

Karel de Gucht,
Commissioner for Development,
European Commission

Benita Ferrero-Waldner,
Commissioner for External Relations,
European Commission

Brussels, 2 September 2009
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Dear Mr de Gucht and Ms Ferrero- Waldner,

**Amnesty International report - "The US Embargo against Cuba:
its Impact on Economic and Social Rights"**

2009 has been a pivotal year in the EU – Cuba relationship, with the re-establishment of political dialogue and the the renewal of development cooperation with Cuba "as a tool for improving the lives of the Cuban people", to quote the GAERC conclusions of June 2009. These conclusions also set out that the GAERC remained concerned about the "lack of progress in the situation of human rights" in Cuba, and that it was committed to raising human rights issues during high level discussions.

I am writing to draw your attention to Amnesty International's latest report, published today, which highlights the negative impact of the US embargo on the economic and social rights of the Cuban population, affecting in particular the most vulnerable sectors of society. Since Amnesty International's last visit to Cuba in 1988, our repeated requests for an authorisation to visit have been denied by the Cuban government. The report is therefore based on analysis of reports from UN agencies and programmes operating in Cuba, looking specifically at how the sanctions affect the provision of healthcare there.

The analysis in the report shows very clearly that the restrictions imposed on trade and financing, with their extra-territorial aspects, severely limit Cuba's capacity to import medicines, medical equipment and the latest technologies, some of which are essential for treating life-threatening diseases and maintaining Cuba's public health programmes. This contravenes the recommendation in General Comment 14 of the UN Committee on Economic, Social and Cultural Rights that economic sanctions should not restrict the supply of medicines and medical equipment to another state.

The USA signed, in October 1977, but has not yet ratified, the International Convention on Economic, Social and Cultural Rights (ICESCR). As such, while not legally bound by its provisions, it is obliged not to defeat the purpose of the ICESCR. Amnesty International's new report supports the view set out in recent years by various UN actors, that the embargo unfortunately does just that.

We urge you to use all upcoming opportunities, in your engagement with the US administration, to highlight the negative human rights impact of the US embargo on Cuba, and to call for the necessary steps to be taken towards lifting the economic, financial, and trade embargo. Much also remains to be done to ensure that the Cuban government respects human rights internally, and Amnesty International welcomes the commitment in the GAERC conclusions of June 2009 to the EU offering support to all sectors of Cuban society in this effort. However, explicit EU backing at the highest level to the lifting of the US embargo would send an important signal of the importance the EU places on progress being made across the spectrum of human rights, for the people of Cuba.

Please do not hesitate to contact me for any further information on these issues.
Yours sincerely,



Nicolas Beger
Director, Amnesty International EU Office

Cc: Carl Bildt, Swedish Minister for Foreign Affairs
Irene Horejs, Head of EC delegation, Dominican Republic and Cuba
Javier Nino-Perez, Charge d' affaires for EC delegation, Cuba