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CUBA-EU-SPAIN: THE WORTHWHILE PATH TO A RESPECTFUL, STABLE, LONG-TERM RELATIONSHIP

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1. Introduction

The Political Dialogue and Cooperation Agreement (PDCA) between Cuba, the EU and its member states, in force since 2017, established the conditions for developing stable and long-term ties between the parties.

The new instrument, which formally replaces the Common Position established in 1996, discontinues the policy of imposing inefficient unilateral conditionalities on the conducting of bilateral relations and the achievement of the goals the parties set within the framework. It achieves a better fit between EU policy and the level of relations its member states have maintained with Cuba in the economic, political and cooperation fields.

However, Cuba's foreign integration is taking place in an extremely complex international political setting, determined above all by the tightening of US sanctions against the island, which worsened the severe impacts of the COVID-19 pandemic. Meanwhile, conservative forces in the European Parliament (EP) question the PDCA's effectiveness and seek to present the Council with a familiar dilemma: whether to accompany the updating of Cuba's economic, political and institutional model and its international insertion based on *constructive engagement*, or to undermine the framework agreement and return to unsuccessful unilateral policies and pressure.¹

This chapter assesses the challenges and possibilities facing Cuba, the EU and its members if they are to build a mutually beneficial, respectful, stable, long-term relationship that can contribute to the island's international insertion and accompany the economic, political and institutional updating of the Cuban socialist system being led by Cuban society and its authorities. The analysis identifies some of the key variables and actors in the evolution of Cuba–EU relations and the prevailing perceptions in the European institutions that either contribute to or hamper their constructive development.

1. *Constructive engagement*: understood as cooperation without prior conditions (Ayuso and Gratius, 2020:104).

The PDCA is being implemented in a particularly dynamic socio-political and economic context in Cuba.

2. Updating the economic, political and institutional model: a key factor in Cuba's international insertion

The PDCA is being implemented in a particularly dynamic socio-political and economic context in Cuba, whose evolution is being led, autonomously, by society and its governmental authorities.

Although the reform process began in 2007, as Triana argues (2017: 11), there were really two key moments in its genesis. First, was the approval of the "Guidelines of the economic and social policy" in 2011,² which contained a diagnosis of the main problems and a programme of transformations. Then, in 2016, two other documents that defined the vision and strategic axes for the development were discussed, these were the "Conceptualization of the Cuban Economic and Social Model of Socialist Development" and the "Bases of the Economic and Social Development Plan until 2030", which was approved in 2017 (Communist Party of Cuba, 2017).

The changes initiated with the Guidelines issued by the Communist Party of Cuba (PCC) in 2011 found expression in the approval of a new Constitution in 2019³ and continued with a legislative dynamic that has progressively revealed the depth and irreversible nature of the changes taking place in the Cuban socialist model. The popular debates raised around a new constitution, later approved in a national referendum with 86.85% of the votes also showed that the transformations in Cuba are an expression of popular will and a response not only to a set of circumstances, but to a long-term strategy.

Among the socioeconomic and political changes most noted from Europe were the recognition of private property and the promotion of forms of foreign direct investment, international economic partnership contracts and mixed or wholly foreign-owned enterprises (Communist Party of Cuba, 2017: 20). The monetary and exchange rate unification implemented since January 1st 2021 was another decisive step for the country's financial structure, along with increased flexibility in the Cuban labour market, the easing of restrictions on self-employment and greater autonomy in the socialist state enterprise (Consejo de Ministros-Banco Nacional de Cuba, 2021).

Other developments in the governing bodies brought greater decentralisation and autonomy to government management in order to encourage dynamism and the use of new powers at the provincial and municipal levels (Constitución de la República de Cuba, chapter IV, 2019). The new electoral law approved by the Cuban Parliament in July 2019 was a key step in that direction (*Gaceta Oficial*, 2019),⁴ and the eighth Congress of the Communist Party of Cuba (PCC) held on April 18th and 19th culminated in a historic handover of leadership to new generations within a framework of political stability (Communist Party of Cuba, 2021). US media speculation about possible family succession in Cuba's political power structures proved to be misplaced.

Even in the context of the COVID-19 pandemic, whose severe impacts were worsened by the tightening of US sanctions against Cuban society, the legislative branch did not halt the processes that derived from the new Cuban Constitution.

2. <https://www.tsp.gob.cu/sites/default/files/documentos/1%20lineamientos-politica-partido-cuba.pdf>
https://www.google.com/url?sa=t&ct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjmsoG1zOX1AhWQtqQKHU1GDxEQFn0EAgQAQ&url=https%3A%2F%2Fwww.ohchr.org%2FDocuments%2FIssues%2FDevelopment%2FSR%2FFinancingDevelopment%2FStates%2FCuba_NV_EN.docx&usg=AOvVaw1jigdkalJdvYhb2vzw4MPV
3. <https://www.gacetaoficial.gob.cu/es/constitucion-de-la-republica-de-cuba-proclamada-el-10-de-abril-de-2019>
4. The law stipulates that provincial governors and deputy governors are to be chosen by election. The *intendente* is one of the new figures that form this level of government.

In September 2021, the first 35 micro, small and medium-sized enterprises (MSMEs) with their own legal personality were approved, 32 of which were private and three state-owned. By October 21st, 217 had been approved, of which seven were state-owned and seven were non-agricultural cooperatives. The other applications are being processed and so far none have been declined. According to the Ministry of Economy and Planning of Cuba (2021) the creation of MSMEs is part of a process that aims to unleash the potential of all forms of management recognised by the Cuban model, which should contribute to the country's socioeconomic development.

Another step was also taken to create connections between Cuba and its emigrants, this time in terms of economic relations. The II Cuba 2021 Business Forum, which met on the first two days of December, included the panel Opportunities for Cubans Residing Abroad.⁵ Among the investment opportunities presented were as goods and service providers to Cuban entities, either via consignment contracts, leasing operations, as small machinery or mini-industry operators (particularly in the food processing and production sectors) and as clients for Cuban exports. For Cuban citizens living abroad who retain their Cuban residency, there was the additional possibility of participating in the creation of MSMEs. These foreign investment projects may take the form of a joint venture, benefit from wholly foreign capital, or use an international economic partnership contract (*Prensa Latina*, 2021a).

Within these legislative dynamics and in response to the constitutional requirements, in October 2021 the Cuban parliament approved a new Law on Criminal Procedure that strengthened the guarantees of the accusatorial system and the rights of victims. According to Toledo Santander, President of the Constitutional and Legal Affairs Committee, the draft Law on Criminal Procedure (Tribunal Supremo Popular, 2021), like the draft laws on the Courts of Justice, the Administrative Process and the Code of Processes, reflects the most up-to-date judicial and investigative practices at international level, are tempered to the Cuban reality and were drawn up based on constitutional principles and guarantees to the Cuban people (*Granma*, 2021).

In line with international treaties the draft Law on Criminal Procedure (Tribunal Supremo Popular, 2021: 3–4)⁶ includes an express declaration on the prohibition of enforced disappearance, torture, cruel, inhuman or degrading treatment and punishment; as well as deprivation of liberty, with the exception of the circumstances established in law and in line with the necessary formalities. The principle of the presumption of innocence was bolstered and the burden of proof placed on the accuser. The bill expressly declares respect for the defendant's dignity and physical, mental and moral integrity and the right not to be subjected to coercion or violence to force them to provide testimony.

One of the expected pieces of legislation causing most debate in Cuban society is the new Family Code. The draft is being subjected to consultation by specialists prior to debate in the National Assembly of People's Power and in 2022 it will go to a popular referendum. The document considers the science of family law, judicial practice in Cuba and other legislative advances from other countries. Article 2 recognises the various forms of family organisation, based on affective relationships

5. This panel aimed to promote their participation in business and to explain how to enjoy all the privileges and guarantees established by the investment law.
6. Cuba is a state party to 44 international human rights instruments. In 2020, it was elected to the Human Rights Council for the fifth time, receiving 170 votes at the UN General Assembly.

The Cuban socio-political and economic context has shown significant dynamism over the past decade.

between relatives, whatever their nature and between spouses or unmarried partners (*Anteproyecto Código de Las Familias*, 2021: 2).

When analysing the updating of the Cuban economic, political and institutional model and its possible impact on Cuba's international insertion, it is essential to mention the internal and external obstacles the model faces in this new stage of its development. In economic relations, there are the delays in paying suppliers; the bureaucracy that prevents proactive business practice; and the inadequate training of entrepreneurs and members of the Cuban financial sector on how to make appropriate decisions about capital and within the framework of the different approved forms of foreign direct investment (FDI) (Minrex, 2018). In this regard, President Díaz-Canel continued the work begun by Raúl Castro, who urged that the excessive delays in negotiating processes should be ended and that the false fears of foreign capital should be shed in order to accelerate business approval processes and increase the flexibility of the mechanisms. As a result, the rules on foreign investment were updated in order to improve transparency on levels of approval and reduce the time needed to respond to investment, cooperation or commercial proposals (Pellón, 2020: 120).

While the proposed direct investment objectives have not been achieved – which also calls for internal analysis – it is worth noting that the foreign investment process in Cuba was not halted by the Trump administration's restrictive measures. In 2018 and 2019, businesses making investment commitments worth over €4.5 billion were approved, and in the first half of 2019 partnerships were signed worth over €1.3 billion (Malmierca, 2019).

Bearing in mind the analyses of Cuban and foreign experts on the practical effectiveness of the economic, political and institutional changes mentioned (Triana, 2017; Bacaria and Serrano, 2020; Botella, 2020; Hoffmann, 2021; Sánchez, 2021; Chofre, 2021; Alonso and Vidal, 2020; Anaya and García, 2021) it can be concluded that the Cuban socio-political and economic context has shown significant dynamism over the past decade. Its notable results include generational change at the top of the country's political leadership and greater economic plurality and decentralisation in government activity, which has acquired legal guarantees for its activity. At the same time, citizens' rights and guarantees have been strengthened by the protection granted by the new Constitution of the Republic and are expressed in multiple acts of legislation, a number of which stand out for their recency: the new Electoral Law, the Law on Criminal Procedure, the laws on the Courts of Justice, the Administrative Process, and the Code of Processes, the Decree-Law on Animal Welfare, the new Family Code, and the Migration Law.

The scenario described presents new possibilities for cooperation and economic relations between Cuba and the EU and its member states. The emergence of new economic actors on the Cuban scene and the development of new governmental competences at the municipal and provincial level increases the diversity of the parties on the island whose interaction could grow with the EU and its member states. Indeed, the PDCA addresses the participation of government institutions, local authorities, international organisations, member states' development agencies and even civil society in cooperative relations with Cuba and their management.

The transatlantic relationship and its impact on Cuba–EU cooperation

US aggressions against Cuba are the main obstacle to the international insertion of the country's model and test Europe's determination to maintain relative autonomy in its policy towards Cuba.

The Trump administration revived a stagnant Cold War discourse that was embodied in a package of unprecedented coercive measures against Cuba. That the Biden administration continues with this policy not only contradicts his campaign promises on Cuba, it also undermines the supposed rebuilding of the transatlantic alliance.

After years of tensions, at the 2021 Munich Security Conference Joe Biden claimed that the “transatlantic alliance is back” (Biden, 2021). As such, and hoping to start a new chapter in its relations with the EU, Washington returned to the Paris Climate Agreement and expressed its willingness to resume negotiations with Iran, both of which pacts Trump had abandoned, turning his back on US allies. Among the cracks in the transatlantic relationship is the application of Title III of the Helms-Burton Act (HBA), which increased the tactical contradictions between the US and the EU over Cuba and ignored the agreement they signed in 1998.⁷

The application of Title III of the HBA, the 243 coercive measures the Trump administration implemented against the Cuban people – and which President Biden has maintained – continue to make the European business and financial sector the target of sanctions that have no basis in European or Cuban laws, and that violate basic norms of international law (López-Levy, 2019; Pellón, 2021)

In September 2020, the United Nations (UN) General Assembly requested that the Secretary-General, in consultation with the relevant bodies and agencies of the system, prepare a report on the implementation of resolution 74/7, entitled “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”. The EU's response to the consultation by the Secretary-General lamented the Trump administration's decision to activate Title III and resume the application of Title IV: “We believe this clearly violates the 1998 Agreement between the European Union and the United States” (UNGA, 2020).

The EU also recalled that it has fulfilled – and continues to fulfil – the commitments it made in that agreement and called on the US to do the same. In view of the activation of Titles III and IV of the Helms-Burton Act, the report underlines the intention to use all available instruments and options to protect the economic activities of EU nationals and companies, including their investments. These issues are covered by Regulation (EC) No. 2271/96, the provisions of which may be invoked by EU operators adversely affected by the extraterritorial effects of the Helms-Burton Act. (UNGA, 2020).

Since 1962 – that is, over almost six decades – a number of provisions have determined the extraterritorial nature of this hostile policy. On March 24th of that year, the Treasury Department established a ban on the entry into US territory of any product made totally or partially with

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7. At the EU–US Summit held in London on May 18th 1998, a set of measures was agreed, including the suspension of the application of Titles III and IV of the Helms-Burton Act (HBA), the commitment of the United States not to enact such extraterritorial laws in the future, and an understanding on disciplines to strengthen investment protection: taken together this is known as “the 1998 Agreement”. President Trump activated Title III in 2019 and it is maintained by President Biden.

US attempts to involve the EU and its member states in imposing coercive and unilateral measures against Cuba have occurred so often throughout history.

Cuban raw materials or products, even if they come from a third country. The measure had a major impact on trade with some of Cuba's most important partners, particularly the nations of western Europe. From that point on, they would be unable to use Cuban sugar or nickel in their export products for the large US market. In practice, this was one of the blockade's first extraterritorial measures.

The provision added to Washington's long list of sanctions against Cuba, which included banning US subsidiary companies from trading with the Caribbean nation from any other territory. The policy also restricted the exportation to Cuba of equipment, products or any technology with more than 10% US components and prohibited ships that trade with Cuba from entering US ports. Punitive measures were also taken against institutions and nationals from other territories involved in trade relations with the island. In October 2020, Cuban Foreign Minister Bruno Rodríguez put the accumulated damages over almost six decades of blockade at over \$144.41 bn dollars.

In the name of the Monroe Doctrine (1823),⁸ Trump not only sought to undermine the Cuban system, he also wanted the EU to follow Washington's lead in both content and form. Since 2019, US citizens and companies have filed dozens of lawsuits against several European companies, including the Sol Meliá hotel chain. This activity conflicts directly with the PDCA successfully implemented by Cuba, the EU and its member states since 2017.

US attempts to involve the EU and its member states in imposing coercive and unilateral measures against Cuba have occurred so often throughout history that they cannot be considered coincidental. At least three unequivocal events show that the United States has constructed scenarios of confrontation with Cuba in order to demand a reaction from its ally and frustrate the paths of dialogue. As collateral damage they have limited the autonomy of European foreign policy.

First came the so-called "crisis of the embassies" in July 1990, which caused the failure of the first initiatives towards the signing of a framework agreement between the EC and Cuba between May 1989 and June 1990 (Perera, 2017: 63–64). The US Interest Section in Cuba organised a plot that began on July 9th in Havana, when five Cubans entered the Czech and Slovak Embassy to apply for asylum (Minrex, 1990).⁹ The aim was to create an image of instability, persecution and disrespect for human rights in Cuba.¹⁰ It resulted in the temporary suspension of Spanish cooperation and, at the request of the Spanish government, on July 20th the EEC also suspended cooperation actions with the island.

The second event led to the European Commission's decision on May 8th 1996 not to present a mandate for the negotiation of an agreement with Cuba. The downing of the Brothers to the Rescue planes on February 24th after they violated Cuban airspace on several occasions was the basis of the argument used by groups opposed to the negotiation within the EU. Thirdly, the Common Position proposed by Aznar in November 1996 also originally had an important US component. According to the newspaper *El País* of November 13th 1996,¹¹ US Special Envoy Eizenstat promised that if Aznar supported

8. Under which any act by Europeans to extend their system to America is seen as a danger to US security.

9. The statements by members of anti-revolutionary groups who participated in the origins of this plot, in which five citizens entered the Czechoslovak Embassy on July 9th, were revealing. In an interview televised in Cuba on July 19th they described the participation of US officials and the complicity of European diplomats in the events.

10. See: the speech by Fidel Castro (1990) at an event on July 26th 1990, where he gave a detailed explanation of the events associated with the crisis of the embassies.

11. See: Vidal-Folch, 1996.

the US approach to Cuba, Washington would grant successive semi-annual postponements to the application of the Helms-Burton Act, which tightens the embargo on Cuba and hounds European investments on the island. Eizenstat was referring to the application of Title III of that law (Pellón, 2015: 125). The unilateral sanctions applied by the EU against Cuba in 2003 were more of the same.

The signing of the PDCA between Cuba, the EU and its member states broke the chain of events that had time and again blocked the path of dialogue and opens up the possibility for the EU to accompany Cuba in updating its economic, political and institutional model based on a mutually beneficial, stable and long-term relationship.

However, once again, the demonstrations of July 11th 2021 in Cuba, whose genesis and development was instigated to a large extent from the United States, once again strained the political atmosphere between the EU and Cuba. First, the United States cut off the regular flow of migrants between the two countries, then it pressured all Cuba's foreign suppliers to stop goods reaching the country, it went after the fuel producers to cut off energy, it took advantage of the impact of the pandemic and, eventually, via USAID, and specifically the National Endowment for Democracy (NED), it used digital platforms to organise a communications operation employing supposed "opinion leaders" trained for years in a number of capital cities, including several in Europe (Cabañas, 2021).

The exceptional conditions imposed on Cuba by the pandemic and the tightening of the blockade were the context in which the events of July 11th took place. In 2019 and 2020, Washington approved 243 measures to tighten the blockade against Cuba, including 55 since the COVID-19 pandemic started, making it even clearer that the aim was to bring 11 million Cubans to submission through hunger and the denial of other needs (Cabañas, 2021). Closing the official channels for remittances to be sent from the United States was a significant aggravating factor for Cuban families in a socioeconomic context that was already complex due to the effects of the pandemic.

Alejandro Gil, the Minister of Economy and Planning, told the National Assembly of People's Power that the Cuban Economy lost 13% of its GDP in 2020 and so far in 2021, and it is expected that \$700 million less than planned will be recouped by the end of the 2021 financial year, including the lost income from tourism. The minister specified that \$1.35 bn dollars have been invested to buy food "well below the level of demand" in an international context shaped by rising prices for a range of products, such as fuel, food and even freight (Figueredo Reinaldo et al., 2021).

The demonstrations that took place on July 11th increased support in the European Parliament (EP) for unilateral condemnations of Cuba. The European People's Party Group (EPP), the parliament's largest force with 187 seats, has regularly questioned the effectiveness of the PDCA and obstructed constructive moves. Ideology remains a key component of its reading of Cuba's domestic context and the Cuba-EU bilateral framework. This biased view simplifies or distorts conceptions about the exercise of political power in Cuba, the true legitimacy of the existing system and the conscious commitment of the society to build a socialist model with its own characteristics.

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However, a comparative analysis of the most recent votes relating to the human rights situation in Cuba shows that, while the resolutions are ultimately approved, they receive increasing numbers of abstentions and votes against. This shows that there may be less resistance from the groups in the European Parliament who oppose dialogue with Cuba when the island's control of the pandemic is consolidated, certain services are restored and a path towards economic growth takes shape as borders open in a context of political stability. This stabilisation is already visible. The trend would not, however, prevent new resolutions being adopted in the short term, as conservative forces still predominate in the European Parliament and the customary double standards persist on human rights (Carrillo, 2021).

The European Parliament resolution of November 15th 2018 on the human rights situation in Cuba laid bare the divisions that this approach had already created between the political groups in the EP prior to July 11th 2021: it was approved with 325 votes in favour, 240 against and 44 abstentions (European Parliament, 2018). The greatest polarisation was between the EPP, which contributed 167 votes in favour, and the S&D with 146 against. Other groups exhibited greater internal divisions, such as the Greens/European Free Alliance (Greens/EFA), with 22 votes in favour, 14 against and 11 abstentions. The European Parliament resolution of June 10th 2021 on human rights and the political situation in Cuba (2021/2745(RSP)) was adopted with 386 votes in favour, 236 against, and 59 abstentions. No significant change was yet appreciable in the voting patterns.¹²

The July 11th demonstrations in Cuba changed the balance considerably. The resolution of September 16th 2021 received more votes in favour than that of June 10th, with 426 votes in favour, 146 against and 115 abstentions.¹³

However, in the resolution approved on December 16th 2021 there were more abstentions and votes against (RC9-0589/2021), with 393 votes in favour, 150 against and 119 abstentions, a sign of a trend that could grow in the short and medium term.¹⁴

The resolution approved by the European Parliament on December 16th 2021 perhaps inadvertently demonstrated an important trend that was crystallised on the same day in the US Congress and which favours the normalisation of relations between Washington and Cuba. The US Congress questioned the Biden administration about why it was copying its predecessor's policy towards Cuba, rather than developing its own agenda. Representatives James P. McGovern (D-MA), Barbara Lee (D-CA), Gregory Meeks (D-NY) and Bobby Rush (D-IL) submitted a letter to the Biden–Harris administration signed by 114 members of the US Congress on, among whose demands are:

- To suspend US regulations that prevent food, medicines and other humanitarian aid from reaching the Cuban people,
- remove all restrictions on family and non-family remittances,
- re-staff the US Embassy in Havana, taking the necessary measures to ensure the safety of US personnel,
- resume consular services in Cuba and revoke the Trump administration's measures restricting travel to Cuba, as they make it

12. https://www.europarl.europa.eu/doceo/document/RC-9-2021-0341_ES.html

13. https://www.europarl.europa.eu/doceo/document/TA-9-2021-0389_ES.html

14. <https://www.europarl.europa.eu/news/es/press-room/20211210IPR19224/el-pe-reclama-a-cuba-la-liberacion-inmediata-de-todos-los-presos-de-conciencia>

difficult for Cuban–Americans to visit and reunite with their relatives on the island, particularly those who have family outside Havana,

- remove Cuba from the list of state sponsors of terrorism, as this designation is another obstacle in the road to improving relations and creates additional difficulties for purchasing or receiving humanitarian supplies (WOLA, 2021).

The participation of a wide range of civil society organisations was also crucial to increase normalisation and outreach work in Congress. Organisations and networks such as the Washington Office on Latin America (WOLA), the Center for Democracy in the Americas (CDA), the Latin America Working Group (LAWG), the ACERE alliance, Massachusetts Peace Action, Cuban-American groups including Cuban-Americans for Engagement (CAFE) and religious groups such as the Presbyterian (U.S.A.) Office of Public Witness, among many others, engaged in activities to provide members of Congress with key information demonstrating the value of re-establishing dialogue-based US policy towards Cuba. WOLA’s Assistant Director for Cuba, Mariakarla Nodarse, emphasised: “Hitting pause on the Cuba policy review in the name of democracy and human rights is not achieving either. On the contrary, it is prolonging the suffering of the Cuban people when it is clear that there are ample opportunities to improve the situation on the island by breaking the inertia and acting constructively” (WOLA, 2021).

While the Biden administration continues to implement Trump’s policies, EU action towards Cuba is likely to follow the line of its Action Plan on Human Rights and Democracy 2020–2024, which focuses on the protection and empowerment of individuals, support for human rights defenders, monitoring of cases of violation of freedom of association, assembly and expression – including artistic – support for the promotion of economic rights, particularly in the private sector, support for the abolition of the death penalty and the promotion of women’s rights and gender equality.

4. The feasibility of autonomous EU policy towards Cuba

The EU’s positions on the US blockade against Cuba have shown a coherent progression.¹⁵ In the last three years, notable actions include the EU Foreign Affairs Council’s reiteration of its opposition to the application of extraterritorial measures on April 8th 2019¹⁶ and Federica Mogherini’s two joint statements issued on April 17th opposing the application of Title III, alongside the EU Commissioner for Trade and the Canadian foreign minister.¹⁷ The governments of Spain, the United Kingdom, Portugal and France also issued statements expressing their opposition to it. The current EU High Representative for Foreign Affairs and Security Policy, Josep Borrell, has urged US President Joe Biden to remove the economic and commercial blockade against Cuba and expressed his regret at the decision to include Cuba in the list of state sponsors of terrorism (*Prensa Latina*, 2021)

In contrast to the economic, financial and commercial siege by the US, the EU’s participation in Cuba’s development strategy continues to be

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15. Members have voted against the practice en bloc at the United Nations since 1992.

16. <https://www.consilium.europa.eu/es/meetings/fac/2019/04/08/>

17. <http://www.acn.cu/bloqueo/43985-canada-y-la-union-europea-protegeran-sus-empresas-de-la-aplicacion-de-la-helms-burton>

The EU's participation in Cuba's development strategy continues to be significant, with concrete results achieved in terms of trade, cooperation and investment.

significant, with concrete results achieved in terms of trade, cooperation and investment. The European Union has consolidated itself as the main donor of development aid to Cuba and it also constitutes an important trading partner and the geographical area that provides most foreign investment to Cuba, which is concentrated in strategic sectors such as tourism, industry, transportation, energy, the food industry and mining.

Cuba and the EU have also reaffirmed their desire to cooperate on the 2030 Agenda for Sustainable Development, in line with their respective capacities. They agree on the need to achieve balanced development in the economic, social and environmental spheres. Among the cross-cutting and strategic axes of cooperation are sustainable development, gender, national capacity building, good governance, human rights and knowledge management.¹⁸

The EU's status as key donor is based on the Development Cooperation Instrument (DCI) for the 2014–2020 period and the regulation establishing it. In April 2021, a memorandum of intent was signed approving the Financing and Cooperation Projects Agreement between the Republic of Cuba and the European Union (EU), which is worth €61,500,000 (*EFE*, 2019).

The Multi-Year Indicative Programme (2014–2020), shaped in accordance with Cuba's priorities, focusses on three key sectors. A fund of €19,650,000 was allocated to the first – food security and sustainable agriculture; the second, renewable energies, was assigned €18 million. The third, meanwhile, targets Cuba's economic modernisation and, in this sense, the €4 million donated on June 21st 2019 for the development of a single window of foreign trade in Cuba was instructive. The instrument aims to achieve greater dynamism and efficiency in the management of trade and investment.¹⁹ Planning the next cooperation cycle (2021–2027) brings new challenges. New synergies will need to be built between the different priority sectors and interventions that have significant impact on local communities, contributing to their development, as set out in the Economic Social Strategy for boosting the economy and tackling the global crisis caused by COVID-19, which was recently approved in the National Economic and Social Plan of Cuba 2030.

Other areas also receive EU cooperation, including disaster prevention, digitalisation and e-government, and there is support for civil society, where exchanges of experts and university cooperation are increasing through the Erasmus+ programme.

Under the PDCA, the parties institutionalised dialogue in five specific areas: human rights, unilateral coercive measures, non-proliferation of weapons of mass destruction, control of conventional weapons, and sustainable development. Its implementation on the basis of mutual respect, sovereign equality and non-interference in domestic affairs has improved the understanding of the parties' respective realities and positions. All the political dialogues were preceded by meetings with Cuban and European civil society (Navarro, 2019). This helped demystify skewed visions of Cuban civil society held in the EU by showing a broad and diverse range of civil actors whose legitimate participation in Cuba's economic, political, social and cultural destinies is both significant and

18. Initial statements by Cuba in the Third Subcommittee on Cuba-European Union Cooperation (online). [Accessed on 07.02.2022]: <https://www.mincex.gob.cu/index.php/site/data/?lang=es&location=Noticia&title=Declaraciones+iniciales+de+Cuba+en+el+Tercer+Subcomit%C3%A9+de+Cooperaci%C3%B3n+Cuba-Uni%C3%B3n+Europea#>

19. Donation reported by the EU Commissioner for International Cooperation and Development at the Cuba business forum held in Havana.

growing. Under the PDCA umbrella, the spaces and forms of interaction for the societies on both sides are invaluable sources of consensus, mutual learning and exchanges of best practices.

The dialogues also reveal areas of harmony and potential for cooperation. These include combating the production, trafficking and consumption of illicit drugs; security and environmental protection; confronting racial discrimination, xenophobia and related intolerance; and gender and children's rights. On October 8th 2018, the first seminar of its kind took place, at which representatives of Cuban and European NGOs exchanged views, particularly on gender equality and LGBTI issues.

Despite US pressure, the link between the EU and Cuba shows that progressing towards a mutually beneficial, stable and long-term relationship is possible. However, the imperatives of the EU's internal policy and the urgencies of its foreign policy have caused Latin American to fall down the list of its external priorities. When analysing the prospects for EU-LAC relations, an essential factor is the priority that LAC represents for the EU. While the European Parliament's Motion for a Resolution on the implementation of the Common Foreign and Security Policy - Annual Report 2020 proposes that recognising the relationship with LAC is fundamental to the EU's geopolitical strategy in the world,²⁰ this is not consistent with the omission of any mention of the region among the European Commission's priorities for 2019–2024, while explicit mention is made of other regions of the world.²¹

Cuba also shows a desire to diversify its international partners, with China and Russia key figures. China is the island's second-largest trading partner and has granted significant credit lines to the country, while Russia is also increasing its investments and trade relations, particularly in the transport, energy and metallurgy sectors. Political and diplomatic relations take place with both actors at the highest level and there are signs of broad levels of coordination and cooperation in international affairs (Pellón, 2021: 118). The Cuban government has also shown significant interest and given priority to the Eurasian Economic Community. Amid the multisectoral impacts resulting from the pandemic and the strengthening of the US siege, the solidarity shown by these actors has been highly important for Cuba, along with that of countries like Mexico, Venezuela, Bolivia, Nicaragua, Vietnam and solidarity groups from various regions of the world, including several European countries (*Granma*, 2021b).

On March 23rd 2020, several associations of Cubans residing in Europe published an open letter to the presidents and prime ministers of the countries of the European Union asking them to intercede with the US government over the lifting of the blockade of Cuba. They also condemned the reinforcement of this policy since Donald Trump reached the White House and pointed out that the circumstances of the COVID-19 pandemic made it doubly genocidal to maintain the blockade. On March 28th 2020, the UK-based Cuba Solidarity Campaign (cuba-solidarity.org.uk) published an open letter calling for the US blockade against the island to be lifted in return for the Caribbean island's support for the global fight against COVID-19. As of April 7th 2020, it had registered around 12,667 signatures in support of the request, including 24 members of the UK parliament.²²

Under the PDCA umbrella, the spaces and forms of interaction for the societies on both sides are invaluable sources of consensus, mutual learning and exchanges of best practices.

20. https://www.europarl.europa.eu/doceo/document/A-9-2020-0266_ES.html

21. https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world_es

22. <https://www.granma.cu/mundo/2021-07-29/aumenta-solidaridad-con-cuba-ante-tiempos-dificiles-29-07-2021-23-07-02>

Objective possibilities opened up for investment, cooperation and the sale of Cuban medical products and services.

Cuba's health system and biotechnology emerged as international leaders during the difficult context of the pandemic. Cuba was the first Latin American country to have its own vaccine (Vicent, 2021) and the first in the world to develop a COVID-19 vaccination programme among children. Cuba is the country with the highest percentage of its population vaccinated in the Americas and the highest rate of daily inoculation in the world, supported by a primary healthcare system that reaches every municipality and neighbourhood in the country (Guerra, 2021). Its COVID-19 fatality rate of 0.85% is well below the averages of 2% in Latin America and the rest of the world. Its international prestige grew when, as the world was suffering high levels of contagion, Cuba sent 57 medical brigades abroad, to territories including Italy, the principality of Andorra and several of the so-called European overseas territories located in the Caribbean Sea.

It would be irrational to question the results of this: objective possibilities opened up for investment, cooperation and the sale of Cuban medical products and services. The worthwhile question is whether international actors with interests in these areas will manage to circumvent the threats of the US or will wait for Washington's permission to explore the possibilities that open up in Cuba.

In Europe some are taking definite steps to embrace what they see as a promising sector. Indeed, through the Franco-Cuban Counterpart Fund, the French Development Agency will invest €45 million in Cuba's Finlay Institute. The French Ambassador to Cuba, Patrice Paoli, highlighted the importance of this collaborative project and stressed that the qualitative and quantitative increase in meningitis and pneumonia vaccine production capacities will directly benefit the people of Cuba and developing countries (*AFP*, 2021).

In December 2021, the Spanish company Meliá Cuba formalised a mutually beneficial pact with the Cuban Medical Services Marketer, which aimed at enhancing quality of life and well-being options in accommodation facilities. Francisco Camps, representative of Meliá Cuba, and Yamila de Armas, president of the Cuban Medical Services Marketer, signed a document setting out the advantages of the agreement for both companies and for the restoration of tourism to Cuba (*Expreso*, 2021).

5. Spain's Cuba policy and the worthwhile path of dialogue

Spain plays a significant role in Cuba's international insertion and has a larger network of economic, political and social relations with the island than any other EU state.

In the current context, and as a result of greater political polarisation in Spain, Cuba is once again gaining prominence as a domestic political issue, with the opposition using it to question the government's management. Accurately addressing Spain's policy towards Cuba and its effects on EU policy means stepping back from the political rhetoric and acknowledging that broad consensus has existed on a number of important issues, as socio-historical praxis shows.

This practical history shows that bilateral consultation based on mutual respect, as deployed by governments of both the Spanish Socialist

Workers' Party (PSOE) and the People's Party (PP), has been the only instrument that has contributed to achieving each sides' shared and respective objectives.

The Agreement between The Kingdom of Spain and the Republic of Cuba on the Promotion and Reciprocal Protection of Investments signed in 1994 during the PSOE administration showed a strategic commitment to Spanish–Cuban economic relations that paved the way to the negotiations over another major agreement aimed at avoiding double taxation, which was signed in 1999 under the government of José María Aznar. Spain's economic presence in Cuba and its continued development is an expression of a degree of autonomy. That is not to say that it has been immune to political considerations or ignorant of the imperatives of the transatlantic relationship or Spain's shared principles with the United States. Notwithstanding tactical differences – related, in the economic field, above all with cooperation and credit policies – the PSOE and PP have tended to agree that, as well as their intrinsic value, economic relations with Cuba create the conditions for promoting the market economy, greater economic pluralism in Cuban society and the structural reforms they see as necessary for developing democracy in Cuba.

Both forces have engaged in political dialogue with the Cuban authorities at the highest level, which is the only tool for channelling matters of common interest and in practice the most effective. The legalisation of the Association of Spanish Entrepreneurs in Cuba (AEE) in 1994, the only organisation of its type in Cuba, the short-lived agreement for the creation of the Spanish Cultural Center in Havana in 1995, the incorporation in 1996 of a defence attaché with residence in the Spanish Embassy – making Spain the first EU country with a military attaché in Cuba – all came about following respectful dialogue and agreement with the Cuban authorities, and there are other examples. Both sides have also recognised Cuba as a full member of the Ibero-American Summits. They have opted for dialogue and agreement in line with the 1991 Declaration of Guadalajara, which reaffirmed the principles of sovereignty and non-intervention, recognising each people's right to build their political and institutional system freely in peace, stability and justice.²³

Meanwhile, the first Spanish state visit to Havana in 2019 was replete with symbolism, but also showed evidence of a strategic and long-term vision. According to a report by Radio Televisión Española (RTVE, 2017), the subject of the visit was raised when Mariano Rajoy's government hosted the Cuban Minister of Foreign Affairs, Bruno Rodríguez, at the Moncloa Palace during an official visit to Spain in April 2017. The Cuban Minister was also received at the Palace of Zarzuela by King Felipe VI and later at the foreign office by then Spanish minister, Alfonso Dastis, who confirmed the desire for Felipe VI and Rajoy to visit Havana "as soon as possible". The king and queen of Spain eventually visited under the mandate of Pedro Sánchez after the PSOE took the presidency of the Spanish government in 2018 following a vote of no confidence against the PP.

The Cuban state's stance towards the Spanish government has remained constant: it favours a relationship based on mutual benefit, non-discrimination and interference in internal affairs and the preservation of socio-cultural and family ties. It is a position shared by large swathes of Spanish and Cuban civil society.

Spain's economic presence in Cuba and its continued development. That is not to say that it has been immune to political considerations or ignorant of the imperatives of the transatlantic relationship or Spain's shared principles with the United States.

²³. See: Cumbres Iberoamericanas (1991–2016).

The path of agreement, dialogue and cooperation facilitated by the PDCA continues to be the most effective instrument for developing stable and long-term ties.

In parallel, the interventionist and coercive policies against Cuba conceived in Spain and the EU have visibly failed, such as the attempts in 1995 and 1996 to promote reform of the Cuban penal code using conditionality; the Common Position of 1996; and the 2003 sanctions, which were ultimately eliminated and gave way to the PDCA in 2016.

However, in accordance with national interests, in harmony with the Cuban socialist model and retaining a full commitment to national sovereignty, some of the changes Spanish and European forces demanded in the 1990s are today a reality. The opening up to self-employment, the emergence of small and medium-sized private enterprises and the reform of the Cuban penal code have all taken place. The path of agreement, dialogue and cooperation facilitated by the PDCA continues to be the most effective instrument for developing stable and long-term ties, for achieving the common objectives identified by the parties, and as the clearest expression of a degree of autonomy in Spanish and EU policy towards Cuba.

Conclusions

Cuba's capacity to update its socio-economic model within an effective framework is a key factor in its international insertion and its relations with the EU.

The EU institutions house a range of views on the development of these processes. The crucial thing is to identify the prevailing position at all times. Underlying these patterns are the stances of key players in the Council, the Commission and the European Parliament and the manifestations of those stances, which have fluctuated between pressure policies and the constructive engagement that predominates today.

The current strength of constructive engagement is attributable to two objective factors. First, the past and present failure of the conditionalities and unilateral sanctions used against Cuba to increase influence and promote interests on the island. Second, there is the continuing determination of Cuban society and authorities to update the economic, political and institutional model, which simultaneously impacts all the island's social relations, inter-institutional ties, property relations, mentalities and civic culture. This is the context that encourages the EU's presence and the effort to generate as much interaction as possible between EU actors and wider Cuban society from a position that is constructive and based on mutual respect.

Human rights remains an area where the stances and approaches profoundly diverge. Handling the issue in an effective, constructive and non-discriminatory way is an essential prerequisite for progressing on bilateral and multilateral cooperation and, above all, this can help create a climate of mutual trust, which is indispensable in bilateral relations.

Meanwhile, US aggression continues to be the fundamental obstacle to Cuba's international insertion and its commercial, cooperative and investment relations with the EU.

In an international arena affected by the pandemic, President Biden has clearly rejected the path of dialogue and eschewed his campaign promises on Cuba – and not in order to promote greater political or economic plurality on the island and much less to defend human rights. He aims to thwart the progress made in transforming the Cuban model, to frustrate the advance of a process that is autonomous and does not place US interests first. The goal is to ensure Washington is a key player in Cuba's domestic processes. The essence of the conflict between the United States and Cuba remains domination versus sovereignty.

In the context of renewed cooperation, Cuba–EU relations face a complex internal, bilateral and international scenario. The PCDA has proven to be a suitable tool and indispensable foundation for fulfilling both sides' shared and respective objectives. It is a path that is undoubtedly strewn with challenges, but also with opportunities for developing a stable and long-term relationship.

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