



TEXTS ADOPTED

P8_TA(2017)0297

Conclusion of the EU-Cuba Political Dialogue and Cooperation Agreement (Resolution)

European Parliament non-legislative resolution of 5 July 2017 on the draft Council decision on the conclusion, on behalf of the European Union, of the Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part (12502/2016 – C8-0517/2016 – 2016/0298(NLE) – 2017/2036(INI))

The European Parliament,

- having regard to the establishment of diplomatic relations between the EU and Cuba in 1988,
- having regard to the draft Council Decision (12502/2016),
- having regard to the draft Political Dialogue and Cooperation Agreement (PDCA) between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part (12504/2016),
- having regard to the request for consent submitted by the Council in accordance with Articles 207 and 209 and Article 218(6), second subparagraph, point (a), and Article 218(8), second subparagraph, of the Treaty on the Functioning of the European Union (TFEU) (C8-0517/2016),
- having regard to the Treaty on European Union (TEU), and in particular Title V thereof on the Union's external action,
- having regard to TFEU, and in particular Part Five, Titles I-III and V thereof,
- having regard to the Common Position 96/697/CFSP of 2 December 1996 defined by the Council on the basis of Article J.2 of the Treaty on European Union, on Cuba¹,
- having regard to Council Decision (CFSP) 2016/2233 of 6 December 2016 repealing Common Position 96/697/CFSP on Cuba²,
- having regard to the Council conclusions of 17 October 2016 on the Global Strategy on the European Union's Foreign and Security Policy,

¹ OJ L 322, 12.12.1996, p. 1.

² OJ L 337 I, 13.12.2016, p. 41.

- having regard to the Commission Communication of 30 September 2009 entitled ‘The European Union and Latin America: Global Players in Partnership’ (COM(2009)0495),
 - having regard to the declarations of the summits of Heads of State or Government of Latin America and the Caribbean and the European Union held to date, and in particular the Declaration of the second EU-Community of Latin American and Caribbean States (CELAC) Summit, held in Brussels from 10-11 June 2015 under the theme ‘Shaping our common future: working together for prosperous, cohesive and sustainable societies for our citizens’ which adopted the Political Declaration entitled: ‘A Partnership for the next Generation’,
 - having regard to the Council conclusions of 19 November 2012 on the Joint Caribbean-EU Strategy,
 - having regard to the appearance by the Special Representative for Human Rights at the joint meeting of the European Parliament’s Committee on Foreign Affairs and Subcommittee on Human Rights of 12 October 2016, to set out the results of the human rights dialogue between Cuba and the EU,
 - having regard to the reports by Cuban civil society organisations,
 - having regard to its legislative resolution of 5 July 2017¹ on the draft Council decision,
 - having regard to its previous resolutions on Cuba, in particular those of 17 November 2004 on Cuba², 2 February 2006 on the EU’s policy towards the Cuban Government³, 21 June 2007 on Cuba⁴, and 11 March 2010 on prisoners of conscience in Cuba⁵,
 - having regard to the Universal Declaration of Human Rights and other international human rights treaties and instruments,
 - having regard to Rule 99(2) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on International Trade (A8-0233/2017),
- A. whereas deep historical, economic and cultural ties exist between Europe and Cuba;
- B. whereas relations between the EU and the countries of Latin America and the Caribbean are varied and cover a wide scope;
- C. whereas the EU maintains relations with the Community of Latin America and Caribbean States (CELAC); whereas CELAC welcomes the possibility of expanding relations between the EU and Cuba;
- D. whereas Cuba was the only country in Latin America and the Caribbean with which the EU had not signed any type of agreement; whereas 20 of its Member States have signed various types of bilateral agreements and maintain good relations with the island;

¹ Texts adopted of that date, P8_TA(2017)0296.

² OJ C 201 E, 18.8.2005, p. 83.

³ OJ C 288 E, 25.11.2006, p. 81.

⁴ OJ C 146 E, 12.6.2008, p. 377.

⁵ OJ C 349 E, 22.12.2010, p. 82.

- E. whereas Common Position 96/697/CFSP was repealed by Council Decision (CFSP) 2016/2233 of 6 December 2016;
- F. whereas in 2008 the EU-Cuba high-level dialogue was re-launched and the bilateral development cooperation was resumed; whereas the Council launched a deliberation on the future of EU-Cuba relations in 2010, and adopted negotiation directives in February 2014, following which official negotiations for a PDCA were launched in April 2014 and concluded on 11 March 2016;
- G. whereas the PDCA defines general principles and objectives for the relationship between the EU and Cuba, including three main chapters on political dialogue, cooperation and sectoral policy dialogue, as well as trade and trade cooperation;
- H. whereas human rights feature in both the political dialogue and cooperation chapters; whereas with the PDCA both parties reaffirm their respect for universal human rights as set out in the Universal Declaration of Human Rights and other relevant international instruments on human rights; whereas with the PDCA both parties reaffirm their commitment to strengthen the role of the United Nations as well as to all the principles and purposes enshrined in the Charter of the United Nations; whereas pursuant to Article 21 of the Treaty on European Union, the external action of the Union should be guided by the principles of democracy, the rule of law, the universality and indivisibility of human rights – including civil, political, economic, social and cultural rights – and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and the respect for the principles of the UN Charter and international law; whereas in this sense compliance with human rights and the defence of democracy and the rule of law should be an essential aspiration of the PDCA;
- I. whereas the PDCA includes a so-called ‘human rights clause’, which is a standard essential element of EU international agreements that allows the PDCA to be suspended in case of violation of the provisions on human rights;
- J. whereas both parties have agreed on the broad modalities and areas for cooperation in the cooperation chapter, including on issues such as human rights, governance, justice and civil society;
- K. whereas Cuba is willing to accept cooperation with the EU within the framework of the European Instrument for Democracy and Human Rights (EIDHR); whereas the key objectives of the EIDHR are supporting, developing and consolidating democracy in third countries, and enhancing respect for and observance of human rights and fundamental freedoms; whereas with the PDCA both parties recognise that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of life;
- L. whereas the human rights dialogue between the EU and Cuba, led by the EU Special Representative for Human Rights, was established in 2015; whereas the human rights situation remains of concern;
- M. whereas issues discussed at the second meeting of the human rights dialogue held in Cuba in June 2016 with the participation of line ministries and agencies included freedom of association and human rights issues in a multilateral context, such as the death penalty; whereas the third meeting of the human rights dialogue took place in Brussels on 22 May 2017;

- N. whereas on three separate occasions Parliament has awarded the Sakharov Prize for Freedom of Thought to Cuban activists, Oswaldo Payá in 2002, the Ladies in White in 2005 and Guillermo Fariñas in 2010;
 - O. whereas the EU has become the largest foreign investor in Cuba and its main export and overall trading partner, with overall trade and EU exports to Cuba having doubled between 2009 and 2015;
 - P. whereas the PDCA devotes a chapter to the principles of international trade and addresses customs cooperation, trade facilitation and diversification, standards and technical rules, sustainable trade and promotion of a stable, transparent and non-discriminatory business and investment regime; whereas trade liberalisation, economic and financial investments, technological innovation and overall market freedoms would allow the island to modernise its economy;
 - Q. whereas the ‘Economic and social policy guidelines’ for Cuba, adopted following a public debate procedure in 2011, contained proposals for reform, updating and modernisation;
 - R. whereas two fresh public debates were opened in Cuba in 2016 on the ‘Conceptualisation of the economic and social model’ and the ‘National economic and social development plan up to 2030: the nation’s vision, priorities and strategic sectors’;
 - S. whereas the EU and Cuba have agreed to incorporate the gender perspective in all areas of their cooperation and to pay particular attention to preventing and tackling all forms of violence against women;
 - T. whereas Cuba is a signatory to 11 of the 18 United Nations human rights conventions and has ratified eight of them; whereas Cuba has not ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural rights;
 - U. whereas Cuba has ratified all eight core conventions of the International Labour Organization (ILO);
 - V. whereas Cuba’s National Assembly has been a member of the world Interparliamentary Union since 1977;
 - W. whereas the United Nations General Assembly has adopted 26 consecutive resolutions calling for the end of the United States embargo on Cuba, and the resolution was adopted unanimously for the first time in October 2016;
 - X. whereas its long-standing position, adopted on numerous occasions and shared by the European institutions, is contrary to extraterritoriality laws, given that they are directly harmful to the Cuban people and affect the activities of European undertakings;
1. Welcomes the signing in Brussels, on 12 December 2016, of the PDCA between the EU and Cuba and states that it constitutes an instrument that will offer a new framework for relations between the EU and Cuba while maintaining the EU’s interests, superseding the 1996 Common Position; stresses that the success of this agreement depends on its implementation and compliance with it;
 2. Affirms the high strategic value of the relationship between the EU and Cuba;

3. Notes that the structure, content and dynamic of the agreement match the principles and values established by the EU institutions for its external relations;
4. Underlines the fact that the Council of the EU agreed to establish a new framework for relations with Cuba and took the decision to embark on negotiations and conclude them successfully within a significantly brief timeframe;
5. Stresses the commitment that Cuba is undertaking with the EU and the responsibility of both parties with regard to fulfilling the provisions of the agreement including through political dialogue;
6. Recalls that the PDCA, as the first agreement between the EU and Cuba, will mark a turning point in bilateral relations between the two parties; welcomes the fact that both parties have agreed to develop this relationship in a structured manner, mutually subscribing to an agenda and obligations that are binding on both signatories;
7. Underlines the relevance of the inclusion of the political dialogue chapter and the establishment of an institutionalised EU-Cuba Human Rights dialogue; calls for the EU to endorse Parliament's views on democracy, universal human rights and fundamental freedoms such as freedom of expression, assembly and political association, freedom of information in all its forms, as well as its 'worldwide policy of support to human rights defenders' throughout this dialogue; encourages both parties to establish guarantees for the work of human rights defenders and for the active participation of all civil society and opposition political actors, without restrictions, in this dialogue; notes, however, that the human rights dialogue has not to date put an end to arbitrary politically motivated detentions in Cuba and that, on the contrary, according to the Cuban Commission for Human Rights and National Reconciliation, there have been more and more crackdowns in recent years;
8. Emphasises the importance of the human rights dialogue between the EU and Cuba and welcomes the fact that it was launched before the conclusion of the PDCA negotiations; reiterates that the objectives of the EU's policy towards Cuba include the respect for human rights and fundamental freedoms and facilitating the economic and social modernisation aimed at improving the living standards of the Cuban population;
9. Notes the efforts made by Cuba to incorporate the United Nations' fundamental principles on human and labour rights into its national legislation, and urges Cuba to ratify the United Nations' human rights conventions which are still pending, more specifically the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; takes note of the work of the Cuban National Centre for Sex Education; calls on the Cuban Government to continue its efforts to end all forms of discrimination and marginalisation targeting the LGBTI community;
10. Urges the Cuban Government to align its human rights policy with the international standards defined in the charters, declarations and international instruments to which Cuba is a signatory; insists that the persecution and imprisonment of anyone for their ideals and their peaceful political activity is in breach of the provisions laid down in the Universal Declaration of Human Rights and calls, therefore, for the release of any person imprisoned under such circumstances;

11. Recalls that the PDCA includes a provision for the suspension of the agreement in the event of a violation of the provisions on human rights; urges the Commission and the European External Action Service (EEAS) to ensure the establishment of a regular exchange with Parliament on the implementation of the PDCA, on the fulfilment of the mutual obligations provided for in the PDCA, and in particular on the realisation of all human, environmental and labour rights provisions mentioned in this resolution; calls on the EEAS – in particular through the EU Delegation – to do its utmost to closely follow the situation with respect to human rights and fundamental freedoms in Cuba when implementing the PDCA and to report back to Parliament;
12. Stresses that the PDCA should contribute to improving the living conditions and social rights of Cuban citizens, reaffirming the importance of working systematically in promoting the values of democracy and human rights, including freedom of expression, association and assembly;
13. Welcomes the PDCA's explicit references to civil society as an actor of cooperation; voices its profound solidarity with the Cuban population and progress towards democracy and respect and promotion of fundamental freedoms; encourages both parties to the agreement to promote an active role for Cuban civil society during the implementation phase of the agreement;
14. Recalls the important role of Cuban civil society in the economic and democratic development of the country; stresses the need for civil society to be a leading player in all areas of this Agreement, including those related to development aid; recalls Parliament's support, through the Sakharov prize, of Cuban civil society in its role of promoting human rights and democracy in Cuba;
15. Recalls that internet connectivity in Cuba is among the lowest in the world and that internet access is extremely expensive and content remains restricted; welcomes the fact that more Cubans are getting access to the internet but believes the government should take further steps to foster uncensored access and improve the digital rights of the population;
16. Calls for the EEAS to keep Parliament informed of progress in the implementation of the agreement and its application, at appropriate intervals, and in accordance with the coordination system provided for in the agreement;
17. Takes notes of the process of normalising relations that has been achieved between Cuba and the United States with the restoration of diplomatic ties in 2015 and encourages further efforts;
18. Reiterates its long-standing doctrine, shared by the other European institutions and upheld on numerous occasions, opposing laws and measures with extraterritorial effect, given that they are harmful to the Cuban population and disrupt the activities of European undertakings;
19. Recognises that the PDCA can contribute to the reform, adjustment and modernisation processes already being proposed in Cuba, in particular with regard to the diversification of Cuba's international partners and the establishment of a general framework of political and economic development; stresses that closer political and economic relations with Cuba could help advance political reforms in the country in accordance with the aspirations of the Cuban people; urges the European institutions

and the Member States to assist the economic and political transition in Cuba, encouraging the evolution towards democratic and electoral standards that respect the basic rights of all its citizens; supports the use of the various EU foreign policy instruments, and in particular EIDHR, in order to reinforce the EU's dialogue with Cuba's civil society and those who support a peaceful transition in Cuba;

20. Notes that the PDCA, as the first ever agreement between the EU and Cuba, constitutes the new legal framework for these relations, comprising a chapter on trade and trade cooperation that aims to create a more predictable and transparent environment for local and European economic operators;
21. Highlights that the trade and trade cooperation pillar of the PDCA does not provide any trade preferences for Cuba; recalls that this pillar covers customs cooperation, trade facilitation, intellectual property, sanitary and phytosanitary measures, technical barriers to trade, traditional and artisanal goods, trade and sustainable development, cooperation regarding trade defence, rules of origin and investment;
22. Notes that the PDCA provides a platform for expanding the bilateral trade and investment relationship and establishing conventional bases for trade and economic relations between the EU and Cuba;
23. Supports the longstanding practice, also confirmed by Commissioner Cecilia Malmström in her hearing on 29 September 2014, of not applying trade and investment provisions of politically important agreements provisionally before Parliament has granted its consent; calls on the Council, the Commission and the EEAS to continue and to extend this practice to all international agreements related to the EU's external action policy where trade aspects are concerned, as is the case with the PDCA;
24. Takes the view that the agreement will serve to promote dialogue and economic cooperation, facilitating a predictable and transparent business environment and the development of a stronger, more stable framework in the future where it is ensured that Cubans can participate in investments jointly with companies and individuals from the EU;
25. Calls also on European companies operating in Cuba, especially those that receive credits or any financial assistance of public origin, to apply the same labour and ethical standards as required in their countries of origin;
26. Welcomes the fact that Cuba has ratified all eight ILO core conventions and asks for commitments regarding their swift implementation; strongly calls on Cuba and all countries with which it has or is negotiating agreements to ratify and comply with the regulations of the ILO and the Decent Work Agenda, and to proscribe all forms of labour exploitation; notes that there are areas in which social and labour rights are at stake, such as the recruitment practices by Cuban state-owned enterprises and wage confiscation practices in the tourism sector; stresses, in this context, that all workers need to enjoy a core set of labour rights as well as adequate social protection in line with the ILO conventions, and calls on both parties to work to this end in line with Article 38 of the PDCA;
27. Notes that the EU is Cuba's main export and second largest trade partner, as well as its biggest foreign investor; points out that the EU's foreign trade policy does not provide any trade preferences for Cuba, and that EU tariff rates apply as notified by the World

Trade Organisation (WTO); recalls that as a result of the reform of the EU's Generalised Scheme of Preferences (GSP), from January 2014 Cuba lost its trade preferences for exporting to the EU since it had reached the category of an Upper Middle-Income Country (UMIC) and no longer fulfilled the eligibility criteria; stresses furthermore that trade still only represents a moderate share of the Cuban economy, with exports and imports taken together amounting to 26,4 % of GDP;

28. Suggests that future possibilities be explored to integrate Cuba into the EU-CARIFORUM EPA, which contains many specific and useful trade cooperation chapters and would offer Cuba the possibility of further regional integration;
29. Notes that Cuba is a member of the WTO and therefore emphasises the need to respect the basic principles of the WTO, such as trade facilitation, agreements on trade barriers, sanitary and phytosanitary measures and trade defence instruments;
30. Calls on Cuba to ratify the WTO TFA that entered into force in February 2017; welcomes the creation of the Trade Facilitation Committee in the country and, in this context, asks the Commission and the EEAS to provide technical support;
31. Points out that customs cooperation is a crucial area that needs to be developed in order to address important challenges such as border security, public health, the protection of geographical indications, the fight against counterfeit goods and the fight against terrorism, among other matters; calls on the Commission and the EEAS to provide technical and financial assistance and to establish bilateral instruments by mutual agreement to help with Cuba's implementation of trade facilitation measures and information services;
32. Emphasises the need for exports from Cuba to be diversified beyond the traditional products, and asks the Commission to create ad-hoc trade desks in order to exchange best practices and provide Cuban exporters with the knowledge required to improve the access of goods onto the EU market;
33. Welcomes the role of the World Customs Organization (WCO) in providing strategic support to the Cuban *Aduanas General de la República* (AGR) under the Mercator Programme in order to evaluate preparedness for implementing the WTO TFA; stresses the importance of the AGR being pro-active in the implementation of the TFA and asks the Commission to assist Cuba in this process;
34. Takes note of the measures adopted by the Cuban authorities to encourage free enterprise and economic liberalisation; highlights the importance of gradually strengthening the private sector; emphasises the fact that the development of strong foreign investment to improve the physical and technological infrastructure of the country and to build a competitive Cuban production system will require further economic and financial measures with regulations that give legal certainty, including through independent, transparent and impartial institutions, and economic stability to the country; points out that Cuba can draw on the experience of EU Member States in this respect;
35. Calls for Cuba to be included as an eligible country under the EIB's external mandate provided it meets the requirements laid down by the EIB;
36. Welcomes the inclusion in the PDCA of provisions geared towards sustainable

economic, social and environmental development in Cuba, in particular the commitment to working towards the fulfilment of the 2030 Agenda for Sustainable Development and its sustainable development goals (SDGs), taking into account the Addis Ababa Action Agenda on financing for development; calls on the Parties, once the PDCA has been ratified, to rapidly establish a dedicated dialogue on the implementation of the 2030 Agenda;

37. Recalls that diplomatic relations between the EU and Cuba were established in 1988, that Cuba has benefited from EU development assistance or humanitarian aid since 1984, and that it is currently receiving EUR 50 million in assistance from the EU under the Development Cooperation Instrument (DCI) regulation for the period 2014-2020;
38. Recalls that the PDCA will facilitate Cuba's engagement in EU programmes and the enhanced implementation of the multiannual indicative programme (MIP) for the period 2014-2020 in order to facilitate the economic and social modernisation strategy adopted by the Cuban Government;
39. Is concerned that Cuba, which is classed as an 'upper-middle-income country' by the OECD's Development Assistance Committee (DAC), risks seeing its development assistance under the DCI regulation being phased out; considers that the country's situation as a developing island state and the economic circumstances it is facing, which are exacerbated by the adverse impact of unilateral coercive measures, justify the adoption of measures that will enable EU assistance to Cuba to be continued, and that this should be given particular consideration as part of the forthcoming mid-term evaluation of the DCI regulation;
40. Supports the parties' reaffirmation of the need for all developed countries to set aside 0,7 % of their gross national income for official development assistance, and for emerging economies and upper-middle-income countries to set targets for increasing their contribution to international public finance;
41. Welcomes the promotion of the gender perspective in all the relevant fields of cooperation, including sustainable development;
42. Acknowledges and welcomes the important role Cuba plays in South-South cooperation, its commitment and its international solidarity in the form of humanitarian aid contributions, principally in the health and education sectors;
43. Notes that the PDCA is an opportunity for Cuba to be more engaged in and to enjoy greater access to EU programmes, including Horizon 2020, the framework programme for research and innovation, and Erasmus+ – the programme for education, training youth and sport – which would in turn foster closer academic and people-to-people exchanges;
44. Notes that the PDCA will also constitute an instrument for promoting, in multilateral fora, joint solutions to global challenges such as migration, the fight against terrorism and climate change;
45. Confirms its decision to send an official delegation of the Foreign Affairs committee of the European Parliament to Cuba; asks the Cuban authorities to allow the entry of EP delegations and to have access to their interlocutors;
46. Instructs its President to forward this resolution to the Council, the Vice-President of the

Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the government and parliament of Cuba.