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<Commission>{PETI}Committee on Petitions</Commission>

<Date>{28/09/2020}28.9.2020</Date>

<TitreType>NOTICE TO MEMBERS</TitreType>

Subject: <TITRE>Petition No 0738/2019 by José Alberto Pimentel Capote (Spanish), on behalf of Mesa de Unidad Cubana, on the suspension of the 2017 Political Dialogue and Cooperation Agreement between the EU and its Member States and the Republic of Cuba

Petition No 1074/2019 by José Alberto Pimentel Capote (Spanish), on behalf of Mesa de Unidad Cubana, on the suspension of the 2017 Political Dialogue and Cooperation Agreement between the EU and its Member States and the Republic of Cuba

Petition No 1095/2019 by C.M.R.C. (Spanish) on the human rights violations suffered by peaceful activists in Cuba</TITRE>

1. Summary of petition 0738/2019

The petitioner is calling for the ‘EU-Cuba Agreement’ to be suspended on the ground that the Cuban Government has failed to comply with it, as evidenced by the systematic violation of human and labour rights prior to this 2017 agreement. The petitioner argues that Law 118-2014, enacted prior to this agreement, provides a basis for the violation of fundamental rights and affects good governance and the salary dignity of Cuban workers in a European business.

**Summary of petition 1074/2019**

The petitioner calls for the ‘EU-Cuba Agreement’ to be suspended because it is flawed in its origin owing to the failure of the Cuban Government to comply with it, as evidenced by the systematic violation of human and labour rights prior to this 2017 Agreement owing to Law 118-2014 which preceded it. The latter provides a basis for the violation of fundamental rights and affects good governance and the decent wages for Cuban workers in a European business.

**Summary of petition 1095/2019**

The petitioner alleges that the rights of peaceful human rights activists are being repeatedly violated in Cuba. The petitioner reports that José Daniel Ferrer García (General Coordinator of the Patriotic Union of Cuba, UNPACU), a member of the opposition, was forcefully removed from his home on 1 October 2019. He also points out that, according to a report by the Cuban Observatory of Human Rights, there are currently 119 political prisoners, and that in September 2019 some 481 arbitrary arrests were made of government opponents protesting peacefully. The petitioner calls for Article 85(2) of the ‘EU-Cuba Dialogue Agreement’ to be applied and for precautionary measures to be taken in order to safeguard the integrity and dignity of those at risk.

2. Admissibility

Petition 0738/2019: declared admissible on 21 January 2020. Information requested from Commission under Rule 227(6).

Petition 1074/2019: declared admissible on 20 February 2020. Information requested from Commission under Rule 227(6).

Petition 1095/2019: declared admissible on 6 March 2020. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 28 September 2020

The Political Dialogue and Cooperation Agreement (PDCA) provides the space for constructive and critical engagement with Cuba. The implementation of the PDCA is essential for the EU as it provides the opportunity to strengthen cooperation with Cuba as well as to address openly concerns such as the ones related to human rights. It allows the EU to pursue its objectives, which the advent of the PDCA has not changed, namely to:

- accompany Cuba as it reforms its political and economic model;

- promote democracy and human rights;

- improve the lives of the Cuban people.

Human rights are an essential part of the PDCA. In October 2019, the EU held its fifth Human Rights Dialogue with Cuba in Brussels. The dialogue achieved its objectives of constructive and critical engagement and honest discussions, including on areas where we do not agree. The openness of Cuba to concrete cooperation is another positive step.

The human rights situation in Cuba remains worrying and requires continuous attention from the EU’s side. As the EU has declared many times, it expects Cuba to respect every citizens’ fundamental freedoms and human dignity. The EU will continue to raise its concerns and in individual cases such as the one of José Daniel Ferrer (<https://eeas.europa.eu/headquarters/headquarters-homepage/75269/node/75269_en>) in a coordinated and proactive manner, together with Member States.

The EU has chosen to engage with Cuba because constructive and critical engagement gives it the opportunity to strengthen results-oriented cooperation with Cuba, its government and its people, including in the area of human and labour rights, in order to address disagreements openly and to strive to find solutions.

Regarding labour rights in particular, the EU is aware of the fact that the International Labour Organization (ILO) has concluded that Cuban labour regulations and practice fall short of ILO core labour standards in a number of respects, and the EU has raised this with the Cuban authorities, e.g. the restrictions on independent labour unions in its Human Rights Dialogue with Cuba.

Conclusion

Through constructive dialogue with Cuba and by using all diplomatic and non-diplomatic tools, the EU will continue to promote the respect for human rights in all circumstances across the country.