

IN-DEPTH ANALYSIS

Cuba, the USA and the EU: Forging closer ties, looking to the future

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ABSTRACT

On 1 July 2015, Cuba and the United States of America (USA) re-established formal diplomatic links, the culmination so far of the ground-breaking changes that have taken place in relations between the two countries since December 2014. At the same time, relations between Cuba and the EU are enjoying unprecedented momentum.

The change in Cuba-US relations and the strengthening of the EU's links with Cuba represent two processes that are different in nature and scope. Despite the changes in US-Cuba relations, full 'normalisation' remains a distant prospect, mostly due to the US economic embargo against Cuba which is likely to remain in place for the foreseeable future. In contrast, the EU and its Member States – which have full diplomatic, economic and cooperation relations with Cuba – have moved closer than at any time before to the conclusion of a Political Dialogue and Cooperation Agreement (PDCA) with Cuba.

Both the US government and the EU recognise that stronger links with Cuba will not spark any immediate transformation of the country or lead to rapid political changes or democratic opening. In this regard, the policies to promote closer relations with Cuba, including the conclusion of an EU-Cuba PDCA, could be characterised as an investment in the future.

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1 Introduction

On 1 July 2015, Cuba and the United States of America (USA) re-established formal diplomatic links, the culmination so far of the ground-breaking changes that have taken place in relations between the two countries in the past nine months. At the same time, relations between Cuba and the EU are enjoying unprecedentedly strong momentum.

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The change in Cuba-US relations and the strengthening of the EU's links with Cuba represent two processes that are different in nature and scope. Despite the changes in US-Cuba relations, full 'normalisation' remains a distant prospect, mostly due to the US economic embargo against Cuba which is likely to remain in place for the foreseeable future. In contrast, the EU and its Member States – which have full diplomatic, economic and cooperation relations with Cuba – have moved closer than at any time before to the conclusion of a Political Dialogue and Cooperation Agreement (PDCA) with Cuba.

However, in contrast to the different policies of the past and the divergences caused by the extraterritorial aspects of the US embargo against Cuba, the EU and the US government now share the same approach: that constructive engagement is the best option for promoting change in Cuba. Yet, both the US government and the EU recognise that stronger links with Cuba will not spark any immediate transformation of the country or lead to rapid political changes or democratic opening. In this regard, the policies to promote closer relations with Cuba, including the conclusion of an EU-Cuba PDCA, could be characterised as an investment in the future.

2 Cuba-US relations: Winds of change over the Florida Straits

On 17 December 2014, Cuban President Raúl Castro and US President Barack Obama delivered simultaneous statements,

On 17 December 2014, Raúl Castro, President of the Republic of Cuba and First Secretary of the Communist Party of Cuba (*Partido Comunista de Cuba*, PCC), and US President Barack Obama delivered simultaneous statements in which they announced that the two countries would seek to normalise their relations, including by re-establishing diplomatic ties– severed since January 1961 – and increasing trade and the flow of travellers. An agreement to release and exchange imprisoned – alleged and real – 'agents' made this breakthrough possible.¹ It had been preceded by several months of high-level dialogue and negotiations between the two countries (initialled,

¹ Cuba agreed to free two persons: Rolando Saraff Trujillo, a Cuban intelligence officer serving a 25-year sentence for having passed state secrets to the US, and Alan Gross, a sub-contractor working for USAID who was arrested in December 2009 and sentenced to 15 years in prison in March 2011 for having brought communication and computer equipment into the country without permission and who was released on 'humanitarian grounds'. The USA released three Cuban intelligence officers who had been arrested in Miami in September 1998 and in 2001 convicted on various charges, including espionage and conspiracy to commit murder. Two other members of the group, known in the USA as the 'Cuban Five' and in Cuba as the 'Five heroes' (*Cinco heroes cubanos*) were released earlier after completing their sentence.

announcing that the countries would seek to normalise their relations, including by re-establishing diplomatic relations and increasing trade and the flow of travellers.

Castro underlined the need to 'coexist' with the differences between the two countries in a 'civilised manner'.

President Obama recognised that the USA's policy towards Cuba had failed to advance US interests and did not serve either the American or the Cuban people.

He announced three sets of initiatives to change relations with Cuba: re-establishing diplomatic relations; reviewing Cuba's designation as a 'State Sponsor of Terrorism' and steps to increase travel, trade and information flows.

according to some sources, in March-April 2013), hosted by Canada and facilitated by the mediation of Canada and the Holy See. Both Castro and Obama expressly stated their recognition of the role played by both the Vatican – particularly Pope Francis – and Canada.

In a nine-minute statement² on Cuban television, Raúl Castro said that Cuba had always been willing to hold a 'respectful dialogue' with the USA in order to discuss and solve differences, 'without renouncing any of our principles'. Explaining that he had spoken on the phone with President Obama the day before, Castro announced the release, for humanitarian reasons, of Alan Gross (a sub-contractor working for USAID who had been sentenced to 15 years in prison in March 2011 for having brought communication and computer equipment into Cuba without permission) in parallel with the release of a 'spy of Cuban origin' and further announced that the two countries had agreed to renew diplomatic relations. Noting that the 'heart of the matter' had not been resolved, Castro emphasised that the US economic embargo (which he characterised as 'the economic, commercial, and financial blockade') should end, and proposed adopting 'mutual steps to improve the bilateral atmosphere' and advance towards the normalisation of relations. He called on the US government to remove obstacles to ties between peoples, families, and citizens, especially restrictions on travelling, direct postal services and telecommunications. Castro also reiterated Cuba's willingness to cooperate with the USA in multilateral bodies and to dialogue on issues where the two countries have deep differences, particularly those related to national sovereignty, democracy, human rights and foreign policy. He concluded by underlining the need to 'coexist' with the differences between the two countries in a 'civilised manner'.

In his – much longer – statement, President Obama frankly recognised that the USA's policy towards Cuba was 'outdated', had failed to advance US interests and did not serve either the American or the Cuban people. He noted that policies aiming to isolate Cuba had not worked and had mostly served to give the Cuban government a rationale for imposing restrictions on its own people. Referring to the modifications introduced in the US embargo policy towards Cuba in recent years, including the loosening of restrictions on travel and the transfer of money, he highlighted how closer contacts between Cuban Americans and their families in Cuba had contributed to making the younger generations of Cuban Americans more sceptical of a policy to isolate Cuba from the rest of the world.

Obama announced three sets of initiatives to change relations with Cuba: discussions to re-establish diplomatic relations; a review of Cuba's designation as a 'State Sponsor of Terrorism'; and steps to increase travel, trade and information flows between the two countries. Similarly to President Castro, Obama underlined that the USA and Cuba would continue to disagree and that the USA would continue to raise differences directly, including issues of democracy and human rights. He also said that he was

² <http://www.cuba.cu/gobierno/rauldiscursos/2014/ing/r171214i.html>

under no illusion that the 'barriers to the freedom' of ordinary Cubans would be removed or, in general, that the changes in the US-Cuban relationship would lead to any rapid transformation of Cuba – but that such change and the USA's commitment to liberty and democracy would be best served through a policy of engagement.

2.1 US-Cuba diplomatic and political relations

Following the declarations of 17 December, immediate steps were taken to accomplish the changes announced by the two Presidents.

Following the 17 December declarations, delegations from the two countries met four times to discuss re-establishing diplomatic relations, starting on 22 January 2015.

Delegations from the two countries met four times to discuss re-establishing diplomatic relations. The first meeting took place on 22 January 2015, when a delegation of US officials, headed by the Assistant Secretary for the Western Hemisphere, Roberta Jacobson, held talks in Havana with a Cuban delegation, headed by the Director General for US Affairs in the Foreign Ministry, Josefina Vidal, to discuss issues of mutual interest.³ The US delegation characterised the talks, which addressed possible cooperation on issues such as human trafficking, law enforcement, protection of the environment (including coordinated responses to oil spills) and global health issues, as 'constructive and encouraging'. It emphasised that it had 'pressed' Cuba for improved human rights conditions.

Since then, another three rounds of talks took place, the latest on 21 and 22 May 2015.⁴ Although all meetings were characterised by the US delegation as 'productive', 'positive' or 'constructive', the process was more prolonged than was initially presumed. Contrary to some expectations, the parties did not reach agreement on the modalities for re-establishing diplomatic relations before the Summit of the Americas that took place on 10 and 11 April 2015.

Although few details from the meetings were made public and the last two took place without the media coverage which characterised the first ones, the most challenging issues to be overcome before re-establishing full diplomatic links probably included US wishes to lift limitations on the number of US diplomats in Cuba, the procedures for their accreditation, the removal of restrictions on their movements and the access of Cuban citizens to the US representation. US officials made clear that one of the things they hoped to achieve by establishing full diplomatic links under the Vienna Convention was to be able to move freely all over Cuba and interact as much as possible with Cuban citizens. Another likely point at issue was the US

³ Before this meeting, the two delegations held talks on 21 January 2015 on migration issues. This meeting, which had been scheduled already before the declarations of 17 December 2014, formed part of the bi-annual Cuba-US dialogue on migration issues, based on the Migration Accords concluded by the two countries in 1994 and 1995.

⁴ <http://fpc.state.gov/242742.htm>

The second and fourth round of talks took place on 27 February 2015 in Washington and on 16 March in Havana. Official communiqués from the meetings can be read at: <http://www.state.gov/r/pa/prs/ps/2015/02/238040.htm> and <http://havana.usint.gov/press-release-3-7-2015.html>

On 1 July 2015, President Obama announced a formal agreement between the two countries to re-establish diplomatic relations and re-open their embassies.

The inauguration ceremonies of the embassies took place on 20 July (the Cuban Embassy in Washington) and 14 August (the US Embassy in Havana), both presided by two countries' foreign ministers.

Various other diplomatic and political contacts have taken place in the nine months following the 17 December announcement.

Several members of the US Congress have visited Cuba.

training courses given to promote democracy and civil liberties.

Finally, on 1 July 2015, President Obama delivered a short statement announcing a formal agreement between the two countries to re-establish diplomatic relations and re-open their embassies.⁵ The same day, the two countries exchanged letters declaring their mutual intent in this regard and stating that embassies would be opened on 20 July. With this, the US Interest Section in Havana and the Cuban Interest Section in Washington – both of which had legally been part of the embassies of Switzerland – became fully-fledged diplomatic representations. The inauguration ceremonies of the embassies took place on 20 July (the Cuban Embassy in Washington) and 14 August (the US Embassy in Havana), both presided by the two countries' foreign ministers.

In addition to the talks leading to the resumption of diplomatic relations, various other diplomatic and political contacts have taken place in the nine months following the 17 December announcement:

- On the level of officials, in early March US-Cuban consultations on civil aviation and on trafficking in persons took place in Washington. In late March, a US delegation headed by the Deputy Assistant Secretary of State and the Coordinator for International Communications and Information Policy, visited Havana, where it held meetings with Cuban officials on issues related to the development of telecommunications and internet connections between the two countries. Notably, diplomats from the two countries met in Washington on 31 March 2015 to discuss procedures and issues for a future US-Cuba dialogue on human rights. According to the US government, there was broad agreement on establishing a 'substantive dialogue' and willingness on both sides to address a wide range of topics.⁶
- On the political level, there have been several visits by members of the US Congress to Cuba. The first visit after the 17 December statements took place in mid-January, when a group of six Democratic congressmen travelled to Havana. In mid-February, a delegation of three Democratic senators visited Cuba to hold talks in relation to a legislative proposal presented by one of them to lift the economic embargo on Cuba.⁷ Immediately after, between 17 and 19 February 2015, eight Democratic members of Congress, led by the minority leader in the House of Representatives, Nancy Pelosi, visited Havana, where they met with Cardinal Jaime Ortega, government officials (including First Vice President Miguel Díaz-Canel), community

⁵ <https://www.whitehouse.gov/the-press-office/2015/07/01/statement-president-re-establishment-diplomatic-relations-cuba>

⁶ <http://www.state.gov/r/pa/prs/ps/2015/03/240012.htm>

⁷ The proposal, known as the 'Freedom to Export to Cuba Act of 2015', was introduced on 12 February 2015, sponsored by four Democrat and three Republican Senators, with Senator Amy Klobuchar (D) from Minnesota as primary sponsor.

leaders and activists. Similarly, a group of four Democratic members of Congress visited Havana between 23 and 27 May, meeting with government officials and entrepreneurs and businesspeople.⁸ More recently, in late June, three Senators (two Democrats and one Republican) visited Cuba and met with Díaz-Canel and Foreign Minister Bruno Rodríguez, among others.⁹

- In another high-profile US visit to Cuba, New York Governor Andrew Cuomo was received by First Vice President Díaz-Canel on 21 April 2015. During their meeting, they addressed issues such as the modernisation of Cuba's economic model, US-Cuban relations and the prospects for developing links between Cuba and the New York state. Cuomo was accompanied by a delegation of managers from companies based in New York (including Master Card and Pfizer) who, according to Cuban media, explored with Cuban officials ways of doing business in Cuba despite the US embargo.¹⁰ Recently, the Republican Governor of Arkansas, Asa Hutchinson, visited Cuba from 26 to 30 September, accompanied by a delegation of around 50 businesspeople. The main purpose of the visit was to promote exports of agricultural goods produced in Arkansas to Cuba.¹¹

By far the most important US-Cuban political contacts have been the meetings between Presidents Castro and Obama. Their meeting on 11 April 2015, on the occasion of the 7th Summit of the Americas was the first encounter between the presidents of the two neighbouring countries in more than 50 years.

Recognising the differences between the two countries, the two presidents agreed to continue to take steps to advance mutual interests.

By far the most important US-Cuba political contacts have been the two meetings between Presidents Castro and Obama. The first one, held on 11 April 2015 on the occasion of the 7th Summit of the Americas, was the first between the presidents of the two neighbouring countries in more than 50 years. It lasted some 80 minutes and focused on creating 'greater opportunity' for the Cuban people, according to President Obama.¹² Recognising the differences between the two countries, the two leaders agreed to continue to take steps to advance mutual interests, encouraging greater contacts and commerce and exchanges between the citizens of both. More specifically, the Cuban Foreign Minister Bruno Rodríguez stated that the two presidents had addressed options for cooperation in areas including the fight against terrorism and drug trafficking, the protection of the environment, climate change and health issues, especially how to confront pandemics.

The symbolic value of the Castro-Obama meeting was amplified by the positive atmosphere surrounding it. None of the two presidents spared words of praise for the other: Obama publicly thanked President Castro for his 'spirit of openness and courtesy', while Castro expressed recognition of President Obama's 'courageous decision' to start a debate with the US Congress to put an end to the embargo.

⁸ <http://havana.usint.gov/cdvh05232015.html>

⁹ <http://www.reuters.com/article/2015/06/27/us-cuba-usa-idUSKBN0P70UJ20150627>

¹⁰ <http://www.radiohc.cu/noticias/nacionales/53396-primer-vicepresidente-de-cuba-recio-al-gobernador-del-estado-de-nueva-york>

¹¹ <http://www.thecitywire.com/node/39029#.VgvxwE3ovVg>

¹² <https://www.whitehouse.gov/the-press-office/2015/04/11/remarks-president-press-conference-after-summit-americas>

After the resumption of diplomatic links, diplomats from the two countries continue talks on various aspects of normalising their relations. These talks were launched at the first meeting of a special US-Cuba steering committee, held on 11 September 2015 in Havana.

The start of the work of the steering committee signals that US-Cuban relations will now enter a phase of day-to-day diplomatic and technical contacts, and attempts to advance practical cooperation.

Pope Francis's double visit to Cuba and to the USA in September 2015 was a powerful symbol of the new phase in the US-Cuba relationship.

The second meeting between the two Presidents took place on 29 September 2015 in the margins of the UN General Assembly (UNGA). They addressed the advances in the relations between the two countries and additional steps to deepen bilateral cooperation. According to the White House, President Obama emphasised that continued reforms in Cuba would increase the impact of closer ties between them and reiterated US support for human rights in Cuba.¹³

Also the on occasion of the Summit of the Americas in April 2015, the US Secretary of State, John Kerry, met with his Cuban counterpart, Bruno Rodríguez, on 9 April 2015, in what was the first meeting at this level since 1958. Since then, the two have met three times, at the inauguration of the respective embassies in Washington and Havana (John Kerry's presence in Havana marked the first visit to Cuba by a US Secretary of State since 1945) and most recently during the UNGA in September 2015.

After the resumption of diplomatic links, diplomats from the two countries continue talks on various aspects of normalising their relations and, in general issues of mutual concern. These talks were launched at the first meeting of a special steering committee, held on 11 September 2015 in Havana.¹⁴ It has been reported that it was agreed to divide the bilateral agenda in three parts: issues on which prospects for progress are good (such as cooperation on environmental protection, disaster response, civil aviation and anti-narcotics operations), issues where there are fundamental disagreements, (such as human rights) and bilateral issues which will not be solved any time soon (including both parties' claims for compensation, on the US side for confiscated properties and on the Cuban side for the damages caused by the embargo, and also the Guantánamo base. The next meeting of the steering committee has been scheduled for November in Washington, signalling that US-Cuban relations will now enter a less spectacular phase of day-to-day diplomatic and technical contacts and attempts to advance bilateral cooperation on a practical level.¹⁵

Pope Francis's double visit, to Cuba between 19 and 22 September, and to the USA between 22 and 27 September, was a powerful symbol of the new phase in the US-Cuba relationship. It also highlighted the Holy See's mediating role between the two countries. Both President Raúl Castro and President Obama reiterated their appreciation of the Pope's support in re-establishing diplomatic relations between their two countries. Prior to the Pope's visit, on 17 September Presidents Obama and Castro held a telephone conversation in which both recognised the contribution of the Holy See to the improvement of their relations. In general, the two Presidents took stock

¹³ <https://www.whitehouse.gov/the-press-office/2015/09/29/readout-presidents-meeting-cuban-president-raul-castro> and <http://www.ain.cu/cuba/13016-presidente-cubano-sostiene-encuentro-con-el-presidente-de-los-estados-unidos>

¹⁴ <http://cubaeeuu.cubaminrex.cu/article/cuba-us-steering-committee-will-hold-its-first-meeting>

¹⁵ <http://www.reuters.com/article/2015/09/12/us-cuba-usa-idUSKCN0RC00620150912>

of developments since their meeting in Panama in April and discussed 'the agenda to be addressed during the next few months'.¹⁶

2.1.1 Removal of Cuba from the list of states sponsoring terrorism

In May 2015, Cuba was removed from the list of countries that the USA considers 'state sponsors of terrorism'.

As from 29 May 2015, Cuba has been removed from the list of countries that the USA considers 'state sponsors of terrorism'. On 14 April, on the recommendation of the US Department of State, the White House submitted to the Congress its decision to rescind Cuba's designation as a 'state sponsor of terrorism'.¹⁷ Cuba's removal from the list became effective as Congress did not challenge the executive's decision within the legally established deadline of 45 days.¹⁸ A draft bill to block Cuba's removal from the list was reportedly sponsored by 35 members of Congress, but was dropped again, owing to the limited scope of Congress' authority to prevent the lifting of sanctions by blocking the presidential decision. According to the prime mover behind the original initiative, member of the House of Representatives Ileana Ros-Lehtinen, legally it was only possible to block the removal of sanctions as regards arms exports and therefore it would make more sense to concentrate on other pieces of legislation regulating sanctions against Cuba.¹⁹

Cuba was first put on the list of states sponsoring terrorism in 1982, due to its policies of 'exporting' the Cuban revolution and supporting armed insurgency in other Latin American countries. The recommendation to remove Cuba from the list was based on the fact that Cuba had not provided any support for international terrorism during the previous six months and had given assurances that it would not support acts of international terrorism in the future.²⁰ According to US government officials, the assurances received from the Cuban government were 'fairly wide-ranging and high-level'.²¹ Similarly, the most recent of the State Department's annual Country Reports on Terrorism, published in April 2014, noted that there was 'no indication that the Cuban government provided weapons or paramilitary training to terrorist groups'.²²

The removal of Cuba from the 'state sponsor of terrorism' list is not only politically important – being a condition for resuming diplomatic links and normalising relations in other spheres – but also has practical consequences. In particular, it led to the revocation for Cuba of a number of financial

¹⁶ <https://www.whitehouse.gov/the-press-office/2015/09/18/readout-presidents-call-cuban-president-raul-castro>

<http://www.cubaminrex.cu/en/president-raul-castro-had-telephone-conversation-president-barack-obama>

¹⁷ <https://www.whitehouse.gov/the-press-office/2015/04/14/statement-press-secretary-proposed-rescission-cuba-s-designation-state-s>

¹⁸ <http://www.state.gov/r/pa/prs/ps/2015/05/242986.htm>

¹⁹ <http://www.miamiherald.com/news/nation-world/world/americas/cuba/article19296324.html>

²⁰ <http://www.state.gov/secretary/remarks/2015/04/240687.htm>. Three other countries are currently on the list: Iran, Sudan and Syria.

²¹ <http://www.state.gov/r/pa/prs/ps/2015/04/240697.htm>

²² <http://www.state.gov/j/ct/rls/crt/>

The removal of Cuba from the 'state sponsor of terrorism' list is not only politically important, but also has practical consequences: it led to the revocation for Cuba of a number of financial restrictions imposed on countries on the list.

restrictions imposed on countries on the list. The restrictions lifted include limitations/ prohibitions regarding the provision of US economic assistance to the country and, importantly, the obligation for the US government to oppose Cuba being granted loans by international financial institutions. Cuba's removal from the list thus in principle paves the way for the country's access to the International Monetary Fund (IMF) and other multilateral bodies. Restrictions on US citizens' financial transactions with Cuba have also been lifted. Designation of a country as a 'state sponsor of terrorism' also implies a ban on US exports of arms and arms-related items and specific controls on exports of dual-use items. However, in this regard Cuba's removal from the list is unlikely to have much impact.

2.2 Removal of restrictions on travel, communications and economic relations

The third set of actions to normalise relations with Cuba includes a large number of measures taken in the framework of the legislation which regulates exchanges with Cuba, covering travel, trade and financial flows, including remittances.

The third set of actions to normalise relations with Cuba announced by President Obama includes a large number of measures taken in the framework of the legislation which regulates exchanges with Cuba, covering travel, trade and financial flows, including remittances. Most of this legislation was adopted from the mid-1970s on to codify the US embargo against Cuba, which was first imposed in October 1960. The different laws extended and tightened existing restrictions on relations with Cuba, but did also introduce openings in order to reduce the embargo's negative effects on the Cuban population.²³ To various degrees, the different pieces of legislation give the executive possibilities of modifying the embargo regulations or the way they are implemented.

Already during his first years in office, President Obama loosened some restrictions on travel (for example by allowing Cuban-Americans to travel to Cuba) and the transfer of money to Cuba, all with the stated objective of increasing people-to-people contacts, including reuniting divided families, and supporting Cuban civil society.

Following the December 2014 announcements, the President has made further use of the possibilities of amending and modifying the different regulations and their implementations. The most important measure has been the revision of the Cuban Assets Control Regulations (CACR) and the Export Administration Regulations (EAR), effective from 16 January 2015, which includes a wide range of modifications, among them the following:²⁴

- 12 categories of travellers no longer need to apply for a specific

²³ For a presentation of the US embargo legislation, the evolution in the implementation of the embargo and the dual approach taken by the US Congress, see the briefing 'Future scenarios for US-Cuba relations', EP Research Service (EPRS), February 2015 ([http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/548983/EPRS_BRI\(2015\)548983_REV1_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/548983/EPRS_BRI(2015)548983_REV1_EN.pdf))

²⁴ The measures introduced by the amendment of the two regulations are listed in the above mentioned EPRS briefing. See also: <http://www.treasury.gov/press-center/press-releases/Pages/jl9740.aspx>

President Obama loosened restrictions on travel and the transfer of money to Cuba, and opened up the possibility of new categories of exports to Cuba becoming eligible for an exemption from the trade embargo.

authorisation to travel to Cuba (this includes family visits, journalistic activities, professional research and professional meetings, educational and religious activities, public performances, sports competitions and exhibitions, support for the Cuban people, humanitarian projects, activities of private foundations or research or educational institutes, and trade in information materials).

- There are no longer *per diem* limits on what US travellers can spend in Cuba and they will be allowed to use US credit and debit cards.
- The limit on (permitted) remittances to Cuban nationals was raised from USD 500 to USD 2 000 per quarter. Similarly, travellers to Cuba are now allowed to bring with them up to USD 10 000 in remittances (also including money for religious organisations and students). These limits were subsequently removed in September 2015.
- Remittances are now generally authorised without limitations for five categories of activities: humanitarian projects designed to 'directly benefit the Cuban people'; support for the Cuban people through activities of recognised human rights organisations; support for independent organisations promoting a rapid and peaceful transition to democracy; activities of individuals and NGOs promoting actions intended to strengthen civil society in Cuba; and, support for the development of private businesses, including small farms.
- The installation of commercial telecommunications facilities in Cuba and linking third countries and Cuba has been made easier, with the aim of providing efficient and adequate telecommunications services between the USA and Cuba.
- Some entrepreneurial and business training and micro-financing projects, including for private business and agricultural operations, were authorised.
- New categories of exports and re-exports to Cuba (in addition to medicines, medical devices and agricultural commodities) have become eligible for an exemption from the trade embargo under the license exception scheme 'Support for the Cuban People' (SCP). This includes items which (a) improve living conditions and support independent economic activity in Cuba; (b) strengthen Cuban civil society; and, (c) improve communications and the free flow of information. Items which may be authorised under this scheme include building materials, tools for constructing or renovating privately-owned buildings, equipment for private agriculture, tools and to be used by private sector entrepreneurs, and items to be used in scientific, cultural, educational or sporting activities. Exports to human rights organisations or NGOs that promote 'independent activity' to strengthen civil society were also authorised.
- Commercial exports to Cuba of communication devices (including related software, services etc.) were authorised in order to contribute to the ability of the Cuban people to communicate with people

Commercial exports to Cuba of communication devices were authorised, as were imports of certain goods and services produced by independent Cuban entrepreneurs, to be determined by the State Department.

within the country, in the USA and in the rest of the world. Similarly, exports and sales of communications devices (computers, mobile phones, etc.) that 'enable the flow of information to, from and among the Cuban people' no longer need a specific license.

- Imports of certain goods and services produced by independent Cuban entrepreneurs, to be determined by the State Department, were authorised.
- Foreign vessels will be authorised to enter the USA after engaging in certain forms of trade with Cuba.
- In order to facilitate the re-establishment of diplomatic relations, transactions with Cuban official missions and their employees in the USA were authorised, together with Cuba-related transactions by employees and contractors of the US government, foreign governments and certain international organisations.

Implementing these new rules, in early May 2015 the Office of Foreign Asset Controls (OFAC) of the US Treasury, in charge of administering the CACR and the EAR, issued the first four licenses to shipping companies planning to open passenger ferry services from Florida to Cuba.²⁵

Complementing the January measures, on 18 September 2015 the US Department of Commerce and the Treasury announced another revision of the regulations governing the embargo with the objective of further easing travel and trade with Cuba.²⁶ More specifically, the new rules allow some categories of company to open offices and establish subsidiaries or joint ventures in Cuba and also make it possible to provide certain telecommunications and internet-based services in Cuba. Similarly, (authorised) travel to Cuba will be further facilitated, the cap on remittances was abolished and travellers to Cuba are now allowed to open bank accounts in the country.

Complementing the January measures, on 18 September 2015 another revision of the regulations governing the embargo was announced. This will further ease travel to and trade with Cuba.

²⁵ <http://www.wsj.com/articles/u-s-issues-first-licenses-for-ferry-links-with-cuba-1430892110>

²⁶ <http://www.treasury.gov/press-center/press-releases/Pages/jl0169.aspx>

2.3 Outstanding issues - possible next steps

The practical effects of easing the embargo-legislation to facilitate travel, remittances and trade remain to be seen, but could be significant.

Cuban data suggest that the number of US citizens travelling to Cuba has increased substantially during the first seven months of 2015.

However, the US embargo remains in place, although it has been eased. Many transactions continue to be prohibited or to require specific authorisation.

On a number of occasions since then, President Obama has urged Congress to begin the work to lift the embargo. However, the chances that this will happen seem slim. Many different draft bills have been presented to lift the embargo or to put an end to aspects of it, but so far none has been adopted.

The practical effects of easing the existing embargo-legislation to facilitate travel, remittances and trade and of the lifting of the sanctions based on Cuba's status as a 'state sponsor of terrorism' remain to be seen. Overall, it appears that the effects could in fact be significant, leading to the doubling of both the numbers of US citizens traveling to Cuba and of the value of annual remittances.²⁷ This seems to be confirmed by data suggesting that the number of US citizens travelling to Cuba has increased substantially during 2015. According to Cuban sources, the number of US visitors to Cuba between 1 January and late July 2015 reached 89 000 (not including Cuban Americans), or 54 % more than for the same period in 2014. The total number of visitors increased by 16 %.²⁸

However, despite the executive orders to amend and modify the regulations governing contacts with Cuba and the lifting of the measures related to the 'state sponsor of terrorism' list, many restrictions remain in place and many transactions continue to be prohibited or to require specific authorisation. The US embargo – although it has been considerably eased – remains in place. The legislation makes it possible for the President to suspend or eliminate the embargo regulations if he determines that Cuba has a transition government or a democratically elected government. However, as this is very unlikely to happen in any foreseeable future, the embargo will remain until Congress decides to amend or repeal the legislation on which it is based, principally the 1992 Cuban Democracy Act, the 1996 Cuban Liberty and Democratic Solidarity Act – better known as the 'Helms-Burton Act' – and the 2000 Trade Sanctions Reform and Export Enhancement Act.

In his 17 December 2014 statement, President Obama said he looked forward to engaging Congress in an 'honest and serious debate' on lifting the embargo. Similarly, on a number of occasions since then, including his 20 January State of the Union address, Obama has urged Congress to begin work to end the embargo, most recently on 1 July when he announced the re-establishment of diplomatic relations with Cuba.

The chances that this will happen, at least this side of the November 2016 elections, seem slim. Many different draft bills have been presented to lift the embargo or to put an end to aspects of it, but so far none has gathered

²⁷ See: Mark P. Sullivan: Cuba: U.S. Restrictions on Travel and Remittances, Congressional Research Service, April 10 2015 (available at: <https://fas.org/sgp/crs/row/RL31139.pdf>). For an analysis of the changes in the US rules on trade and other relations with Cuba and the potential and the obstacles for closer economic and people-to-people relations, see: <http://www.realinstitutoelcano.org/wps/wcm/connect/08319180484ca6fea75eff2290640bf/DT6-2015-Mesa-Normalizacion-de-relaciones-entre-EEUU-y-Cuba-causas-prioridades-progresos-obstaculos-efectos-y-peligros.pdf?MOD=AJPERES&CACHEID=08319180484ca6fea75eff2290640bff>

²⁸ <http://en.granma.cu/cuba/2015-08-05/increase-in-us-tourist-arrivals-since-december-2014>

Most initiatives have been submitted by Democratic members of Congress, but others have been sponsored by politicians from both parties.

The opponents of change in US policy towards Cuba have also taken numerous legislative initiatives to block the measures taken by the President.

sufficient support to be adopted. So far in 2015 alone, more than 10 draft bills have been introduced to lift the trade embargo, or parts of it, and/or to further ease trade with and travel by US citizens to Cuba. Most of these initiatives have been submitted by Democratic members of Congress, but others have been sponsored by politicians from both parties.

Among the bipartisan proposals is the 'Freedom to Export to Cuba Act', introduced on 12 February 2015, which is sponsored by four Democratic and three Republican senators. This draft bill would simply eliminate or repeal the prohibition on assistance to Cuba, the President's authority to impose sanctions on Cuba and different restrictions on interactions with the country established in different laws.²⁹ The bill was introduced with the objective of promoting US exports to Cuba, thereby creating opportunities for American businesses and farmers. The draft bill is supported by the 'US Agriculture Coalition for Cuba' and its primary sponsor, Senator Amy Klobuchar (Democrat) is from Minnesota, a state which could benefit from increased agricultural exports to Cuba. Another bipartisan proposal, submitted by 22 Democratic and 6 Republican Representatives on 20 March, aims at making travel to Cuba completely free: it establishes that the President may not prohibit or regulate travel to or from Cuba by US citizens and that regulation in this regard shall cease to have any force.³⁰ Among the most recent draft bills are the 'Cuba Digital and Telecommunications Advancement Act',³¹ presented on 17 July 2015 by two Representatives, one Republican and one Democrat, which would make it easier to export communications devices and provide telecommunications services involving Cuba, and the 'Cuba Trade Act'³², submitted on 28 July 2015 by four Republican and two Democratic Representatives, which would repeal or amend various laws restricting trade with Cuba.

Meanwhile, the opponents of change in US policy towards Cuba have also taken numerous legislative initiatives to block the measures taken by the President. For instance, the proposed 'Cuba Human Rights Act of 2015', presented on 14 April and sponsored by ten Republican and two Democratic Representatives, has as its central proposition that the US-Cuba relationship should not be changed and no federal law or regulation should be amended until the Cuban government ceases violating human rights.³³ In May 2015, similar bills were introduced both in the Senate (by Marc Rubio and another Republican Senator) and in the House of Representatives (by 12 Republicans and one Democrat) to require the President to submit a plan for resolving all outstanding claims relating to property confiscated by the Cuban government before easing restrictions on travel to or trade with Cuba.³⁴

²⁹ <https://legiscan.com/US/bill/SB491/2015>

³⁰ <https://legiscan.com/US/bill/HB664/2015>

³¹ <https://legiscan.com/US/bill/HB3055/2015>

³² <https://legiscan.com/US/bill/HB3238/2015>

³³ <https://legiscan.com/US/bill/HB1782/2015>

³⁴ <https://legiscan.com/US/bill/SB1388/2015> and <https://legiscan.com/US/bill/HB2466/2015>

There have also been moves to block funding for the expenses arising from the resumption of diplomatic relations with Cuba.

The confirmation of a US ambassador to Cuba may also be blocked in the Senate by the opponents of the Obama administration's Cuba policy.

Several provisions aimed at blocking the executive's new Cuba policy have been introduced in legislation of a general nature. On 9 June 2015, the House of Representatives approved the Transportation, Housing and Urban Development Bill for the fiscal year 2016 (1 October 2015 to 30 September 2016), including provisions aiming at blocking air and sea transport to Cuba if the flights and vessels use installations located on property confiscated by the Cuban state.³⁵ Similarly, on 3 June 2015, the House approved the Commerce, Justice and Science Bill for the fiscal year 2016, which includes a provision banning exports to the Cuban military or intelligence services, officers working for them and their family members. Also other appropriation bills for the fiscal year 2016 submitted to Congress (Financial Services and General Government and Department of State, Foreign Operations, and Related Programs Appropriations Acts) include provisions to block funding of the government's initiatives towards Cuba. The administration has expressed its opposition to most of them.

There have also been moves to block funding for the expenses arising from the resumption of diplomatic relations with Cuba. In this respect, the draft Fiscal Year 2016 Department of State and Foreign Operations Bill introduced in the House of Representatives includes provisions to prohibit granting extra funds for the embassy in Havana. The government has asked for an increase in the budget funding the activities of the new embassy, from the USD 4.8 million allocated in the last financial year to the Interest Section to some USD 11 million for Fiscal Year 2016. It has strongly objected to such attempts to legally restrict its activities in Cuba. On the other hand, the draft bill increases funding for democracy assistance and broadcasting to Cuba and includes provisions which would deny visas to members of the Cuban military and high-level officials of the Communist Party.³⁶

The confirmation of a US ambassador to Cuba may also be blocked in the Senate by the opponents of the Obama administration's Cuba policy. The practical effect of this would, however, be relatively limited. The present head of mission, Jeffrey Delaurentis, who was also responsible for the Interest Section, is currently functioning with the title of *Chargé d'Affaires*. He personally has ambassadorial rank.

Although the division between opponents and supporters of the shift in US policy towards Cuba roughly follows the Democrat-Republican divide, it is not clear-cut, as illustrated by the bipartisan support in Congress for legal initiatives both to end the embargo and to continue it. Among the Republican opponents of the embargo are three members of the Senate's Committee on Foreign Relations: Bob Corker, its chairman, Jeff Flake and Rand Paul (who is also a presidential candidate). In the Democratic Party, the most prominent critic of President Obama's Cuba policy is Senator Robert

³⁵ <https://www.congress.gov/114/bills/hr2577/BILLS-114hr2577rh.pdf>

³⁶ <http://appropriations.house.gov/uploadedfiles/bills-114hr-sc-ap-fy2016-stateforop-subcommitteedraft.pdf> and <https://legiscan.com/US/text/SB1725/id/1255134/US-Congress-2015-SB1725-Introduced.pdf>

Menendez, who is also a member of the Committee on Foreign Relations (and comes from a Cuban immigrant family). The US co-chair of the Transatlantic Legislators' Dialogue (TLD), Republican Representative Mario Díaz-Balart Caballero (also of Cuban descent) is a strong opponent of the Obama administration's Cuba policy.

As positions on the embargo and other restrictions against Cuba cross party lines, it is difficult to foresee the final position of the Congress on the future of the embargo.

As positions on the embargo and other restrictions against Cuba cross party lines, it is difficult to foresee the final position of the Congress on the various proposals. On some Senate committees (Appropriations; Foreign Relations), votes have resulted in a majority in favour of legislative amendments that would allow the financing of agricultural exports to Cuba, prohibit the use of funds to restrict travel to Cuba and facilitate maritime traffic between the USA and Cuba.³⁷

There have been signs that a growing number of Republicans are beginning to support the easing of restrictions on economic relations with Cuba. However, it remains unlikely that the Republican-controlled Congress as a whole would endorse a lifting of the embargo.

These votes have been taken as a sign that a growing number of Republicans are beginning to support the easing of restrictions on economic relations with Cuba. However, it remains unlikely that the Republican-controlled Congress as a whole would endorse a lifting of the embargo, in what would be seen as a major political victory for President Obama – and also for Hillary Clinton, the likely 2016 Democrat presidential candidate, who is known for having worked actively to change US policies towards Cuba during her term as Secretary of State.

Supporters of the new Cuba-policy will hope that the measures implemented since December 2014 will serve to build confidence in the approach of engagement with Cuba. Indications are that there is broad popular support for the change in policies towards Cuba, even among Cuban Americans.

Supporters of the new Cuba-policy will hope that the positive dynamic created by the measures implemented since December 2014 will serve to build confidence in the approach of engagement with Cuba. Similarly, they will feel reassured by indications that there is broad popular support for a change in policies towards Cuba and particularly that normalising relations is no longer rejected even among Cuban Americans. In fact, polls suggest that a slight majority of Cuban Americans actually supports the government's policy, confirming a gradual change in attitudes which reflects demographic changes.³⁸ In line with this, the various groups of Cuban Americans, often referred to as the 'Cuba lobby', have somewhat lost their ability to strongly influence – some would say determine – US policies towards Cuba, although they remain influential, particularly within the Republican Party.

The opportunities for US business interests – particularly agriculture – entailed by a lifting of the embargo may also contribute to influencing members of Congress. In 2014, US agricultural exports to Cuba were at their lowest in more than a decade³⁹ and have continued to drop in 2015, creating

³⁷ <http://www.appropriations.senate.gov/hearings-and-testimony/full-committee-markup-fy16-financial-services-general-government>

³⁸ <http://www.politico.com/story/2015/07/majority-americans-favor-cuba-diplomatic-relations-trade-embargo-poll-120417>
<http://www.miamiherald.com/news/nation-world/world/americas/cuba/article17056742.html>

³⁹ <http://tse.export.gov/TSE/ChartDisplay.aspx> and <http://news.yahoo.com/figures-show-us-cuba-trade-likely-hit-decade-181609927.html>

The opportunities for US business interests – particularly agriculture – entailed by a lifting of the embargo may also contribute to influencing members of Congress.

On 25 September 2015, the US Chamber of Commerce launched the US-Cuba Business Council (USCBC). Similarly, the advocacy group 'Engage Cuba', created in May 2015, is lobbying Congress to ease or abolish restrictions on business with and travel to Cuba.

The President could also further use his executive powers to limit the effects of the embargo through modifying regulations or exercising waivers.

Cuba has frequently demanded an end to the US embargo, as well as to the obstacles it creates for the Cuban economy and the harm it brings to the Cuban people.

considerable pressure to gain access to the potentially growing Cuban market, for instance from the 'US Agriculture Coalition for Cuba' (USACC).⁴⁰ One example of this was the meeting in April 2015 of the Senate's Committee on Agriculture with representatives of wheat and rice farmers who called on Congress to eliminate restrictions on trade with Cuba and ultimately to lift the embargo.⁴¹ The recent visit to Cuba by the Republican Governor of Arkansas should be seen in the same light.

Also the US Chamber of Commerce and the advocacy group 'Engage Cuba', created in May 2015, are lobbying Congress to ease or abolish restrictions on business with and travel to Cuba. On 25 September 2015, the Chamber of Commerce launched the US-Cuba Business Council (USCBC), aimed at taking advantage of the new opportunities for trade, investment and economic cooperation between the USA and Cuba. Remarkably, also on 25 September, President Raúl Castro met in New York with the president of the US Chamber of Commerce, Tom Donohue, and representatives of some major US companies to discuss future business opportunities.⁴²

Similarly, 'Engage Cuba' is dedicated to mobilising businesses, non-profit groups and citizens for the purpose of supporting the normalisation of US-Cuba relations, and represents a number of business groups, such as the National Foreign Trade Council, and civil society organisations. It stresses that its staff is bipartisan.⁴³

Despite resistance in Congress to lifting the embargo, the President could attempt to further use his executive powers to limit its effects, by means of modifying regulations or exercising waivers on the basis of the 1917 'Trading with the Enemy Act'. The executive's re-authorisation in September 2015 of Cuba's listing under that Act (as the only country on the list) has been seen as a move aimed at maintaining the ability to use the powers granted by this legislation to expand relations with Cuba. In this regard, a government spokesman has stated that the administration will continue to take 'prudent and responsible steps' to ease travel and trade.⁴⁴ In fact, Cuba's Foreign Minister, Bruno Rodríguez, after his meeting with John Kerry in Washington on 20 July 2015 emphasised that President Obama could continue to use his executive prerogatives to further modify the way the US embargo is implemented.

President Castro and other Cuban government representatives have frequently demanded an end to the US embargo, as well as to the obstacles it creates for the Cuban economy and the harm it brings to the Cuban people. They have stressed that although the re-establishment of diplomatic

⁴⁰ <http://www.usagcoalition.com/>

⁴¹ http://www.foodbusinessnews.net/articles/news_home/Regulatory_News/2015/04/Wheat_and_rice_growers_urge_Co.aspx?ID=%7BDC42DF13-4156-4614-A893-7EA2987B3DC5%7D

⁴² <http://www.havanatimes.org/?p=114150>

⁴³ <http://www.engagecuba.org/>

⁴⁴ <http://abcnews.go.com/Politics/president-obama-reauthorizes-cuba-listing-trading-enemy-act/story?id=33690036>

For Cuba, the embargo remains the 'essential' problem to resolve in its relations with the USA and is a condition for the full normalisation of bilateral relations.

Cuba also claims that full normalisation of relations with the USA must include consideration of Cuban claims for compensation for the 'human and economic' damage caused by the embargo and other US sanctions.

This issue is paralleled by the US demands for compensation to companies and persons, including Cuban exiles, for property seized by the Cuban government.

Another issue which Cuba sees as preventing full normalisation of relations with the USA is the Guantánamo US military base, which it considers to be illegally occupied. The US government has stated that there are no plans to change the status of the base.

relations and other contacts is positive, the embargo remains the 'essential' problem to resolve in Cuba's relations with the USA and is a condition for the full normalisation of bilateral relations. This position was affirmed, for instance, in the declaration issued by the Cuba government on 1 July 2015 announcing the resumption of diplomatic links.⁴⁵ Most recently, in his speech to the UNGA on 28 September, President Castro again emphasised that the normalisation of the relations with the USA will only be achieved when the 'economic, trade and financial blockade' of Cuba ends.⁴⁶

However, the Cuban government is under no illusion that the opposition in the US Congress to a lifting of the embargo will disappear in the short term. President Castro has stated that diplomatic relations and the embargo are two different issues, recalling that ending the embargo will be a 'long and difficult struggle' which will require US society to continue demanding that it be lifted.⁴⁷ Equally, following the first Cuba-US steering committee meeting in Havana on 11 September 2015, Cuban government representatives recalled that the normalisation of bilateral relations may take years.⁴⁸

The Cuban government also claims that full normalisation of US-Cuba relations must include consideration of Cuba's claims for compensation for the 'human and economic' damage caused by decades of economic embargo and other forms of US sanctions against the country. This issue is paralleled by the US demands for compensation to companies and persons, including Cuban exiles, for the property seized by the Cuban government. This question has been referred to the regular talks between the two countries that will now start after the resumption of diplomatic relations. The inclusion of the issue in a third category of bilateral issues which are seen as particularly complex seems to indicate that the two countries recognise that it is not likely to be solved in any near future, but nonetheless wish to talk about the matter.

Another issue which Cuba sees as preventing full normalisation of relations with the USA is the US military base in Guantánamo on Cuba's south-west coast. Cuba considers that the territory of the naval base, which has been under US control since 1903 on the basis of a bilateral treaty, is illegally occupied and that its return to Cuban jurisdiction is another condition for the full normalisation of relations. However, the future of the base has not been raised by any US authority in connection with the new Cuba policy. In January 2015 a White House spokesman stated that the President did not believe the naval base as such should be closed down (i.e. he favours closing only the detention facilities at the base).⁴⁹ More recently, on 1 July, Secretary of State John Kerry said there are no plans to change the status of

⁴⁵ <http://www.granma.cu/cuba/2015-07-01/declaracion-del-gobierno-revolucionario>

⁴⁶ <http://www.ain.cu/cuba/12992-raul-discurso-en-asamblea-general-de-la-onu>

⁴⁷ <http://www.cuba.cu/gobierno/rauldiscursos/2015/esp/r110415e.html>

<http://www.cuba.cu/gobierno/rauldiscursos/2014/esp/r201214e.html>

⁴⁸ <http://www.cubadebate.cu/noticias/2015/09/11/josefina-vidal-logramos-definir-una-agenda-bilateral-que-comenzara-a-ejecutarse-rapidamente/#.VfbQ0EbsSpA>

⁴⁹ <http://www.bbc.com/news/world-latin-america-31059030>

Guantánamo.

Also in this case, legislation has been proposed in Congress to block any possibility of Guantánamo being closed or returned to Cuba. The National Defense Authorization Act for Fiscal Year 2016, which was approved by a large majority in the House of Representatives on 15 May 2015, includes provisions which prohibit the closure or the abandonment of the base unless it is provided for by law or a treaty change ratified by the Senate.⁵⁰ Similarly, a draft bill (the 'Naval Station Guantanamo Bay Protection Act') proposed by 57 Representatives (56 Republicans and one Democrat) in February 2015 establishes that the President must not modify, terminate or transfer the lease of the base unless Congress enacts a law authorising the change.⁵¹

The USA's relations with Cuba seem certain to remain a hot topic in the political debate in the coming months, not least in view of the 2016 presidential elections. Among the sharpest opponents of the policy shift towards Cuba are three of the Republicans who are seeking the nomination as presidential candidate: Senators Ted Cruz and Marc Rubio (who both have Cuban ancestors) and former Florida Governor Jeb Bush. Rubio has announced that, if elected, he would reverse the Obama administration's new Cuba policy and break diplomatic relations with the country again. However, despite strongly rejecting the government's Cuba policy, other Republican presidential candidates – notably Jeb Bush – have expressed themselves less categorically and seem less likely to take such a step, also in view of the negative impact it would have on the USA's relations with the region as a whole. In the Democratic camp, leading candidate Hillary Clinton is fully supportive of Obama's Cuba policy, arguing that the policy of isolation has only strengthened the Castro regime and that the best way to bring change to Cuba is to expose its people to the outside world.

Relations with Cuba seem certain to remain a hot topic in the political debate, not least in view of the 2016 presidential elections.

3 Cuba-EU relations: towards a Political Dialogue and Cooperation Agreement

In parallel to the US *rapprochement* with Cuba, links between the EU and the country are strengthening. The EU and Cuba have maintained diplomatic relations since 1988; the EU delegation in Havana was inaugurated in March 2003.

Cuba has benefited from different forms of European assistance during the last 30 years. Since 1984, the country has received humanitarian and development aid from the EU, particularly since the mid-1990s, when the European Commission's cooperation with Cuba was stepped up and the country was granted access to the EU's regional cooperation programmes for Latin America. Between 1993 and 2003, the Commission provided EUR 145

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⁵⁰ <http://appropriations.house.gov/uploadedfiles/bills-114hr-sc-ap-fy2016-cjs-subcommitteedraft.pdf>

⁵¹ <https://legiscan.com/US/bill/HB654/2015>

has received humanitarian and development aid from the EU since 1984. Since 2008, the Commission has allocated around EUR 140 million to cooperation programmes in Cuba.

In June 2008, the EU decided to pursue 'comprehensive political dialogue' with the Cuban government. Since then, six high-level political dialogue meetings have taken place, although at irregular intervals.

Cuba has participated in all summits between the EU and Latin American and the Caribbean. Also, members of the Cuban parliament, through its membership of the Latin American Parliament (*Parlamento Latinoamericano*, or *Parlatino*) have been involved in parliamentary dialogue with the European Parliament since 1985.

However, Cuba remains the only country in Latin America which has not concluded a cooperation and political dialogue agreement with the EU.

The EU Common Position on Cuba, adopted in December 1996, sets the objective of encouraging a transition to pluralist democracy and respect for human rights and fundamental freedoms in Cuba.

million in assistance to Cuba, mostly in the fields of humanitarian assistance, food security, co-financing of NGOs and economic cooperation. Development cooperation with Cuba as suspended for five years, between 2003 and 2008, and resumed in October 2008. Since then, the Commission has allocated around EUR 140 million to cooperation programmes in Cuba, covering areas such as disaster preparedness and the response to hurricanes, food security, the environment and culture and education, including NGO initiatives.

Cuban exports to the EU also benefit from trade preferences granted by the EU in the framework of the Generalised System of Preferences (GSP) up to the end of 2013, when the reform of the GSP excluded upper-middle income countries from the scheme.

In June 2008, the EU decided to pursue 'comprehensive political dialogue' with the Cuban government. Since then, six high-level political dialogue meetings have taken place, although at irregular intervals, and different European Commissioners have several times met with representatives of the Cuban government, including at the highest level. Equally, Cuba has participated in all summits between the EU and Latin American and the Caribbean since the first summit in 1999. Also, members of the Cuban parliament, the National Assembly of People's Power (*Asamblea Nacional del Poder Popular*), through its membership of the Latin American Parliament (*Parlamento Latinoamericano*, or *Parlatino*) have been involved in parliamentary dialogue with the European Parliament since 1985, first through the bi-annual Interparliamentary Conferences and since 2006 in the framework of EuroLat.

However, since December 1990, when the EU signed a cooperation agreement with recently re-democratised Chile, Cuba has been the only country in Latin America without a cooperation or political dialogue agreement with the EU (Cuba was admitted to the ACP group in 2000, but has not signed the Cotonou Agreement). However, the possibility of the negotiating a bilateral cooperation agreement has placed on the table on various occasions in the last 25 years. In fact, already when Cuba established diplomatic relations with the then European Community, the country's ambassador announced that Cuba would ask for negotiations on a cooperation agreement. However, decisive progress towards the opening of negotiations was thwarted by political divergences and European censure of the human rights situation in Cuba; these problems came to the fore during the 'crisis of the embassies' in 1990, the 'airplane crisis' and the adoption of the EU's Common Position on Cuba in 1996 and the multiple arrests of Cuban dissidents in 2003.

The EU Common Position on Cuba⁵², which was adopted by the Council for the first time on 2 December 1996, sets out a number of basic principles for the EU's relations with Cuba, notably the following:

⁵² <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31996E0697&from=EN>

It establishes that the EU will examine different means to support progress towards democracy in Cuba, including the intensification of political dialogue and cooperation and exploring the possibilities for negotiating a cooperation agreement.

- the objectives of the EU in its relations with Cuba are to encourage a transition to pluralist democracy and respect for human rights and fundamental freedoms, as well as an improvement in the living standards of the Cuban people;
- the EU wishes to be Cuba's partner in the progressive and irreversible opening-up of the Cuban economy;
- full cooperation with Cuba will depend upon improvements in human rights and political freedom;
- the EU will support progress towards democracy in Cuba and will examine the use of different means for that purpose, including the intensification of political dialogue and of cooperation and exploring the possibilities for negotiating a cooperation agreement.

3.1 2015: closer contacts as negotiations progress

Against the backdrop of perceptions of an incipient process of economic reform and change in Cuba and the growing number of bilateral cooperation agreements between Cuba and EU Member States, the Council adopted negotiating directives for a Political Dialogue and Co-operation Agreement (PDCA) with Cuba in February 2014.

The negotiations opened in April 2014. They acquired momentum in the first half of 2015. Three rounds of negotiation have taken place so far in 2015, and an additional round is scheduled for the second half of November in Brussels.

Against the backdrop of perceptions of an incipient process of economic reform and change in Cuba and the growing number of bilateral cooperation agreements between Cuba and EU Member States, the Council agreed in October 2010 to ask the High Representative, in the framework of the Common Position, to explore possible options concerning the way forward for relations with Cuba. This reflection process concluded in the presentation to the Council of a proposal for negotiating directives for a bilateral Political Dialogue and Co-operation Agreement (PDCA) with Cuba and their adoption on 10 February 2014.

After a relatively slow start to the negotiation process, which opened in April 2014 with a first round of talks (in Havana) focusing on the organisation of the negotiations, followed by a second round (in Brussels) in August 2014 dealing mainly with cooperation, it acquired a new momentum in the first half of 2015. After a seven-month hiatus, the third round of negotiations on the PDCA took place on 4 and 5 March 2015 in Havana. According to the official statement,⁵³ the meeting produced provisional agreements on many articles of the cooperation chapter of the PDCA. However, reflecting the more substantial differences between the two parties, the statement also made it clear that the talks allowed the identification of 'elements of divergence' on issues such as the role of civil society in cooperation, the transposition of international legal obligations and differences in political and legal systems, particularly in the areas of governance and human rights. In addition to this, the EU and Cuban negotiators began exchanges on the two other main chapters of the PDCA, i.e. political dialogue and trade, clarifying concepts and

⁵³http://eeas.europa.eu/delegations/cuba/documents/press_corner/20150305_press_lines_3rdround_negotiations_en.pdf

the ambitions of the two parties.

Only three months after, the fourth negotiation round took place on 15 and 16 June in Brussels. According to the communiqué from the meeting,⁵⁴ yet again there was 'substantial progress' on the cooperation chapter of the Agreement and a majority of articles were closed. Likewise, 'very fruitful' discussions on trade allowed to 'almost' completing this chapter. As to the political dialogue chapter, the statement indicated that positions were 'further developed and clarified', without giving further detail. Overall, it was noted that the talks confirmed both sides' strong commitment to deepening their relationship and accelerating the negotiations with a view to concluding them 'as soon as possible'.

The fifth negotiation round, which was held on 9 and 10 September 2015 in Havana, brought agreement on 'virtually all elements' of the trade chapter of the PDCA and 'substantial progress' on the cooperation and political dialogue chapters. On cooperation, progress included the more difficult areas of human rights, democracy and governance, where 'remaining gaps' were further reduced. Overall, only a few elements were left to be addressed in the following rounds, among them migration, consular protection and support to economic operators. Concerning the political dialogue chapter, the EU and Cuba reviewed texts proposed by both parties. In general, according to the press release from the meeting, the talks deepened mutual understanding, but also served to identify elements of divergence which will require additional technical work before the next negotiation round – the sixth – which has been scheduled for the second half of November in Brussels.⁵⁵

According to the Cuban Foreign Ministry, both parties ratified their willingness to continue making progress with a view to concluding the process as 'soon as possible'. The Cuban side also stressed that the discussion on political dialogue took place in a 'constructive and professional' spirit, based on full respect for the 'sovereign equality' of the parties and 'total respect' for the principle of non-interference in countries' internal affairs.⁵⁶

The progress in the negotiation of the PDCA has been paralleled by strengthening EU-Cuba relations also on other fronts in recent months:

- The High Representative / Vice President of the Commission, Federica Mogherini, visited Cuba on 23 and 24 March 2015. This was the most senior EU visit in several years. During her stay, she met President Castro, the ministers for foreign relations, foreign trade and investment and the economy, the President of the National Assembly, Cardinal Jaime Ortega y Alamino (the Archbishop of Havana) and representatives of Cuban cultural life. The visit reportedly was very

The fifth, and most recent, negotiation round, held on 9 and 10 September 2015 in Havana, brought agreement on 'virtually all elements' of the trade chapter of the PDCA and 'substantial progress' on the cooperation and political dialogue chapters.

The progress in the negotiation of the PDCA has been paralleled by strengthening EU-Cuba relations also on other fronts. This process has included the visit of the High Representative / Vice President of the Commission to Cuba in March 2015, the visit of Cuba's Minister of Foreign Affairs to Brussels in April, and the first EU-Cuba High-Level Dialogue on Human Rights, held in Brussels in June.

⁵⁴http://www.eeas.europa.eu/delegations/cuba/documents/press_corner/20150616_4throundofnegotiations.pdf

⁵⁵http://eeas.europa.eu/delegations/cuba/documents/press_corner/20150910_press_lines_5thround_negotiations.pdf

⁵⁶ <http://www.cubaminrex.cu/es/celebrada-quinta-ronda-de-negociacion-del-acuerdo-de-dialogo-politico-y-cooperacion-entre-cuba-y-la>

positive and demonstrated a sincere commitment to change on the Cuban side. As a result of the HR/VP's visit, it was decided to intensify negotiations on the Political Dialogue and Cooperation Agreement, with the aim of finalising them already by the end of 2015.

- One month later, on 22 April 2015, Cuba's Minister of Foreign Affairs, Bruno Rodríguez, visited Brussels and met with the HR/VP. At this meeting, the EU-Cuba formal political dialogue was re-launched after a four year interruption. Notably, it was agreed to establish a special structured dialogue on human rights, with a first meeting to take place in June 2015 in Brussels. Rodríguez's visit to Brussels formed part of a wider visit also taking in France, Luxembourg and the Netherlands.
- On the sidelines of the summit between the EU and the Community of Latin American and Caribbean States (*Comunidad de Estados Latinoamericanos y Caribeños*, CELAC) held on 10 and 11 June 2015 in Brussels, HR/VP Mogherini held a bilateral meeting with Cuban Vice-President Miguel Díaz-Canel (who also met with the Prime Ministers of Luxembourg and Slovenia).
- On 25 June 2015, the first EU-Cuba High-Level Dialogue on human rights took place in Brussels. The delegations were headed respectively by the EU's Special Representative on Human Rights, Stavros Lambrinidis, and the Director-General of for Multilateral Issues and International Law of Cuba's Ministry for Foreign Affairs. According to the press release issued after the meeting, it focused on the objectives under the new dialogue – to improve mutual understanding on human rights issues, to exchange experiences and best practices and to seek to identify areas of cooperation–, basic principles and issues of mutual interest (including gender and violence against women, children's rights, sustainable development, health, education, freedom of expression and association, migration and the rule of law). This first dialogue meeting, which was said to allow for a 'frank and respectful' exchange, demonstrated both parties' commitment to deepening relations in support of respect for human rights. According to the EEAS statement, issues such as the universality, indivisibility and interdependence of human rights were discussed.

The human rights dialogue meeting, according to the subsequent press release, resulted in a 'frank and respectful' exchange and demonstrated both parties' commitment to deepening relations in support of respect for human rights. The Cuban government's communiqué on the meeting described it as a 'technical dialogue'.

Somewhat contrasting with the political importance attached by the EU to human rights issues, the Cuban government's communiqué on the meeting described it as a 'technical dialogue'.⁵⁷ Similarly, it stressed Cuba's interest in the dialogue being held on a basis of reciprocity, respect for sovereignty and no-interference in the internal affairs of the parties. It further made it clear that the Cuban delegation emphasised the

⁵⁷ <http://www.cubaminrex.cu/es/comunicado-de-prensa-sobre-el-dialogo-tecnico-en-temas-de-derechos-humanos-entre-cuba-y-la-union>

The Multiannual Indicative Programme (MIP) which regulates bilateral cooperation with Cuba was signed in March 2015. It allocates EUR 50 million to cooperation with Cuba for the 2014-2020 period. It defines three priority sectors: sustainable agriculture and food security; better use of natural resources; and support for economic and social modernisation.

Intensifying relations at EU level are being supplemented and reinforced by the strengthening of Member States' political and economic links with Cuba.

Despite the positive tone which has characterised bilateral relations in recent months, the EU and Cuba still have fundamentally diverging perceptions on a series of issues, particularly relating to principles which

need to maintain an 'adequate balance' between civil and political rights, on the one hand, and economic, social and cultural rights, on the other. In line with this, Cuba expressed its interest in addressing issues such as racial discrimination, the rights of vulnerable groups such as migrants, the protection of human rights in the context of the fight against terrorism and the right to privacy.

- Coinciding with the start of the negotiations of a PDCA, in August 2014 Cuba and the European Commission concluded the Multiannual Indicative Programme (MIP) which regulates bilateral cooperation in the 2014-2020 period, after consultations with the European Parliament (EP). The MIP was signed on the occasion of Federica Mogherini's visit to Havana in March 2015. It allocates EUR 50 million for cooperation with Cuba in 2014-2020 and defines three priority sectors:
 - sustainable agriculture and food security;
 - support for a better use of key natural resources for sustainable development; and
 - support for economic and social modernisation.

Sustainable agriculture and food security are expected to receive EUR 21 million over the seven years, while the indicative amount going to the second focal sector is EUR 18 million and EUR 10 million will be allocated to actions promoting sustainable economic and social modernisation. Despite being an upper middle-income country, Cuba continues to be eligible for bilateral development cooperation from the Commission until 2020, under an 'exceptional clause' in the Development Cooperation Instrument (DCI).

Importantly, intensifying relations at EU level are being supplemented and further reinforced by the strengthening of Member States' political and economic links with Cuba. Recent examples are President Raúl Castro's visit of 11 May 2015 to Italy (where he also met with Pope Francis) and French President François Hollande's visit to Cuba on 10-12 May 2015. Hollande's visit received significant press coverage due to its level and historic nature – he was the first French President and the first Western European political leader to visit Cuba in almost 30 years – but it has been preceded and followed by numerous other visits by European ministers or high-level officials usually accompanied by business delegations.⁵⁸ For instance, in Havana on 16 July 2015, the German Foreign Minister, Frank-Walter Steinmeier, met with his Cuban counterpart Bruno Rodríguez, to discuss the options for developing bilateral relations. The results of this visit included the

⁵⁸ <http://www.cubaminrex.cu/es/arribo-cuba-canciller-de-italia>;
<http://www.cubaminrex.cu/es/concluyo-con-resultados-positivos-la-mision-empresarial-britanica-formada-por-32-companias-que>;
<http://www.cubaminrex.cu/es/viaja-cuba-secretario-de-estado-portugues-al-frente-de-una-mision-empresarial-del-sector-alimentario>;
<http://www.cubaminrex.cu/es/delegacion-empresarial-danesa-realiza-visita-cuba>

lie at the heart of the EU's external action: democracy and the rule of law and fundamental freedoms, including civil liberties and political rights.

Before a possible PDCA with Cuba can enter into force, the EP will need to give its consent. The July 2015 plenary debate on future EU-Cuba relations demonstrated support for constructive engagement towards Cuba and the current negotiations, but also frustration with the absence of signs of a democratic opening or improvement of the human rights situation in Cuba.

signing by the two ministers of agreements on cooperation between the two countries and on political consultations between the two ministries.⁵⁹ Another example of the strengthening of Cuba's ties with the world outside its traditional allies was the visit of Japan's Foreign Minister Fumio Kishida to Cuba in early May 2015 - the first ever visit by a Japanese Foreign Minister.

However, despite the positive tone which has characterised EU-Cuba relations in recent months, the EU and the Cuban government still have fundamentally diverging perceptions on a series of issues, particularly relating to principles which lie at the heart of the EU's external action: democracy and the rule of law and fundamental freedoms, including civil liberties and political rights. The communiqué from the third round of negotiations refers to such differences, which do also seem to have been confirmed by the statements issued by both parties after the first high-level dialogue on human rights. Although the Cuban government is ready to address such issues and accepts that references to human rights and democracy would need to be integral part of any agreement – and has embarked on a specific dialogue on human rights issues with the EU, similar to those the EU maintains with countries such as China and Vietnam – reaching consensus on the parts of a future PDCA relating to such issues is likely to present challenges. Overall, despite the parties' commitment, the goal of concluding the negotiations before the end of 2015 could therefore prove to be too optimistic.

In addition, before any PDCA can enter into force, the EP will need to give its consent. While the most recent resolution of Parliament on Cuba was adopted more than five years ago,⁶⁰ the recent (8 July 2015) plenary debate on future EU-Cuba relations⁶¹ demonstrated broad support for constructive EU engagement towards Cuba and the current negotiations for the PDCA, but also frustration with the absence of signs of a democratic opening or improvement of the human rights situation in Cuba.

4 The US and EU approaches: similarities and differences

The change in Cuba-US relations and the strengthening of the EU's links with the country represent two processes that are different in nature and scope. In contrast to the

The change in Cuba-US relations and the strengthening of the EU's links with the country represent two processes that are very different in nature and scope. In contrast to the USA, the EU and its Member States have long-standing diplomatic and political relations and unrestricted trade and investment relations with Cuba, and development and economic cooperation has been taking place for decades. Further, while the US-Cuba rapprochement is due to a clear policy change, based on the recognition that

⁵⁹ <http://www.cubaminrex.cu/es/sostienen-conversaciones-oficiales-ministros-de-relaciones-exteriores-de-alemania-y-cuba>

⁶⁰ Resolution on prisoners of conscience in Cuba, adopted on 11 March 2010 (<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2010-63>)

⁶¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20150708&secondRef=ITEM-011&language=EN#top>

USA, the EU and its Member States have long-standing diplomatic and political relations and unrestricted trade and investment relations with Cuba.

However, it is inevitable that the two processes have come to be perceived as interlinked and mutually influencing each other.

The dominant view is that the changes in Cuba's relations with the USA and the strengthening of its links with the EU are complementary and have created positive synergy.

In contrast to the different policies of the past, the EU and the US government now share the same approach: that constructive engagement with Cuba is the best option for promoting change in the country.

previous policies failed to achieve their goal, the start of the negotiation of the EU-Cuba PDCA and the phenomenon of intensifying contacts, at both Union and Member State level, do not represent any real shift in policies, but, rather, have been made possible by to changing conditions allowing an already existing policy to be implemented.

However, it is inevitable that the two processes have come to be perceived as interlinked and mutually influencing each other. On one hand, some analysts have seen the US government's new Cuba policy and the parallel intensification of the EU's contacts with Cuba in terms of a sort of rivalry, with the USA and the EU competing to achieve the best conditions for their businesses to take advantage of the presumed investment and trade opportunities in Cuba, following on from the market-oriented economic reforms and initiatives such as the Mariel Special Economic Development Zone.

From that angle, the two parallel processes give Cuba some possibilities to 'balance' them up against each other. For instance, to some observers the intensification of the negotiations of the EU-Cuba PDCA has been a way for Cuba to balance the opening towards the USA. Others have suggested that the resumption of diplomatic relations between Cuba and the USA might reduce the urgency for the Cuban government to conclude the agreement with the EU. Handling two important negotiations processes – with the USA on restoring diplomatic relations and with the EU on the PDCA – may also have created challenges for the Cuban government and administration.

The dominant view, however, is that the change in Cuba's relations with the USA and the strengthening of links with the EU are complementary and have created positive synergy, with progress in one process contributing to a positive environment which also benefits the other. From this point of view, the EU-Cuba negotiations may have helped convince the US government that constructive engagement with the Cuban government was indeed possible. Conversely, developments after 17 December 2014 have contributed to a favourable context for intensifying EU-Cuba relations.

Importantly, in contrast to the different policies of the past and the divergences caused by the extraterritorial aspects of the US embargo against Cuba, the EU and the US government now share the same approach: that constructive – and critical – engagement with Cuba is the best option for promoting change in the country. This may create new opportunities for transatlantic dialogue and cooperation. In line with this, the EU warmly welcomed both the 17 December announcement and the actual restoration of US-Cuba diplomatic relations as historical events. Equally, in a hearing in the US Senate's Foreign Relations Committee on 'US-Cuba relations - The Way Forward', held on 20 May, the Assistant Secretary for the Western Hemisphere, Roberta Jacobson, referred to the EU's parallel engagement,

However, the EU's and the US government's Cuba policies are not identical. The US policy appears to be more clearly formulated in terms of achieving US objectives and interests and empowering the Cuban population to bring about political change. The EU appears to put more emphasis on the need to engage with Cuba and 'be present' in relation to reforms in the country.

observing that the possibility now existing of also working with the EU would have a 'galvanising effect' on policies towards Cuba.⁶²

However, the EU's and the US government's Cuba policies are not identical or without nuances. The rationale for the new US policy towards Cuba appears to be more clearly formulated in terms of achieving US objectives and interests and empowering the Cuban population to bring about political change and improved living conditions. It seems largely to rest on an assumption that engagement and the strengthening of contacts and trade in the long run is a better strategy than sanctions and isolation, because they help to create conditions that favour social, and ultimately political, change in Cuba.

The EU appears to put more emphasis on the need to engage with Cuba and 'be present' in relation to the on-going (and future) government-induced reforms in the country. The EU perceives itself as having a role in 'accompanying' and 'supporting' modernisation and change in Cuba, through the PDCA and other forms of engagement, including drawing on European experiences with the transition to a market economy, the development of renewable energy sources and expertise in areas such as food security and disaster prevention.

5 Outlook: facilitating change in Cuba?

Both the US government's new Cuba policy and the reinforcement of EU-Cuban relations, including a PDCA, will be scrutinised for their possible consequences for the internal political situation in Cuba.

Overall, while economic reforms seem to increasingly take root, there are no indications of political change or in human rights situation. Detentions of political dissidents and human rights defenders and different forms of

Both the US government's new Cuba policy and the reinforcement of EU-Cuban relations, including a PDCA, will be scrutinised for their possible consequences for the internal political situation in Cuba, particularly the impact in terms of political change and improvement in respect for civil and political rights. Overall, while economic reforms in Cuba seem to be increasingly taking root and private sector activities already seem to benefit from growing numbers of US visitors, there are so far no indications of political change or in the human rights situation, although some observers point to a timid opening in some areas (the 2012 migration law, freer debate on some social and economic issues, more artistic liberty).⁶³

Around 50 political prisoners were released between mid-2014 and early January 2015, reportedly in the context of the contacts with the US governments and the agreement which led to the changes announced on 17 December 2014. However, detentions of political dissidents and human rights defenders and different forms of harassment against them continue. The Cuban human rights NGO 'Cuban Committee for Human Rights and National Reconciliation (*Comisión Cubana de Derechos Humanos y Reconciliación Nacional*, CCDHRN), in a report issued on 1 September 2015

⁶² <http://www.perdue.senate.gov/content/senator-perdue-highlights-concerns-about-president-obama%E2%80%99s-cuba-policy>

⁶³ <http://www.realinstitutoelcano.org/wps/wcm/connect/08319180484ca6fea75eff2290640bff/DT6-2015-Mesa-Normalizacion-de-relaciones-entre-EEUU-y-Cuba-causas-prioridades-progresos-obstaculos-efectos-y-peligros.pdf?MOD=AJPERES&CACHEID=08319180484ca6fea75eff2290640bff>

harassment against them continue.

Reactions to the change in Cuba-US relations and the EU-Cuba negotiations among the Cuban democratic opposition and human rights defenders are not unanimously positive.

Critics emphasise that the USA and the EU have opened up without any conditions or concessions from the Cuban government in the form of political reforms or attenuation of the repression of the opposition and that strengthened economic relations that benefit the Cuban economy will only serve to reinforce the position of the Castro government.

On the other hand, the 'normalisation' of Cuba's relations with the USA and the EU, together with the effects of the economic reforms, could be seen as part of an overall movement of change which sooner or later will also have political consequences. A frequent argument is that the hostile relations with the USA have served to legitimate the Castro regime; once the relationship has improved,

stated that 931 politically motivated arbitrary detentions took place during the month of August, compared to 674 in July. The arrests were principally of people trying to exert their rights to assembly and expression. According to the CCDHRN, the number of arrests peaked at 1 120 in May 2014 and then fell to a low point of 178 in January 2015, but since then has steadily increased once again.⁶⁴ The number of arrests in August was the highest since June 2014. The CCDHRN notes that those arrests took place in an environment marked by the opening of embassies and the continuing negotiations with the EU.⁶⁵ On 8 September 2015, some 140 people were reported detained, including some 20 members of the 'Ladies in White' (*Damas de Blanco*), winner of the EP's Sakharov price in 2005, and on 12 September around 40 'Ladies in White' and a number of other dissidents were arrested in relation to the group's traditional Sunday marches. Further detentions were reported to have taken place during Pope Francis's visit to Cuba in September 2015.

Also, reactions to the change in Cuba-US relations and the EU-Cuba negotiations among parts of the Cuban democratic opposition and human rights defenders are not unanimously positive. Critics emphasise that the USA and the EU have opened up towards Cuba without any conditions or concessions from the Cuban government in the form of political reforms or attenuation of the repression of the opposition, and that the strengthening of economic relations that benefit the Cuban economy will only serve to reinforce the position of the Castro government. Some clearly see the US policy change and the negotiations with the EU as an unwarranted extended hand to a regime which has no intention to change, and some – including Guillermo Fariñas, the 2010 Sakharov laureate, human rights activist Jorge Luis 'Antúnez' García Pérez and certain members of the 'Ladies in White' – have used expressions such as 'betrayal'. Elizardo Sánchez, the president of the CCDHRN, has expressed scepticism over the EU-Cuba negotiations. More recently, Cuban dissidents and opposition groups have reportedly begun to feel that they have been abandoned by the many US politicians who have visited Cuba in recent months without meeting them.⁶⁶

On the other hand, the 'normalisation' of Cuba's relations with the USA and the EU, together with the effects of the economic reforms being implemented in Cuba, could be seen as part of an overall movement of change which sooner or later is bound to also have political consequences – partly as the country becomes more open to influences from outside, partly as it contributes to create expectations among the population, which in the mid to long term may be difficult to contain without changes in the political system. In this respect, a frequent argument is that the hostile relations with the USA, and particularly the impact of the US economic embargo, have

⁶⁴ <http://iclep.org/wp-content/uploads/2015/08/Informe-de-la-CCDHRN-Julio-2015.pdf>

⁶⁵ <http://observacuba.org/informe-de-violaciones-de-derechos-humanos-agosto-2015/>

⁶⁶ <http://bigstory.ap.org/article/960953a0d69a479b9426070cde01c321/cuban-dissidents-feel-sidelined-us-focuses-state-ties>. However, on occasion of the ceremony of raising the flag at the US embassy in Havana on 15 August, a number of opposition representatives were invited to a reception in the embassy, where they met with State Secretary John Kerry.

there may be more space for critical debate over the weaknesses of Cuba's social and economic model.

In this regard, both the USA and the EU see the strengthening of Cuban civil society through closer and more frequent contacts as a way to promote a more open society in Cuba.

Forging stronger links to and promoting civil society is a central part of the EU's policy towards Cuba.

The EP's most recent resolution on Cuba, adopted on 11 March 2010, called on the High Representative and the Commissioner responsible for cooperation to begin a structured dialogue with Cuban civil society and with those supporting a peaceful transition in Cuba.

Both the US government and the EU recognise that stronger links with Cuba will

served as a key factor legitimating the Castro regime and contributed to a 'siege mentality' in Cuba. Once the US hostility has been greatly reduced – even if the economic embargo remains in place – there may be more space for critical debate over the weaknesses of the social and economic model, and even for normalisation of political debate and disagreement, as suggested by one analyst.⁶⁷ Criticism and dissent will no longer mean collaborating with the country's principal external enemy.

In this regard, the strengthening of Cuban civil society through establishing closer and more frequent contacts is seen by both the USA and the EU as a way to promote a more open and democratic society in Cuba.

This vision could be said to be at the heart of the US government's new Cuba policy: by allowing more people-to-people contacts and interaction between the societies, more travel and better communications, and by supporting small entrepreneurs and businesses in Cuba's incipient private sector, it hopes to contribute to a stronger and more independent civil society which in turn will act as an agent for political change. Notably, President Obama began his 17 December 2014 statement by announcing that the USA was changing its relationship with the 'people of Cuba' and that the objective of the new policy of engagement was to 'help the Cuban people help themselves'. This commitment was underlined by President Obama's presence at the 'Forum of Civil Society and Social Actors', which was held in preparation for the Summit of the Americas in April 2015, and included the participation of Cuban opposition activists.⁶⁸ On that occasion, President Obama stressed the role of civil society as a 'catalyst of change'.

Forging stronger links to and promoting civil society is also a central part of the EU's policy towards Cuba. Similarly to the 1996 common position, which stated that the EU would intensify dialogue not only with the Cuban authorities, but with all sectors of Cuban society in order to promote respect for human rights and progress towards pluralist democracy, the statement by HR/VP Mogherini welcoming President Obama's announcement of the new Cuba policy emphasised the EU's goal of seeking to expand relations with all parts of Cuban society. In line with this, the HR/VP's visit to Cuba in March 2015 included meetings with representatives of civil society.

In this regard, the EP has taken a clear position. Parliament's most recent resolution on Cuba (on prisoners of conscience in Cuba, adopted on 11 March 2010)⁶⁹ called on the High Representative and the Commissioner

⁶⁷ <http://www.cubadebate.cu/especiales/2015/01/07/el-17d-secuencias-y-consecuencias-william-leogrande/#.Ve2viEbsSpA>

⁶⁸ The Cuban delegation withdrew from a dialogue meeting between civil society, social actors and governments because of the presence of the opposition activists, who it described as 'mercenaries in receipt of external financing in order to subvert the country's social and political system' and 'individuals with links to terrorists' (<http://en.granma.cu/mundo/2015-04-11/statement-from-the-cuban-delegation-to-the-civil-society-forum-of-the-7th-summit-of-the-americas>)

⁶⁹ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2010-63>

not spark any immediate transformation in the country, still less lead to rapid political changes or democratic opening.

In this regard, policies to promote closer relations with Cuba, including the conclusion of an EU-Cuba PDCA, could be seen as an investment in the future which may not produce short-term yields.

responsible for cooperation immediately to begin a structured dialogue with Cuban civil society and with those who support a peaceful transition in Cuba, using the Community's development cooperation mechanisms, in particular the European Initiative for Democracy and Human Rights (EIDHR).

Despite the rapid evolution of US-Cuba relations in the last nine months and the intensifying EU-Cuba relationship, both the US government and the EU recognise that stronger links to Cuba will not spark any immediate or radical economic and social transformation in the country, still less lead to rapid political changes or democratic opening. Starting with President Obama's 17 December speech, US government representatives have repeatedly stressed that Cuba will not change overnight. Equally, EU representatives have made it clear that the reform process in Cuba is likely to proceed at its own pace and is not likely to be influenced by pressure from external actors.

In this regard, the policies of the US government and the EU to promote closer relations with Cuba, including the conclusion of the EU-Cuba PDCA, could be characterised as an investment in the future which may not produce short-term yields. In the medium term, the year 2018 is an important reference: in that year, President Raúl Castro will be replaced after two five-year terms, according to his announcement to the National Assembly of People's Power in February 2013.