

STATEMENT BY MR. RAJEEV SHUKLA, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 51 – NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA AT THE 63<sup>RD</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 29, 2008



Mr. President,

We associate ourselves with the statement made by the distinguished representative of Antigua and Barbuda on behalf as Chair of the Group of 77. We thank the Secretariat for the report on the agenda item under consideration today.

Mr. President,

This is the seventeenth year in succession that this Assembly is deliberating the forty-six year old economic, commercial and financial embargo imposed on Cuba. In its deliberations, this Assembly has repeatedly rejected the imposition of laws and regulations with extra-territorial impact and all other forms of coercive economic measures. The General Assembly has also called upon all States to respect their obligations under the United Nations Charter and international law, as well as repeal and invalidate laws and measures that have "extraterritorial effects" affecting the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

Despite the repeated calls of the General Assembly, its resolutions remain unimplemented in contravention of world opinion. The embargo, particularly its extra-territorial aspects, continues to remain in force. In particular, domestic US laws like the Cuba Democracy Act of 1992 and the Helms-Burton Act of 1996 have enhanced the extra-territorial reach of the embargo, encompassing foreign companies as well as foreign subsidiaries of US companies doing business with Cuba or Cuban entities. We support the categorical rejection by the international community of domestic laws with extra-territorial impact.

Mr. President,

The embargo, particularly through its extraterritorial effects, is adversely affecting the Cuban people and the development efforts of the country. Health care is particularly affected, due to access controls on critical medical equipment, medicines, technologies and diagnostic aids, apart from enhanced cost of supplies. In this regard, Cuba's efforts to provide assistance to fellow developing countries as part of South-South cooperation, has also borne the brunt of the embargo, making this another unexpected indirect negative extra-territorial impact of the embargo.

A variety of other areas of the Cuban economy have also been adversely impacted. These have been elaborated upon in the report of the Secretary-General by various United Nations entities. For example, the UN Resident Coordinator in Havana has noted the negative impact of the embargo is pervasive in the social, economic and environmental dimensions of human development in Cuba, severely affecting the most vulnerable socio-economic groups of the Cuban population. Further, the embargo seriously affects the implementation of the United Nations system's projects and programmes in Cuba, including on travel of UN staff. The Economic Commission for Latin America and the Caribbean has stated that the embargo considerably affects the standard of living of Cuban citizens. The UN Conference on Trade and Development states that the impact of the extraterritorial application is

considerable owing to the significant United States interests in transnational corporations.

Mr. President,

Despite the embargo, the United States of America continues to be a major source of imports for Cuba, insofar as permitted by the US Trade Sanctions Reform and Export Enhancement Act of 2000. This only serves to confirm the potential for trade, commerce and investment between these countries. The embargo also has significant detrimental effect on United States trade and business opportunities. Various efforts in the United States to relax or lift the embargo indicate the substantial interest, particularly in the business sector, for unhindered access to the Cuban market or contact with Cuba. We, therefore, look forward to the lifting of sanctions and embargo against Cuba.

Before concluding, Mr. President, permit me to reiterate India's opposition to unilateral measures by countries, which impinge on the sovereignty of another country, including attempts to extend the application of a country's laws extraterritorially to other sovereign nations.

Thank you, Mr. President.

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