

**CUBA****STRENGTHENING INTERNATIONAL COOPERATION
FOR PEACEFUL PURPOSES IN THE FIELD OF CHEMICAL ACTIVITIES****Difficulties and obstacles faced by Cuba related to the full implementation of Article XI of the Chemical Weapons Convention.**

The economic, trade, and financial embargo imposed by the Government of the United States of America (hereinafter “the United States”) against Cuba for nearly six decades constitutes the most unjust, severe, and prolonged system of unilateral sanctions ever imposed against any country.

From April 2018 to March 2019, the resurgence of the embargo has continued to be a central point of the policy of the Government of the United States against Cuba, with increasingly significant effects in its implementation abroad, creating an obstacle for the economic and technological development of the country. The aggressive, threatening, and disrespectful rhetoric, in addition to conditions imposed by highest levels of the United States Government, generates a greater lack of trust and uncertainty in United States financial institutions, businesses, and suppliers due to the very real fear of being penalised for having any association with Cuba.

The unilateral restrictions and extra-territorial laws applied by the United States through the embargo imposed against Cuba constitute a violation of Article XI of the Convention, in line with which the States Parties committed to “[...] facilitate [...] the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention [...]” and to “not maintain among themselves any restrictions [...] which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes”.

It is inconceivable and unacceptable that the United States limits, restricts, and even prohibits in many cases the free exchange of chemicals, equipment, and scientific and technological information in the field of chemistry for peaceful purposes between Cuba and other States Parties, which is—without exception—the right of all.



How does the embargo affect Cuba's implementation of Article XI of the Convention with regard to the economic and technological development of the States Parties?

The quantifiable damages incurred as a result of the embargo over the nearly six decades it has been imposed amount to USD 922.630 billion, taking into account the depreciation of the dollar against the value of gold on the international market. In today's prices, the embargo has caused the loss of more than USD 138.843 billion. In the last year alone, the embargo has resulted in losses for Cuba amounting to approximately USD 4.343 billion.

The economic, commercial and financial embargo imposed against Cuba continues to hamper the development of the full potential of the Cuban economy, including for the implementation of the country's 2030 National Plan for Economic and Social Development as well as the implementation of the 2030 Agenda and its Sustainable Development Goals.

The embargo significantly limits and restricts the maintenance, sustainability, development, and modernisation of the country's chemical industry sector. The following are examples of the negative consequences of the embargo in the field of chemistry observed from April 2018 to March 2019¹:

- (a) The Cuban holding company for the Chemical Industry (GEIQ) was prevented from purchasing spare parts and machinery for LEFI air compressors and pumps, as well as for Burton Corblin and GARO brand, due to the involvement of United States-based shareholders in these companies. This caused severe damage to chlorine production in Cuba. In this regard, it was not possible to rent containers for medical-grade oxygen manufactured in the United States due to the providers' fear of being penalised by the United States Treasury Department Office of Foreign Assets Control (OFAC).
- (b) On 14 February 2019, the OFAC imposed a fine of USD 5,551,564 on APPLICHEM GMBH, a company that manufactures laboratory substances and chemicals for industrial use and that operates as a subsidiary of the United States company Illinois Tool Works, Inc., for having sold products to Cuba between 2012 and 2016.
- (c) Between 2018 and 2019, the Cuban medical product import-export company MEDICUBA S.A. made requests to 57 companies in the United States to purchase items necessary for the Cuban health care system. To date, 50 of said companies have not responded and another three have stated that due to the embargo regulations they are not authorised to sell any product or medication to Cuba. Among the requests made by MEDICUBA, we can mention the following:
 - (i) Contacts were made with the United States company Promega Corporation, which manufactures enzymes and other products for biotechnology and molecular biology, in order to request the purchase

¹ From the report by Cuba on Resolution 73/8 of the United Nations General Assembly entitled "The Need to Put an End to the Economic, Commercial and Financial Embargo Imposed by the United States of America Against Cuba" (<http://www.cubavsbloqueo.cu/es/informes> - available in Spanish only).

of reagents and supplies used in the diagnosis of genetic illnesses. On 16 January 2019, the aforementioned provider communicated that “the [United States] State Department applies trade sanctions that forbid [United States-] based companies to [sell] products and provide technologies and/or services to Cuba”.

- (ii) Contact was made with the United States company BRUKER for the purchase of an electro-photometer, a piece of equipment used in laboratories to quantify chemicals and microorganisms. They responded to the request by saying that to date, they cannot do business with Cuba.

Why should the States Parties be involved in guaranteeing the end of these types of unilateral measures that run counter to the Convention?

The Organisation for the Prohibition of Chemical Weapons (OPCW) has an important mandate to promote the economic and technological development of its States Parties, particularly for developing States. It is within this context that the Organisation and its States Parties have the important responsibility of guaranteeing the full, effective, and non-discriminatory implementation of Article XI.

The unilateral prohibitions and restrictions set out in the embargo against Cuba are clearly incompatible with the provisions of the Convention. It is the obligation of the States Parties to carry out its object and purpose, and that includes the elimination of this type of measure.

Cuba reiterates its firm commitment to the strict implementation of the Convention in all of its aspects and calls for the unilateral and unconditional lifting of the United States embargo, in compliance with the 28 resolutions adopted by the international community at the General Assembly of the United Nations, the Member States of which have requested to put an end to this absurd policy.