heidi Heitkamp, was adopted by voice vote in the Senate Agriculture Committee.
- **On 2 July 2018**, in an article published in Penn Live under the title of Pennsylvania farmers need a fair shake in Cuba, state Representative in the House of Representatives of Pennsylvania Greg Rothman emphasized the possibilities of trade between Cuba and Pennsylvania especially in milk exports, given the historic relationship existing with the Island. Likewise, he urged state legislators to advocate an end to the blockade on Cuba.
- **On 24 July 2018**, the City Council of Pittsburg, Pennsylvania, approved a proclamation in support of Cuba-US relations and demanded the end of the blockade against Cuba.
- **On 5 September 2018**, a bipartisan group of more than 60 agriculture associations, companies and the officials of 17 states urged the leadership of the Agriculture Committees of the House of Representatives and the Senate to include a provision in the draft Agriculture Act of 2018 that would expand agriculture trade with Cuba and eliminate the restrictions



- on private financing for food exports from the US.
- On 27 September 2018, it was learned that Jeff Witte, President of the National Association of State Departments of Agriculture (NASDA), expressed that NASDA was fully supporting improved agriculture trade and cooperation with Cuba and that the current blockade should be lifted.
- On 9 October 2018, a digital publication of the Southwest Farm Press printed the words of Paul Johnson, Vice President of the US Agriculture for Cuba Coalition (USACC), when he indicated that Cuba represents a potential market of \$2,000 million for American agriculture producers. Johnson referred to the advantages that agriculture trade and scientific cooperation in this area would have for the two countries.
- On 31 October 2018, representatives of US civil society and solidarity with Cuba groups supported the call of the international community to put an end to the US blockade, after the INGA session that dealt with the draft Cuban Resolution. Congregating in front of the Cuban Mission offices in New York, among others, were the executive director of the interfaith organization IFCO/Pastors for Peace, Gail Walker, the coordinator of the Solidarity with Cuba Movement in New York, Ike Nahem, and Martin Koppel, one of the leaders of the US Socialist Workers Party (SWP).
- On 21 December 2018, Republican Senator for Arkansas John Bozzman emphasized that approval of the Agriculture Act of 2018, with an amendment about Cuba, represented a great victory for the Americans who had worked non-stop to open up more access to the Cuban market.
- On 23 January 2019, the St Paul City Council approved, by unanimous vote, a resolution requesting the federal government to lift the blockade of Cuba.
- On 23 January 2019, Caria Riehle, member of the Cuba-Minnesota Solidarity committee, said in reference to Cuba that no other country, including those that have a terrible history in human rights, has ever been punished so fiercely by the United States.
- On 4 February 2019, Republican representative for Arkansas Rick Crawford said that he thought that the opportunities to approve the law for freedom of trade with Cuba had increased and that the initiative had great support. He indicated that outside of Florida American support for lifting the blockade is "probably greater than 70 percent"; he added that he thought they should go on applying pressure."
- On 7 February 2019, Democratic representative for Massachusetts Jim McGovern said in the House of Representatives that "allowing Title III of the Helms Burton Act would penalize companies by doing what US companies do all over the world, it would open a new front in the trade war, obstruct courts with lawsuits, make it impossible to negotiate compensation for US claims in Cuba and, finally, it would harm the Americans who seek compensation for properties they lost".
- On 8 February 2019, Democratic Senator for Minnesota Amy Klobuchar presented a resolution to lift the blockade against Cuba in the Senate Bank, Housing and Urban Affairs Committee. The draft was co-sponsored by Senators Patrick Leahy of Vermont and Michael B. Enzi of Wyoming.
- On 22 February 2019, the US Agriculture for Cuba Coalition sent a letter to Secretary

- of Agriculture Sonny Perdue. The letter was signed by over 100 organizations of agriculture producers who were manifesting their desire to keep trade with Cuba open and their interest in expanding exports of their products to Cuba.
  - On 4 March 2019, President of Engage Cuba James Williams issued a declaration regarding the decision of the US Department of State to suspend Title III of the Helms-Burton Act for only 30 days. He stated: "This is a continuation of the same blockade policy that has failed for almost 60 years. To continue with this failed policy undermines US interests and aids our adversaries. We shall continue working with our allies in Congress to reject this failed policy until the embargo is finally eliminated for good".
  - On 4 March 2019, Executive Director of the Cuba Study Group Ricardo Herrero issued a declaration in response to the announcement by the Department of State about the partial suspension of Title III of the Helms-Burton Act. Herrero said: "If 60 years of a failed embargo policy has taught us anything, it is that change in Cuba is not produced as the result of unilateral economic aggression directed from Washington and Miami. It is unfortunate that the president's advisors insist on ignoring this lesson. We call on Pres. Trump to follow the instincts he showed at the beginning of his 2016 campaign and actively pursues a policy of constructive commitment with Cuba that puts US interests and those of the Cuban people in first place."
  - On 4 March 2019, the Washington Office on Latin America (WOLA) issued a press release criticizing the decision of the Trump government to temporarily suspend Title III. "Trump's foreign policy seems to point at punishing Cuba when it is in his own interest to normalize this relation. At a time when Cuba is going through an important process of gradual domestic reform, the US government should not be increasing hostilities", said the release note.
  - On 5 March 2019, members of the Cuban Americans for Engagement (CAFE), in a press release, expressed their opposition to the decision adopted by the US government to initiate the partial suspension of Title III of the Helms-Burton Act which is perceived as a gesture of interference and which attacks the sovereignty of the countries involved in the trade dynamics with Cuba.
- ## 5.2 OPPOSITION BY THE INTERNATIONAL COMMUNITY
- Rejection of the economic, commercial and financial blockade imposed by the US against Cuba by a number of key players is growing and obvious, as we can see in the following examples:
- On 13 September 2018, within the context of the 39th Ordinary Session of the Human Rights Council, the negative effects of the blockade were denounced and a call was made for its total elimination. On this occasion, 23 developing countries took part in the interactive dialogue with the Special Rapporteur about the negative repercussions of the unilateral coercive measures on the enjoyment of human rights.
  - On 27 September 2018, the Ministers of Foreign Affairs of the Group of 77 and China in their Ministerial Declaration rejected, yet again, the application of the blockade against Cuba and the imposition of unilateral coercive measures against developing countries. The text was adopted at the 42nd Ministerial Meeting of the Group held within the context of the 73rd Session of UNGA in New York.

- During the general debate at the 73rd Session of UNGA, held between 25 September and 1 October of 2018, dignitaries from 33 countries, including 16 Heads of State and government, denounced the illegal permanence of the blockade imposed by the US on Cuba and they advocated its immediate lifting.
- The XIII Congress of South African Trade Unions (COSATU), held between 17 and 20 September 2018 in South Africa, issued a proposal from the National Education, Health and Allied Workers' Union (NEHAWU), a resolution rejecting the blockade. They also demanded the return to Cuba of the illegally occupied territory of the US Naval Base in Guantánamo.
- On 4 October 2018, the interparliamentary France-Caribbean Friendship group of the French Senate sent a letter to Michael R. Pence, Chairman of the US Senate, demanding the end of the blockade against Cuba.
- On 15 October 2018, the Sandinista Deputies to the National Assembly and the Central American Parliament issued a declaration rejecting the US blockade against Cuba.
- On 15 October 2018, the National Assembly of Seychelles condemned the blockade against Cuba. The document signed by President Jean François Ferrari ratifies that the blockade is unfair, unnecessary and counter to the spirit of the UN Charter.
- On 24 October 2018, Senator Vanessa Grazziotin, leader of the Communist Party of Brazil, issued a declaration in the Brazilian Congress condemning the blockade against Cuba. Said declaration affirms that the blockade continues to be the principal obstacle to the economic development of Cuba and constitutes a serious challenge for the execution of Agenda 2030 and its Sustainable Development Goals.
- On 1 November 2018, UNGA approved, for the twenty-seventh consecutive time, the Resolution "Necessity of ending the economic, commercial and financial blockade imposed by the government of the United States against Cuba", with the "yes" vote of 191 member states. Likewise the international community rejected by ample majority the 8 amendments presented by the US delegation for the aim of denaturing the text of the resolution with the introduction of contents that serve as an excuse for the continuity of the criminal anti-Cuban policy.
- During the debate and adoption of the Cuban Resolution, 46 speakers expressed themselves in favor of the necessity that the US eliminates the blockade it maintains against Cuba. The speeches given by the 7 representatives of groups of political coordination and regional and sub-regional organizations were outstanding, such as: the Group of 77 and China, the African Group, the Non-Aligned Movement, the Community of Latin American and Caribbean States, the Association of Southeast Asian Nations, the Community of Caribbean States and the Islamic Cooperation Organization.
- On 8 November 2018, the National Parliament of South Africa, led by President Baleka Mbete, approved a motion to reject the blockade against Cuba.
- On 28 November 2018, the Latin American SELA Council meeting in a ministerial session in Caracas energetically demanded the end of the blockade.
- On 28 November 2018, a Solidarity with Cuba event took place in the European Parliament and it denounced the illegal blockade at the initiative of the Confederal Group of the European United Left / Nordic Green Left

- GUE/NGL. Two panels were in session at the meeting analyzing "The economic and social consequences of the illegal sanctions of the United States against Cuba in the new Latin American political scenario" and "Actions against the illegal extraterritorial effects of US sanctions in European countries". International Law researcher and member of the Bureau of the International Democratic Lawyers Association Fabio Marcelli explained the reasons why the blockade could not be classified as an embargo, and he advocated the real application of Regulation 2271/96, approved in November of 1996 by the European Union, to protect its natural and juridical persons from the extraterritorial application of the blockade.
- On 11 February 2019, within the context of the 32nd Session of the African Union Assembly, the Resolution entitled "Lifting the economic, commercial and financial blockade imposed by the United States of America on the Republic of Cuba" was approved; it condemned this inhumane and illegal policy.
- On 15 March 2019, at a meeting of the Authority of the Organization of Eastern Caribbean States the intensification of the blockade via activation of Title III of the Helms-Burton Act was denounced and classified as illegal and arbitrary. Furthermore it was shown that the economic, commercial and financial blockade of the US against Cuba undermines the stability, peace and security of the Caribbean region.
- On 29 March 2019, at the VIII Summit of the Organization of Eastern Caribbean States (OECS) taking place in Nicaragua, the Declaration of Managua was approved; it reiterated the profound rejection of the application of unilateral coercive measures and reaffirmed the call on the US government to put an end to the economic, commercial and financial blockade it imposes on Cuba, to repeal the Helms-Burton Act and to cease its extraterritorial application.
- Within the framework of the Fifth International Economic Forum of Yalta held in April of 2019, Maria Zajarova, spokesperson of the Russian Chancellery, reiterated the frontal condemnation of her country of the application of unilateral sanctions against Cuba by the United States. She denounced that the current US administration is reviving the Monroe Doctrine and applying it in all its length and breadth for the aim of crushing the sovereignty and independence of States.
- On 26 April 2019, Horace Dalley, Jamaican MP and opposition spokesperson for Labour and Social Security, Vice President of the governing board of the People's National Party (PNP) and President of its International Relations Commission, ratified the unconditional support of his party for the struggle of the Cuban people to lift the blockade. He affirmed that Title III of the Helms-Burton Act dangerously reinforces the extraterritorial component of the blockade policy and constitutes an attack on international Law and sovereignty, both in Cuba as in third countries.
- In Brazil, different political forces denounce the blockade and demand the end of the illegal and inhuman policy which hinders Cuba's development. Among these are: the Workers' Party, the Parliamentary Front of the Legislative Assembly of Rio de Janeiro and the Communist Party of Brazil. Manifestations for the same purpose are coming from social and trade union movements such as the Central Workers' Union of Brazil, the "Sin Tierra" Movement, the Brazilian Council for Peace, the Brazilian Women's Movement, the World Council for Peace, the Network of Intellectuals and Artists in Defense of Humankind, the

Paulist Movement of Solidarity with Cuba, the Collective of Journalist Friends of Cuba, the José Martí-Río Grande del Sur Cultural Association, the José Martí-Baixada Santista del Estado de Sao Paulo Cultural Association, the José Martí-ABC Paulista del Estado de Sao Paulo Cultural Association, the Carioca Committee of Solidarity with Cuba of the State of Rio de Janeiro and the José Martí-Espirito Santo Cultural Association.

- On behalf of the Belarus Chancellery, the Head of the Department of Information and Digital Diplomacy, Press Secretary of the Ministry of Foreign Affairs of Belarus Anatoly Glaz issued forceful declarations rejecting the intensification of the blockade against Cuba. He also recalled that most of the UN member States systematically oppose the measures of the economic, commercial and financial blockade and, in this particular case, also condemning the introduction of new unilateral coercive measures against Cuba.
- Keiji Furuya, President of the Parliamentary Japan-Cuba Friendship League, in a working meeting with the Cuban ambassador in that country, reiterated the support of that organization for Cuba's call for the end of the blockade and reaffirmed the profound concern about its extraterritorial nature which violates the legislation of third States, including Japan.

After the announcement by the Donald Trump government about activating Title III of the Helms-Burton Act, an unprecedented action that reinforces the economic, commercial and financial blockade against Cuba, numerous international actors have expressed their rejection:

- High Representative of the EU for Foreign Affairs Federica Mogherini stated in a communiqué that her regional block deeply laments the intensifying of the blockade against

Cuba by the US activation of Title III of the Helms-Burton Act, considering it to be counter to International Law. Moreover she stated that for the EU the extraterritorial application of unilateral restrictive measures is illegal, therefore they would resort to all the adequate measures to deal with the consequences, including their rights in the World Trade Organization and the use of Regulation 2271/96 of the European Council.

- Lu Kang, spokesperson for the Ministry of Foreign Affairs of China, announced China's opposition to the unilateral measures of the US that reinforce the blockade and constitute the principal obstacle to the socioeconomic development and wellbeing of Cuba.
- Within the context of her visit to Cuba in April of 2019, María Fernanda Espinosa, President of the 73rd Session of AGNU, ratified that the unilateral sanctions countervene the principles of International Law and that the support given to Cuba by the international community for its battle against the blockade is a demonstration of the almost unanimous rejection of this policy and the necessity for respecting Cuba's right to development.
- The British government described as extraterritorial and illegal the decision of the United States to permit its citizens to file lawsuits against foreign companies operating in Cuba for "trafficking" with nationalized properties. In their note, the British government assured that it would continue to work jointly with their European peers to protect the interests of their enterprises.
- The Human Rights Council Special Rapporteur on the negative repercussions of the unilateral coercive measures in the enjoyment of human rights Idriss Jazairy denounced, on 6 May 2019 the US blockade against Cuba. The expert

emphasized that the use of economic sanctions for political ends violates human rights and the norms of international conduct; he also stated that the extraterritorial application of unilateral sanctions is clearly counter to International Law.

- The Group of Argentines Graduated in Cuba (AAGC) condemned, in a public communiqué, their rejection of the intentions of the United States to apply Title III of the Helms-Burton Act and to intensify the economic, commercial and financial blockade which would like to suffocate and stop the development of Cuba. Argentines who graduated in Cuba urged the US to respect the resolutions adopted in the General Assembly, which demand the immediate lifting of the blockade.
- The Chamber of Deputies of the Legislative Assembly of the Plurinational State of Bolivia publicized a declaration censuring the implementation of Title III of the Helms-Burton Act which intensifies the economic, commercial and financial blockade of the US against Cuba. The legislative body approved its energetic and categorical rejection of this new step taken by the US administration which attacks the rights and harmonious growth that the Cuban people deserve.
- At its Fiftieth General Assembly, the Belgian Friends of Cuba Association condemned the political aggression on the Island being perpetrated by the US government and manifested that it joins protests recorded in the entire world against the activation of Title III of the Helms-Burton Act, because it could affect European enterprises or those of other countries present in the Caribbean nation, yet another display of the extraterritorial scope of the blockade. The organization also requested the Belgian government and that of the European Union to put into practice all the

mechanisms available to support its citizens and enterprises, as well as to oppose any juridical processes being filed in the United States.

- The Ecuadorian Coordinator for Peace, Sovereignty, Integration and Non-Interference which brings together a number of social organizations such as the Network of Intellectuals and Artists in Defense of Humanity, the Citizen Revolution Movement, the Network of Women Transforming the Economy, the Ecuadorian Federation of Indians and South-South Dialogue/LGBT -Ecuador, defined as serious the application of Title III of the Helms-Burton Act and he repudiated the intensification of sanctions by the White House on entities and countries that maintain commercial, economic and financial relations with Cuba, thereby seeking its isolation. He recalled that these interference practices have been repeatedly denounced by different blocks such as the European Union, G-77 and China and the Non-Aligned Movement.
- The Ecuadorian Coordinator of Friendship and Solidarity with Cuba added his voice to the international rejection of the decision by the US government to apply Title III of the Helms-Burton Act against Cuba. He indicated that said juridical freak was designed to hinder the growing economic and commercial relations of Cuba with the world, therefore it is in violation of International Law and the guiding norms of commerce and investment.
- In a press release addressed to the Cuban ambassador in Iran, the President of the Iran-Cuba Friendship Association, Hadi Khansari, condemned the US threats and pressures against the Caribbean island and he thought that the blockade was the toughest and most severe body of sanctions ever in modern history.

- Rev. Jim Winkler, head of the National Council of the Churches of Christ in the US presented a declaration of principles with the aim of asking for an end to the blockade and advocating the normalization of relations between the two countries. He expressed his opposition to the administration of Donald Trump for the new restrictions on travel between Cuba and the US and for the activation of Title III of the Helms-Burton Act, an action that seeks to worsen the quality of life for the Cuban people.
- The Argentine Movement of Solidarity with Cuba (MasCuba) rejected the decision of the US government to activate Title III of the Helms-Burton Act which worsens the economic, commercial and financial blockade imposed on Cuba for almost six decades. In a communiqué, the solidarity group indicated that the entry into force of said title not only affects the Island but also affects companies in third countries having important investments in sectors such as tourism, mining and energy. Likewise, it emphasized that these new aggressions demonstrated imperial desperation in the face of continental resistance to its recolonization plans, led by the example of Cuba.
- The spokesperson of the Vietnamese Chancellery, Le Thi Thu Hang, reiterated the historic support of that country for Cuba and its opposition to the US blockade at a time when the Donald Trump administration is tightening the measures of economic asphyxiation against the Island.
- The CARICOM countries, meeting for their Twenty-second Meeting of the Council for Foreign Relations and the Community (CÓFCOR), held on 13 to 14 May in Grenada, issued a declaration in which the firm support of the Community is reiterated for the lifting of the blockade against Cuba.
- Theresa Clair Clarice Charles, Ambassador of Grenada and Dean of the Caribbean Diplomatic Corps in Cuba expressed that the US blockade on the Island is a heartbreaking imposition, cruel and evil, that intends to bring the resistance of a people who have struggled against colonialism, neocolonialism and imperialism to its knees. She emphasized that in spite of the difficulties created by the blockade, Cuba has never hesitated to help in the development of the poor and vulnerable third world countries.
- The President of the Committee for International Relations, Defense and Security of the Mazhilis of Kazakhstan, Yerman Mukhtar T., reiterated to the Cuban ambassador in that Euro-Asian country the support of that legislative body for Cuba in terms of the intensifying of the blockade and the increased aggressiveness of the US government. The official emphasized that Kazakhstan favors peace, respectful dialogue, sovereign equality of States and security in international relations, as well as non-interference in the internal affairs of States and respect for the sovereignty and self-determination of peoples.
- The Friendship with Cuba Association of Saint Vincent and the Grenadines issued a firm declaration condemning the most recent sanctions imposed by the US against Cuba.
- Via a communiqué from the Secretary of Foreign Affairs, the Mexican government rejected the decision of the Donald Trump administration to apply the Helms-Burton Act, as a whole, on Cuba. The official note stated the assurance that the Mexican government would protect the interests of Mexican companies doing business in Cuba despite the fact that the measure can affect foreign enterprises doing business in and with the Island.

- In the month of May the Russian Duma approved a resolution condemning the activation of Title III of the Helms-Burton Act. The text repudiates the lifting of the moratorium on the effect of Title III of the anti-Cuban legislation which constitutes a manifest invasion of sovereignty not only of Cuba but of the States actively cooperating with Cuba.
- On 22 May 2019, the 109th Session of the Council of Ministers of the ACP Group approved a declaration condemning the economic, commercial and financial blockade against Cuba. The document emphasizes that the blockade constitutes the principal obstacle for implementation of Agenda 2030 in Cuba and it demands its immediate and unconditional lifting. Moreover it denounces the activation of Title III of the Helms-Burton Act and its extraterritorial effects.
- On 14 June 2019, at the Sixth Meeting of the Ministers of Foreign Affairs of CARICOM and Cuba, a declaration was approved which rejected the economic, commercial and financial blockade imposed by the United States against Cuba and it denounced the new measures intensifying this policy, including the activation of Title III of the Helms-Burton Act.

From April 2018 to March 2019, the blockade has caused losses for Cuba for approximately \$4,343.6 million. The significant negative impact of the application of the measures adopted recently by the United States to intensify the blockade against Cuba is not included in this report since it goes beyond the closing of the period being analyzed. This information will be in the document to be presented next year.

At current prices, the damages accumulated for almost six decades of applying this policy amount to \$138,843.4 million. Taking into account the depreciation of the dollar as compared to the price of gold on the international market, the blockade has caused quantifiable damages for over \$922,630 million, a value representing a decrease of 1.2 percent when compared to the earlier period, due to the 1.6 percent decrease in the price of gold.

This policy imposed by the government of the United States is the principal obstacle for the growth of the Cuba economy and the full enjoyment of all the human rights of the people of Cuba and it constitutes a serious challenge for implementation of Agenda 2030 and its Sustainable Development Goals. The human damage caused by application of these sanctions is beyond calculations. No Cuban family or sector in the country has escaped being victim of its effects. Over 77 percent of the Cuban population was born and has grown up under the economic blockade imposed by Washington.

## CONCLUSIONS

The economic, commercial and financial blockade imposed by the US government against Cuba for close to six decades, is the most unfair, severe and prolonged system of unilateral sanctions ever applied against any country. In its essence and goals, it is an act of unilateral aggression and a permanent threat against the stability of our country. From April 2018 to March 2019 this policy continued intensifying, with special emphasis on its extraterritorial dimension.

In the period analyzed, financial persecution in the jurisdictions of a number of countries continues to strengthen. Limitations imposed on the Cuban banking system by 140 foreign banks have been recorded. Furthermore, OFAC and other US government agencies have imposed fines on several third country companies because they violated different programs of sanctions, including the Regulations for the Control of Cuban Assets.

Restrictions on travel to Cuba, announced by the Departments of the Treasury and Commerce last June demonstrated the purpose of the current US government to continue the policy of tightening the blockade. Not only are such regulatory changes counter to the opinion of the majority of Americans who are in favor of commercial ties with Cuba but they also directly attack the emerging Cuban private sector. The purpose is still to suffocate the Cuban economy and to impose additional obstacles to its development.

The continued application of the Helms-Burton Act by the government of the United States constitutes an undeniable demonstration of its aggressive escalation against Cuba. The objective of this regulation is to harm the economy of the country and, by doing so, overthrow the Cuban Revolution. That aim has its line of continuity in the various instruments and mechanisms used during 12 different US governments, in the name of imposing a government to its measure in Cuba, to recover its mastery over the Island and to incorporate it into its geopolitical strategy.

The Helms-Burton Act violates the norms and principles of International Law such as the free determination of peoples, freedom of commerce, sovereign equality and noninterference in the domestic affairs of States. Furthermore, it violates the principle of coexistence among nations.

The blockade continues to be an absurd, obsolete, illegal and morally unsustainable policy, which has not fulfilled nor will it fulfill the purpose of bringing to its knees the patriotic decision of the Cuban people to preserve their sovereignty and independence. Cuba shall continue to work sovereignly and tirelessly to deepen the goals of justice equity and solidarity that sustain the Cuban model.

The United States has ignored, with arrogance and disdain, the 27 resolutions adopted by the UN

General Assembly which condemn the blockade and the numerous and varied voices which, within and outside of that country, ask for the end of this unfair policy.

In this context of special complexity, Cuba and its people trust in continuing to have the support of the international community in the legitimate claim to put an end to the economic, commercial and financial blockade imposed by the government of the United States.

## **END THE EMBARGO AND BLOCKADE AGAINST CUBA NOW**

Having studied Cuba for over a half century and traveled there on numerous occasions over the last three and a-half decades, I have witnessed the country's (people and government) humane and progressive spirit first hand. Compared to the dozens of countries I have visited in Africa, the Americas, Europe and Asia, it is the one nation in which I feel the safest. All Americans should have the right to also witness and experience this without the government's interference or worse, penalization. This is fascism, not freedom nor democracy.

### **End the embargo and blockade against Cuba Now!**

As most of the world gleefully runs upside down into the darkness of selfishness, ignorance, greed and war, Cuba, with its decades of free education and health care, its progress in science, farming, HIV treatment, hurricane management and much more, all of which it eagerly and freely shares with the world, is an exemplary light and model. With its great repository of African culture, Cuba, in practice, is the nation that most represents the African proverb which says: "We do kindness because it is a beautiful thing." Doing good and beautiful things for others is humanity's most grand, sacred and divine responsibility. It is the path needed for the salvation of the species and the planet. Cuba has been in the vanguard of this movement.

**The embargo and blockade against Cuba is ugly, immoral, vindictive and small minded.**

Dr. Segun Shabaka

Chair, The New York Chapter of the National Association  
of Kawaida Organizations, and The International African Arts Festival

My name is Dr. Frances Osaigbovo

I was born in Bronx New York and now live in Councilman Ruben Diaz's district.

In 2009, I was accepted into the Inter-Religious Foundation for Community Organizations (IFCO) ELAM Medical School Scholarship program with a full medical school scholarship. I graduated as an MD in 2015. Without this opportunity as an economically disadvantaged woman of African descent, I would never have had the ability to carry out my dreams of becoming a doctor or had the opportunity to learn to speak to people in my community in their own language (Spanish).

The Cuban government and its people recognize that there are young people like me who deserve the opportunity to pursue a path that would contribute to healing our communities. It was an honor for me and my other fellow students to study medicine from the greatest doctors in the world. These Cubans are selfless and passionate people who opened their country and gave us resources which they often lacked themselves. These are the types of people that educated us.

As a result of the blockade imposed by the government of my country, often my professors had to walk miles to school every day because they did not have fuel for their cars.

The people of CUBA never turn their backs on anyone when they were in need. After Hurricane Mitch, Cuban doctors went to Honduras and other countries to make sure that the people there received adequate medical care. After the earthquake in Haiti, Cuban doctors immediately offered aid and assistance. When hurricane Katrina devastated New Orleans, Cuba offered to send support, but the United States rejected the support. And for what? Because of racist policies and practices.

The people of Cuban are strong and brave, and should not have to suffer because of antiquated, unfair, unjust laws that are based on the foundation of White Supremacy. These selfless people should be honored for what they have contributed to the world. There is no reason they should be punished and strangled financially. The embargo should be ended.

I thank councilmembers Inez Barron, Ydanis Rodriguez, and Jimmy Van Bramer for sponsoring Resolution 1092 and encourage every member of the NY City Council to vote in favor of this Resolution. Thank you.

Dr. Frances Osaigbovo

October 30, 2019

October 2019



To Whom It May Concern:

RE: **RES No. 1092** Calling upon the President to lift the Cuban embargo and end the travel ban.

The United Methodist Church has historically joined many in calling for the end of the Cuban embargo and in recent years, celebrated the dialogue, efforts and negotiation process between Cuba and the United States initiated by the Obama Administration. As Lead Pastor of First Spanish United Methodist Church, also known as *The People's Church*, and as an East Harlem community, we grieve deeply the reversal and undoing of that significant work. Furthermore, we grieve the ways the current administration continues to demean and further disintegrate democracy, diplomacy and the moral fabric of our country both domestically and abroad. From a Christian and a humanitarian perspective, inspired by a deep love for all humanity and a deep commitment to peace and justice, we stand behind and support any effort that encourages and petitions the President and Congress of the United States to lift its economic embargo against Cuba and other regulations, practices or measures enforcing the embargo law.

For more than Fifty years, the economic embargo has created unnecessary, inhumane suffering and

REV. DORLIMAR LEBRÓN  
*Lead Pastor*

FSUMC *The People's Church*  
!63 East 111<sup>th</sup> Street  
New York, NY 10028

#### CONTACT

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PHONE:  
516-983-3895

EMAIL:  
[Dorlimar.lebron@nyac-umc.com](mailto:Dorlimar.lebron@nyac-umc.com)



hardship on the people of Cuba while simultaneously preventing US Citizens from traveling freely to Cuba in the exercise of their constitutional rights and curtailing the ability of churches to provide missional support to our sisters and brothers on the island. The General Assembly of the United Nations has time and time again, almost unanimously, voted to condemn the US Economic Embargo of Cuba. The time to end the embargo is long overdue and we implore the passing of this resolution as it calls for the elimination of the economic embargo and moves us towards a more just world.

Rev. Dr. Martin Luther King said “The time to do what is right, is always right now”. New York has the opportunity to do “what is right” now. One of the most important assignments of our generation and for those of us living in this present moment is to do “what is right” **now**. It is to push ourselves to the highest ideal of what it means to be human. In these days that we see in front of us, **there is a call to be more human**. Void of any badge or title that we think we need to make us better, like the many who came before us, like Dr. King, like Mohammed, like Ghandi. These leaders modeled for us that the greatest achievement of any human, is that being human is title enough and being a human being who pushes other human beings to be the best they can be is work enough. Supporting this resolution and calling for the end of the embargo, moves New York closer, to not only reaching the highest ideals and

aspirations of our humanity but modeling it for the rest of the world. The choice is ours.

We will continue to stand with and advocate for our sisters and brothers in Cuba, the end of the embargo and the end of travel band until “Justice rolls down like the waters, and righteousness like an ever-flowing stream” Amos 5:24

In Faith,

Rev. Dorlimar Lebrón  
Lead Pastor

**FSUMC** *The People's Church*

**Testimony in Support of Res. No. 1092**  
**Submitted by Leslie Cagan**  
**Nov. 1, 2019**

I was unable to attend yesterday's hearing on Res. No. 1092 convened by the Cultural Affairs, Libraries and International Intergroup Relations Committee of the NY City Council, and so am pleased to submit this written testimony.

While these comments are directed to all members of this committee, I especially hope that my Council Member Francisco Moya will take note that a member of his constituency urges his and the full committee's support for this Resolution.

For decades, the United States government has waged what amounts to an economic war against the people of Cuba, a country that is one of our closest neighbors. The rationale for this policy has often been couched in the rhetoric that our government is imposing what amounts to some of the strongest economic sanctions imposed on any nation as a way to support the Cuban people. This could not be further from the truth.

Over the years there have been changes in U.S. policy, especially in the area of the right of U.S. citizens to freely travel to Cuba. Since Donald Trump came to office there has been a renewed tightening of the economic screws on Cuba. While these actions by the U.S. government make daily life harder for Cubans they do not undermine the positive changes that the socialist government of Cuba has put into place, changes that are overwhelmingly supported by the people of Cuba.

As a city that brings together people from every corner of the world, New York should be bold and outspoken on international issues. As representatives of the people in this city, our City Council should call for an end to the current U.S. policies toward Cuba. More specifically, now is the time to call for an end to the economic embargo of Cuba and for an end to the restrictions on our right to travel to Cuba.

Res. No. 1092 is an excellent step in the right direction, and I hope this committee will support and encourage its passage by the full New York City Council as quickly as possible. And then I hope this committee will explore other steps it might initiate to pressure the U.S. government to end its outdated and cruel policies toward Cuba. One idea for your consideration is to send a delegation of City Council Members to Cuba to see first hand the powerful advances made on the island and the devastating impact the U.S. economic blockade has on the lives of the Cuban people.

Thank you for your support of this resolution.

**My name is Emily Thomas, and I own a 8 family apartment house at 448 State St, in downtown Brooklyn. So I'm a New York landlord and pay a lot of property taxes. But that's not why I'm here.**

**I'm also part of the White Rose Ministry at First Presbyterian Church of Brooklyn at 124 Henry Street in Brooklyn Heights. We took our name, White Rose, from the poem written by Jose Marti, a poem which every Cuban school child knows. Marti wrote that he gives a white rose to his friends, but to those who "tear out the heart by which I live, to them also I give a white rose".**

**I'm here today to support Bill 1092, which as New Yorkers, we ask our President to stop tearing out the heart of other countries, particularly Cuba.**

**Our church has been in partnership with a Presbyterian church and two ecumenical projects in Cuba for over 20 years. We have learned from them, and helped them, and grown together. I've got a lot of stories! One of our ongoing projects is to fund a feeding program our sister-church runs. With the \$3,750 we send them each year, they are able to give lunch five times a week (and a doggy bag) to 14 senior citizens in the neighborhood who live alone. This year, they ran out of money for food. Because of the new economic pressures which the Trump administration is applying on Cuba, the price of food has gone up. We are glad we could send more money down to make up the difference. So those 14 seniors would not go hungry. But what about the others?**

**The blockade hurts people. That's its purpose. Cuba has an excellent health system, and on the average, they live longer than we do. But I know people who have died because they could not get medicine, medicine readily available here. It is a mean, spiteful policy, designed to hurt the people of a country which has always given us a white rose.**

**As Presbyterians, we talk about being called. We are called by our religious teachings, by our moral judgments, to be better than this. Passing this bill is a step on a path toward rectifying a wrong, cleansing a sin. We urge you to not only pass this bill, but come with us to Cuba, to talk to people there, to see for yourself what their life is like under these sanctions. Bring white roses.**

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sapphire Ahmed, M.D, MPH

Address: 2470 Rosset St Apt 2nd floor (low)  
NYC

I represent: Some of my patients, colleagues

Address: in NYC

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: 10-30-19

(PLEASE PRINT)

Name: JAMES HASKINS

Address: 1301 Hicks St. Bronx 10469

I represent: Cuba SI

Address: NYC

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: 10-31-2019

(PLEASE PRINT)

Name: Therese Gateward-Allen

Address: 220 West 140th Street #6C

I represent: WA PM

Address: NYC



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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Shawanna Vaughn

Address: 28701 Exterior St Apt 14L

I represent: Silent Cry Inc

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: TOU GOSAN

Address: 519 5th St Brooklyn NY 11215

I represent: U.S. Labor Against the War - NYC Chapter

Address: info@uslaboragainstwar.org

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THE CITY OF NEW YORK**

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1092

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in favor  in opposition

Date: 10/30/19

(PLEASE PRINT)

Name: Shepard McDaniel

Address: 1301 Hicks Street

I represent: Universal Zulu Nation

Address: 1301 Hicks St. Bx. N.Y. 10469

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THE CITY OF NEW YORK**

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 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: GILBERTO A. VILLA

Address: 175 E 102 ST

I represent: CASA DE LAS AMERICA

Address: SAME

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THE CITY OF NEW YORK**

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 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Tom Finkelppearl

Address: 31 Chambers St.

I represent: NYC Dept of Cultural Affairs

Address: "

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 in favor  in opposition

Date: 31 Oct 19

(PLEASE PRINT)

Name: Matthew Zudrozny

Address: 14 Butler Pl Apt 76 Brooklyn

I represent: Save NYPL

Address: \_\_\_\_\_

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in favor  in opposition

Date: 10-31-19

(PLEASE PRINT)

Name: ANNE MITCHELL

Address: 661 W. 180 ST. New York, NY 10033

I represent: PUBASI

Address: \_\_\_\_\_

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in favor  in opposition

Date: 10/31/19

(PLEASE PRINT)

Name: KATHERINE KARLSON

Address: 10 P.T.E. NYC 10034

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: STEPHEN MILLIES

Address: 33-24 93rd ST. #5T JACKSON HGS

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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in favor  in opposition

Date: 10/31/2019

(PLEASE PRINT)

Name: Yhannis Chabaz

Address: 137-52 Holly Ave, Queens NY

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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in favor  in opposition

Date: 10/31/19

(PLEASE PRINT)

Name: DENNIS M. WALCOTT

Address: \_\_\_\_\_

I represent: QUEENS PUBLIC LIBRARY

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: 10/31/2019

(PLEASE PRINT)

Name: Dr. Damian Suarez, MD

Address: 2075 Honeywell Ave, Bronx, NY 10460

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Iris Weinshall

Address: New York Public Library

I represent: Chief Operating Officer

Address: \_\_\_\_\_

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Pat FCU

Address: 105 E 97th St #14 NYC 10029

I represent: CCDS & Alliance for Global Justice

Address: \_\_\_\_\_

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COUNCIL

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 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Emily Thomas

Address: 4480 State 11217

I represent: First Presb Church

Address: 124 Henry St, #11201

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Appearance Card

I intend to appear and speak on Int. No. 1092 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: Oct 31, 2015

(PLEASE PRINT)

Name: Brodie Enoch

Address: 107, 247 W 145, 10039

I represent: InterReligious Foundation (IRF)

Address: 418 W 145 St

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