

# The European Union Perception of Cuba: From Frustration to Irritation\*

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## EXECUTIVE SUMMARY

Fidel Castro dramatically selected the commemoration of the 50th anniversary of his failed attack against the Moncada Barracks in Santiago de Cuba on July 26, 1953, for his rejection of any kind of humanitarian assistance, economic cooperation, and political dialogue with the European Union (EU) and its member states, signalling one of the lowest points in European-Cuban relations.<sup>1</sup> Just days before the anniversary of what later history would recognize as the prelude of the Cuban Revolution, the European Union's Foreign Relations Council issued a harsh criticism of the regime's latest policies and personal insults against some European leaders (notably, Spain's José María Aznar), in essence freezing all prospects of closer relations. The overall context was, of course, the global uncertainty of the U.S. occupation of Iraq in the aftermath of the post-September 11 tension. Having survived the end of the Cold War and the perennial U.S. harassment, the Castro regime seemed to have lost its most precious alternative source of international cooperation, if not economic support.

## RESUMEN

Fidel Castro escogió de manera espectacular la fecha de conmemoración del Aniversario 50 del fallido ataque al cuartel Moncada en Santiago de Cuba, el 26 de julio de 1953, para anunciar su rechazo a cualquier tipo de ayuda humanitaria, cooperación económica y diálogo político con la Unión Europea (UE) y sus estados miembros, lo cual marca uno de los niveles más bajos de las relaciones entre Cuba y la UE. A escasos días del aniversario de lo que posteriormente la historia calificaría como el preámbulo de la Revolución Cubana, el Consejo de Relaciones Exteriores de la Unión Europea emitió duras críticas a raíz de un grupo de medidas que había adoptado el régimen recientemente y los insultos personales proferidos contra algunos líderes europeos (especialmente contra el presidente español José María Aznar), lo cual enfrió toda posibilidad de mayor acercamiento. Todo esto ocurría en el contexto general de incertidumbre marcado por la ocupación norteamericana de Irak en el tenso escenario posterior al 11 de septiembre. No obstante haber sobrevivido el fin de la Guerra Fría y el acoso perenne de los Estados Unidos, el régimen castrista parecía haber perdido su más preciada fuente de cooperación internacional, sino de apoyo económico.



## AN OVERALL ASSESSMENT

In April 2003, an extremely serious crisis affected Cuba's international relations, and most especially its link with Europe. It was the result of the harshness of the reprisals against the dissidents and the death sentences imposed on three hijackers of a ferry. These developments pushed back a series of rapprochement measures maintained by the European Union and most of its member states with the expectation of contributing to facilitate the political transition at the expected end of the Castro regime. In spite of the fact that the Cuban government justified its actions in view of the perceived threat presented by the increased activity of the internal opposition and the backing provided by the U.S. government to the dissidents, the bluntness of the response (disproportionate imprisonment and summary executions by firing squad) was too much to swallow.

The measures generated an unprecedented worldwide protest not limited to the usual conservative sectors in the United States and the Cuban exile community. Traditionally tamed governments in Europe made explicit protests, while important backers of the Cuban regime abandoned their endorsement, changing it for a straight denunciation. In the European context, the serious deterioration caught the EU institutions flat-footed, with the result that once again a possible cooperative arrangement became doubtful.<sup>2</sup> After careful consideration, precluded by intended measures to be taken by several member states, the institutional framework of the EU acted accordingly. The European Parliament passed a Resolution and the Council adopted conclusions condemning Cuba. The Commission announced on May 1, 2003, the freezing of the procedure to consider the admission of Cuba into the Africa-Pacific-Caribbean (ACP) Cotonou Agreement.<sup>3</sup> In essence, this decision pushed back the EU-Cuba relationship to a low level similar to the one existing in 1996 when the EU voted a Common Position (CP)<sup>4</sup> conditioning a full European cooperation package to reforms to be taken by the Cuban regime.<sup>5</sup> This time it was not the Cuban regime's withdraw of the application process, as it did in 2000, but the decision of the European Union not to continue with the negotiations. As expected, however, Cuba decided to withdraw again its application in order to avoid an embarrassing rejection. From a dubious attitude and the absence of a clear single policy on

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Cuba, now the EU appeared to have confirmed an effective common policy.

On June 5, 2003, the Presidency of the EU (held by Greece) issued an unprecedented blistering declaration on Cuba's "deplorable actions" in "violating fundamental freedoms", demanding the immediate release of "all political prisoners," and calling on EU member states to limit high-level government visits to Cuba, to reduce the profile of participation in cultural events, and to invite dissidents at national day celebrations.<sup>6</sup> On July 21, the EU Council of Foreign Affairs issued a conclusion using some of the crudest terms labelling Cuba's latest actions, confirming the previously announced sanctions of mostly political nature.<sup>7</sup> The EU demanded the release of political prisoners, denounced the manipulation of an anti-drug trafficking campaign for internal repression, condemned Cuba's demonstrations against European embassies, and expected a new attitude of the Cuban

government, conditioning all future assistance to political and economic reforms.<sup>8</sup> In sum, from a policy of persuasion, the EU had expressed first frustration in expecting signs of reform from Cuba, and finally issued unequivocal signs of irritation.<sup>9</sup>

In contrast with the apparent cohesion of EU's policies on Cuba, variation has been the order of the day regarding European national attitudes towards Cuba, explaining the lack of a cohesive, well-coordinated policy, to the frequent

(behind the scenes) dismay of the staff of the European Commission.<sup>10</sup> For example, while Belgium can usually be labelled as a neutral observer, more critical when led by conservatives than by social democrats, Austria prefers a cultural approach, and the most critical states are led by Sweden's "Nordic fundamentalism" based on pressures to respect human rights. Germany has opted for a gradual rapprochement and the UK tilts towards change through trade and cooperation. The special relationship between Spain and Cuba has neutralized most of the hard line attitude tested by Prime Minister José María Aznar after coming to power in 1996. Italy has replicated the engagement policy of France, while Portugal has inserted Cuba into its Latin American foreign policy. Direct government contacts have multiplied in recent years and only Finland does not have an embassy in Havana (only for economic reasons).<sup>11</sup>

In the meanwhile, the European media ceased to look at Cuba through the lenses of the Cold War, which has resulted in mixed views in the political analyses of the

Castro regime. In general, European newspapers seem to recognize the advances of the Cuban Revolution, while they are more critical of the human rights violations and economic weaknesses of the regime. Understandably, this pattern has drastically changed since the incidents of April 2003. In terms of volume, Cuba seems to enjoy disproportionate attention in the European media considering the relative value of the country in global trade and economic terms. While the British press seems to be more objective, in Spain Cuban affairs can turn into the subject of debate at the level of internal politics. Political parties are equally subdivided into ultra conservatives rejecting direct contact with Castro, far-left nostalgics retaining loyalties to the Cuban Revolution, and the majority of the rest favouring a critical dialogue as the best way to guarantee a peaceful transition. Most lively on Cuban affairs are the European NGOs (Church organizations, universities, foundations) dealing with Cuba, as well as regional and local governments, especially in Spain and Italy.<sup>12</sup> Pax Christi, one of the most vocal and influential church-related NGOs, has issued critical reports on the European links with Cuba.<sup>13</sup> In any event, as we see in the last part of this study, media, intellectuals, and political forces exhausted their confidence in the Cuban potential for reform as a result of the serious April 2003 events.

On the economic scene, activities between Cuba and Europe have been increasing in the last decade. Trade has doubled. EU exports to Cuba topped €1.43 billion in 2001 (44% from Spain, followed by Italy and France). Cuban imports in Europe were in the amount of €581 million (54% in the Netherlands, followed by Spain). Two thirds of Cuba's imports from developed countries come from the EU. Bilateral development aid and tourism are two of the most important sources of European involvement in Cuba. Almost 70% of cooperation assistance comes from Europe, led by Spain (16.8%), followed by the Commission. Italian tourists are the leaders (13%) in a key sector for the Cuban economy. European direct investment in Cuba is over 50% of total foreign investment, with Spain covering 25%, followed by Italy with 13%.<sup>14</sup> Of the 400 investment consortia, 105 are with Spanish companies, followed by Canada (60) and Italy (57).<sup>15</sup> Considering this impressive level of engagement, it is not surprising that only Sweden does not have a bilateral cooperation

agreement with Cuba, and ten European countries have investment protection agreements with Havana. Spain leads the European pack with the number of agreements of different kinds with the Cuban government, followed by Italy, the country that in 1993 inaugurated the investment protection pacts.<sup>16</sup>

## THE ACP: A BACK DOOR TO THE EU?

Whatever is the evaluation of the relationship between Cuba and individual European countries, the stark reality is that Cuba is the only Latin American country that still does not enjoy a bilateral cooperation agreement with the EU. A search through the official EU web pages could (and still does to a great extent) generate a sense of confusion and frustration because Cuba does not have a place like any other Latin American country in the External Relations structure of the Commission and until very recently did not occupy a specific place in the framework of the Directorate General for Development (formerly called DG VIII).<sup>17</sup> With the derailment in the year 2000 of the process towards the signing of the post-Lomé agreements, EU officers dealing with the Cuba dossier used to joke that they were commissioned to take care of the ACP... and Cuba, with no documents, while all the files were frozen in the Directorate General of External Relations (formerly DG Ib), and the EU Commission delegation in Mexico was in theory accredited to Havana.

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This anomaly was further complicated when Cuba became a member of the ACP countries without being a signatory of the Cotonou agreements, successor of Lomé. Nonetheless, Europe as a whole has been Cuba's most important trade and investment source, replacing the Soviet Union as Havana's main commercial partner. With the vanishing of the Soviet Bloc, Europe has been able to afford to accept Cuban exceptionalism and has developed what can be labelled as "conditioned constructive compromise" based more on the carrot than the stick. But, until very recently, Brussels has barely used its economic leverage to pressure Cuba on a political level. The peculiar political structure of the EU has helped reinforce this weakness. European persuasion has been reduced to the spirit and the content of the Common Position of 1996, which in turn owes its development to the aftermath of the confrontation between the EU and the United States over the Helms-Burton law.<sup>18</sup>

The Common Position, approved under the Spanish conservative leadership in the fall of 1996, renewed every six months, is a pre-condition for a bilateral agreement between the EU and Cuba, a clause that has been explicitly rejected by Havana.<sup>19</sup> It calls for a pacific transition to a pluralist democracy, preferably led from the top, with the benefit of development aid being channelled through European and Cuban NGOs. Observers have noted that this Common Position is void in view of the volume of bilateral relations with the majority of the most important member states. It has been basically violated by Cuba's most important partner, Spain, both in terms of trade and aid, under both socialist and conservative governments. Only the Nordic countries seem to respect the terms of the position. The result of this mixed message is that Cuba has not taken seriously the tough attitude emanating from the EU common institutions.

A rough picture of the attitudes of the different member states on Cuba's prospective Cotonou membership shows a southern bloc composed of Spain (with its own internal contradictions of economic engagement and political confrontation with Cuba), Portugal, Italy and France acting as main proponents. In contrast Germany, the UK and Sweden seem to distance themselves in the political dimension. Less influential in world affairs, Austria, Belgium and Finland don't have much at stake in the Caribbean and Latin America. A group of "blockers" (Finland, the Netherlands, Sweden, and the UK) seem to slow down the process of the post-Lomé arrangement, while "openers" (France, Portugal, Spain and Italy) favour a positive approach. "Mediators" (Austria, Belgium and Germany) remain ready to serve accordingly.<sup>20</sup>

It is also a fact that institutional relations have been recently difficult for two kinds of reasons. The first is composed of uncomfortable personal linkages and references, not by chance implicating Spanish officials. When a deal seemed to be close in early 1996, the insistence of Commissioner Manuel Marín on the human rights issues became an insurmountable obstacle.<sup>21</sup> The cloudy atmosphere has worsened since a new Commission was established. In 1999, the Cuban leadership insulted Javier Solana, the new High Representative for the Common Foreign and Security Policy, claiming that he was endorsing the U.S. policies. At some times, there appeared to be friction between the EU officers and Cuban ministers during the Lomé negotiations. The second origin of difficulties seems to derive from external crises. Stemming back to the shooting down of the Brothers to the Rescue planes, the controversies over the Elián González crisis

did not help, and at sometimes protests against U.S. interference were extended to cover all foreign activities in Cuba.

In any event, and in spite of all difficulties, the road to a post-Lomé deal seemed to be on a sure path, initiated in Brussels in September 1998<sup>22</sup> and culminating in the signing of the new agreement on June 23, 2000, in Cotonou. Havana was not dealing now with one office in Brussels but with a multilateral outfit of 77 countries. In essence, the switch of Cuba's position in the EU structure from the Latin American context to the post-Lomé cooperation framework was dictated by a political decision to send a message to Cuba that the insertion in the Cotonou setting was the best option and that the political dimensions were downsized. However, Castro rejected the procedure, and withdrew the application intention,<sup>23</sup> claiming the Resolution issued by the United Nations Human Rights Commission in its annual gathering was one-sided, and suspended the scheduled visit of the Troika.<sup>24</sup> Ironically, the overall climate for Cuban membership in Lomé was positive, shifting towards a normalization of the EU-Cuba relationship, this time anchored in the ACP multilateral context.<sup>25</sup> Only some European governments seemed to oppose, led by the UK, the Netherlands, and Sweden. According to evident signals, the UK apparently threatened to veto the arrangement once it would come to be discussed by the Council. Consequently, Cuba then branded the EU conditions as "arrogant", "unacceptable", and dependent on the "U.S. policy".<sup>26</sup>

Supporters of Cuba's membership and most neutral observers considered the Cuban reaction as unexpected and violent. In fact, the decision was a slap in the face of ACP members that advocated Cuba's membership. ACP diplomats in Brussels confessed on the record to being surprised, although off-the-record seasoned ambassadors suspected the outcome and were not caught off guard.<sup>27</sup> EU Commission officers expressed tongue-in-cheek satisfaction for what they feared was the result of hard work with high expectations. Evidence shows that the decision was taken after a complete internal debate on the cost and benefits. The Cuban government figured that the economic benefits were not an adequate compensation for the loss of political independence and the insertion into a multilateral dialogue of unforeseeable consequences when dealing with democracy and human rights. In a gathering of high government officials of the Caribbean and Central America, off the record, Castro called the deal "demasiado fastidio para tan poca plata" [too big of a nuisance for so little money].<sup>28</sup> This euphemistic

ocurrencia, an apparently innocent remark, became an omen of a more serious incident to come in April of 2003, confirming the worst suspicions about the priorities of the Cuban regime regarding the European linkages.

However, some months later, in the sequel to this mini-drama, on December 14, 2000, and to the surprise of many observers, Cuba became the 78th member of the ACP group. The novelty of the event is that Cuba joined it without signing the Cotonou convention.<sup>29</sup> For the confusion of experts and unguarded observers, this anomaly led some to believe that Cuba had in fact obtained the same benefits. This is not the case.

In reality, the charter of this organization (in essence, an international organization as any other) had to be amended to provide for a new member that will not use the only and unique service of the organization: the trade and cooperation benefits from EU member states. In comparative metaphorical terms, Cuba's membership in the ACP is like belonging to an exclusive golf club without being able to play golf, only watching others play and walking around the facilities.<sup>30</sup>

Seasoned observers may point out that this is another example of an EU compromise to accommodate for difficult circumstances and give the impression to the three parties (the EU member states, the ACP countries and Cuba) that they have won something in the preparation of Cuba becoming a full member some day. Harsher critics of the overall picture may claim that this only reveals a certain degree of absurdity with no substantial results. However, this odd solution only reflects that the ACP group is composed of sovereign states that endorsed Cuba's membership. While some member states expressed reluctance, the EU accepted the ACP wishes and pointed out to the Cotonou procedure. The result is the current split solution, void by the explicit rejection of any EU assistance issued by Castro on July 26, 2003.

## EU STANDING SHOWCASES

During all this time, it has been reasonably expected that the EU would continue the policy of persuading Cuba towards a political reform. Brussels would also maintain a limited profile of normalcy with Havana in the diplomatic field, stressing that the door of opportunity regarding the ACP deal was open.

As an example of the obvious contradiction between bilateral engagement and supranational conditioning, the record shows that the EU has collectively

demonstrated impressive coherence on two fronts in the context of the United Nations. On the one hand, the EU member states bloc has opposed the embargo and the Helms-Burton law.<sup>31</sup> This is a sign of the slow but steady build up of an incipient EU common foreign policy. Europe can muster a much superior solidarity than the one that seems to be absent in Latin America. Moreover, in the annual conference of the Human Rights Commission, Europe is highly unified. In contrast, the Latin American countries seem to go their separate ways, although there was an improvement in the 2002 vote, but the split reappeared in 2003, in part further confused by the opposition of most Latin American governments to the war in Iraq.

Since 1996, the year of the approval of Helms-Burton and the subsequent passage of the Common Position on Cuba, the European states have maintained a solid bloc attitude on both items. Not only have the EU members voted in unison, but also they have tried to do so in conjunction with the candidate countries that expect to join the Union in the near future, in

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compliance (although not legally binding, with the result of certain exceptions) with the rule of coherence to foreign policy. It would be a sign of bad initiation rites if candidates voted differently in international settings than the EU member states. In contrast, Latin American governments seem to have at least three fronts regarding

Cuba. Some vote for, some abstain, and some others oppose, according to circumstances or changes in the executives.<sup>32</sup>

Other diplomatic moves show a certain degree of ambivalence and contradiction depending on the prevailing circumstances, who is holding the EU presidency, and what kind of individual conflicts and priorities member states have regarding Cuba. For example, in one of the attempts to speed up the process of a closer relationship with Cuba, Belgium Vice Premier and Foreign Minister Louis Michel, holding the presidency of the EU, visited Havana in August of 2001, raising expectations in EU circles and irritation in Cuba, as well as concerns in the U.S. Department of State. The Cuban government officially considered the visit in its Belgium dimension, while Spain (as next EU presidency) demoted its representation in the Troika to the minimum. The visit, announced to the EU Commission with barely five days notice, served to somewhat smooth the friction between Brussels and Havana caused by the ballot

cast in the UN Human Rights Commission in Geneva. The EU wanted to send a message of holding the door open and the Cuban government managed to show that it counted with Brussels understanding, especially during the Belgium presidency. This linkage was predicted to be more difficult during the Spanish presidency in the first semester of 2002, with Madrid heavily pressed by crucial EU pending issues, such as the debate of the future of Europe, the plans for enlargement, and economic dimensions in the new euro era. A new run of disagreement with Brussels while Spain was at the wheel of the EU might not have been the most beneficial outcome for any party, but it might have tactically helped Castro as it has on other occasions.<sup>33</sup>

In the absence of the standard bilateral cooperation framework agreement, the standing EU policy towards Cuba can be subdivided into three main areas. The first one is a relationship based on humanitarian grounds; the second is an attitude towards the anchoring of Cuba in its natural Caribbean habitat; the third, and most complex, is the setting of the wider ACP framework.

Regarding humanitarian assistance, the EU record shows that the funds provided by the Commission have increased in the line of cooperation assistance delivered through NGOs during the past five years: from 0.6 M€ in 1997 to 5.4 M€ in 2001, with a peak of 8.2 M€ in 2000. Waiting for quality proposals, the Commission has been considering it essential to ensure that NGO projects meet the criteria of financial and institutional sustainability, to allow for long-term impact at the beneficiary level. In the view of Brussels, if properly conducted and monitored, NGO cooperation may therefore effectively contribute to the development of the incipient civil society in Cuba.<sup>34</sup>

With respect to humanitarian aid and development assistance, this variance on a programmable basis was phased out. A comprehensive evaluation conducted in April/May 2000 concluded that Cuba was no longer in a state of emergency. Before 2000, Cuba received sums sometimes reaching €30 million per year, a level that was reduced after the failure of the cooperation agreement in 1996. A humanitarian aid allocation of €8 million was channelled through the 2001 European Community Humanitarian Office (ECHO) funds. In addition, the Commission allocated €0.5 million to

address the emergency needs of the affected population in the region of Matanzas, in the wake of Hurricane Michelle (November 4, 2001). In sum, the record shows that since 1993 the EU has financed close to €125 million of assistance measures, of which nearly two thirds have been in the field of humanitarian aid. It is estimated that some 16% of the Cuban population has benefited from this aid. Following the Commission decision to phase out humanitarian aid, measures supporting economic reform and civil society development have been increasing. Assistance of this type to Cuba would continue as long as programmable funds are not available. It was expected that, on average, between €15 and 18 million would be used for development programs in Cuba.<sup>35</sup>

The exception made for this line of assistance was based on the logic of the seriousness of Hurricane Michelle's destruction, estimated at \$1.8 billion, considered as the worst natural calamity in Cuba in fifty years. Thus the justification for the use of €0.5 million earmarked to provide medical and other emergency supplies for affected persons. As far as disaster prevention is concerned, the Commission, in December 2001, approved funding for Cuba in the amount of €0.92 million in the context of a regional program for the Caribbean.

The EU Commission and other EU entities have been well aware of the seriousness of the Cuban economic situation. In addition to the damage caused by natural disasters, the Cuban government has seen a severe drop in fiscal revenues and foreign exchange because of consequences of the September 11 attack. Tourism decreased by 13% in September 2001 and 20% in October 2001, and U.S. remittances were reduced by 60%. On top of that, Russia's decision to close its Cuban 'spy station' represented an annual loss of some \$200 million. In this rather dark setting, Cuba had to look for its natural geographical habitat. In consequence, the EU Commission has been clearly in favour of promoting the regional integration of Cuba in the Caribbean, Latin American and ACP context. In this connection, the opportunities that the follow-up to the I EU-Latin America-Caribbean Summit held in Rio in 1999 provided in terms of support measures and partnerships, were to be fully exploited. The Commission has been also willing to facilitate Cuba's participation in regional measures under the auspices of CARIFORUM (of which Cuba is a

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member since October 2001) through relevant budget lines. For example, a financial proposal under the 2002 budget was set foreseeing Cuba's participation in a regional Caribbean project to fight swine fever.

A more complex pending issue has been presented by the consequences of the impasse regarding the application for the Cotonou agreement. Following the 9th Evaluation of the Common Position, the Council concluded on June 25, 2001, that the EU would welcome a constructive dialogue with Cuba on a future cooperation framework based on the respect for democratic principles, human rights and the rule of law. This conclusion was reiterated by the Council in its 10th Evaluation of the Common Position issued on December 10, 2001.<sup>36</sup> It was doubly ratified in June and December of 2002, with the 11th and 12th evaluations.<sup>37</sup> This EU procedure was explicitly rejected by Cuba.<sup>38</sup> The Council deliberately chose this formulation as an implicit reference to Cotonou since the same text is contained in Art. 9 of the Agreement. As we will see later on, Cuba did not submit any other request for membership, even though Castro announced his intention to do so on December 12, 2002.

On a more politically oriented level, during the EU Spanish presidency of the first semester of 2002, relations with Cuba reflected a freezing of the attempts made during the previous Belgian presidency. The end balance was mixed. What was perceived by Cuba as a "window of opportunity" (the presidencies of Spain, Denmark and Greece would not make Cuba-EU relations a priority in the sense expected by Havana) did not materialize beyond the trip taken by Belgian Foreign Minister Jean Louis Michel to Cuba in August of 2001, or the low-level troika trip of December 2001.<sup>39</sup>

Meanwhile, the weight of Cuba's international activity and concerns seemed to have tilted towards the Western Hemisphere, away from Europe, perceived as concentrating on more pressing issues such as enlargement, the rise of the right, and immigration on top of the crucial disagreements over the consequences of the attacks of September 11. This thesis was confirmed by the absence of Castro in the II EU-Latin American-Caribbean Summit held in Madrid on May 17-18, 2002, replicating his decision of not

attending the Ibero-American Summits held in Lima in 2001 and in the Dominican Republic in 2002, a yearly event where the Cuban leader has been the frequent main protagonist of polemics.<sup>40</sup> Among the reasons behind his decision was his calculation of not reaping the expected benefits and risking a losing confrontation with some vocal counterparts, and most especially Spain's Prime Minister José María Aznar.

It always remained to be seen if an (very unlikely) activation of Title III of Helms-Burton would cause a European reaction that would endanger the future of the World Trade Organization (WTO) besieged by a politically-loaded litigation, the main reason for the crafting of the 1997 and 1998 understandings between the EU Commission and the Clinton administration. This deal was signed between the United States and the European Union, by which the EU agreed to monitor future European investments in illegally expropriated U.S. properties in Cuba. In turn, the United States would freeze retaliatory measures against European investors, notably titles III and IV of the Helms-Burton law.<sup>41</sup> But all of this reasonable logic seems to belong to the pre-September 11 world scene.

All things considered, in the event that the U.S.-Cuba relationship continues to follow the impasse of four decades while the inexorable biological transition proceeds in Havana, it was expected that the European attitude

would not drastically change. The EU as an entity would continue to act in a fashion of conditioning a bilateral agreement to a minimum of progress in the political field, while the Common Position would be reduced to an endorsement of this policy. In fact, in the aftermath of Carter's visit to Cuba, this attitude was confirmed by EU Commissioner Chris Patten. In the context of the II EU-Latin American Summit, he qualified Cuba's respect for human rights as lacking.<sup>42</sup> The bulk of the available assistance was supposed to be dedicated to a minimum of anchoring Cuba in the market economy.<sup>43</sup> In contrast, Castro invested his political capital in courting his neighbours in the setting of CARICOM's summit held in Havana in December 2002, where Cuba would receive encouragement for a deeper relationship with the ACP group, an offer that the Cuban leader took upon himself with renewed energy.<sup>44</sup>

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## BEFORE THE STORM

The year 2002 ended with two important developments on EU-Cuba relations. On the one hand, on December 8 Fidel Castro surprisingly announced that Cuba would reapply for accession to the Cotonou agreement.<sup>45</sup> On the other, the European Commission made official the opening of a full Delegation in Havana. Inaugurated in March 2003 by EU Commissioner Poul Nielson (who is in charge of development and ACP affairs), it was entrusted to an experienced staff led by former Cuba desk chief in Brussels, Sven Von Burgsdorff, with direct knowledge of Cuba, under the expectation of positive, substantial developments.<sup>46</sup> The background to these twin details is a combination of interlaced developments involving more than the two basic actors.

As outlined above, after a six-year period of frosty relations presided by the Common Position of 1996, the Belgian presidency led the first modest troika approach in December 2001. However, the Spanish presidency during the first semester of 2002 did not take any initiative to further the dialogue with Havana (in spite of a wide consensus recommending consultations). The Danish presidency during the second part of 2002 decided to insert the dialogue with Cuba in a wider EU-Latin America setting. While several member states expressed renewed interest in furthering bilateral commercial relations, a majority in both the Council and the European Parliament consider the Common Position as a limiting factor that conditions the potential use of available instruments in the fields of political, economic and development co-operation on progress in respecting civil and political rights in Cuba.

As a first move from the ACP Group, a request was made on September 26, 2002, to grant Cuba the status of an observer for the Economic Partnership Agreement negotiation process. Although the member states were divided, a clear majority was in favour of the request advocating Cuba's regional political and economic integration. On November 4, 2002, the EU troika met with Cuba in Copenhagen, with the Commission represented by Poul Nielson. Both parties were frank, but not aggressive in their positions. Disagreement continued over the EU Common Position, the human rights situation in Cuba and co-operation on the area of

human rights, while Cuba committed to pursue reforms to establish a more market-oriented economy. Cuba then hinted on probable candidature for membership in the Cotonou Agreement, a thought that was strongly encouraged by the Commission. Cuba then agreed to the Commission proposal to set up a EU-Cuba task force to identify solutions in the field of investment and trade. As a result of behind the scenes negotiations, a potential compromise solution suggested by the Commission and supported by the member states was contemplated in which Cuba would be given an "informal" observer status during the "all-ACP" phase of the Economic Partnership negotiations.<sup>47</sup>

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objectives of the Common Position. Following a Commission proposal, the Council adopted on December 10, 2002, the Conclusions reconfirming the Common Position. However, they introduced two important modifications: (1) On the one hand, there were no limitations for development co-operation measures any more as long as the Cuban government attempts to meet the objectives of the Common Position (respect of human rights and democracy, improvement of living standards of the Cuban population and promotion of sustainable economic growth); (2) On the other, they extended the term for periodic

reviews of the Common Position from six to twelve months, with the intention of giving both parties a longer term for pursuing a political dialogue.<sup>48</sup>

Almost simultaneously, Castro announced in Havana before a meeting of all CARICOM Heads of Government (celebration of the 30th Anniversary of the opening of diplomatic relations between Cuba and four Caribbean states, in frontal challenge of the U.S. embargo) that Cuba intended to join the Cotonou Agreement. However, two fundamental questions then were: How the EU would react to this? What were the Cuban expectations and real intentions?

Cuba, understandably, would like to receive an answer before it submits its application. The problem is that the EU will not reveal its decisions a priori (in the ACP context or in any other membership procedure). For

months, after much give and take, EU Commission officers were successful in convincing their Cuban counterparts that the European Union history is full of examples of a cycle including applying, rejection, resubmitting application, and admission. The United Kingdom and Spain are among the countries that experienced such process, and Cuba would not be different.<sup>49</sup> It must be understood that it is not EU policy to take an official position on a matter such as the admission of a new member to Cotonou unless the interested third party has formally introduced a membership request. The EU will therefore not be in a position to pronounce itself on Cuba's eventual membership in Cotonou before being in possession of the Cuban request. In consequence, if Cuba were in the future to approach the ACP-EU Council of Ministers with a new request for accession to Cotonou then the competent EU institutional bodies would have to assess the matter on the basis of the relevant part of the Cotonou Agreement (Art. 94) as any other third party request.

However, Cuba, if accepted by the ACP-EU Council of Ministers as a new member and subject to the conclusion of the ratification process in the member states, would not automatically be in a position to enjoy the financial benefits under the Agreement. This is stipulated in Art. 94, dictating in consequence that Cuba's eventual accession would not infringe on the benefits enjoyed by the ACP states signatory to this Agreement under the provisions on development cooperation. Since the allocations for the 77 ACP Cotonou members have already been distributed on an indicative basis, Cuba would not receive funds under the present 9th European Development Fund (EDF). It would be feasible that the EU could decide to add a specific budget line, as was the case with South Africa, in order to finance cooperation measures benefiting Cuba under this Agreement. It is equally important to recall in this connection that Cuba, once a member, would have to meet the essential elements of the Cotonou acquis (as in the case of EU membership) in order to enjoy the eventual financial and commercial benefits deriving from the Agreement.

An intriguing subject related to this complex membership procedure is the attitude of some individual member states. It is a fact, never confirmed

in public, that some EU member states continued to object to Cuba's accession to Cotonou at that stage because, in their judgment, Cuba had not made progress in human rights improvements. EU officials are careful to point out that Art. 94 sets out the formal requirements for membership to Cotonou. Eligible is any "independent State whose structural characteristics and economic and social situation are comparable to those in the ACP States". It is interesting to note that no other conditions are mentioned. If Cuba ever submits a request for accession this petition will be assessed on no other grounds than the ones contained in the Cotonou Agreement.

However, the question if and to what extent Cuba meets the democracy and human rights criterion, as defined in Art. 9, is to be discussed only once Cuba is a member of the Agreement. The award of financial and commercial benefits under the Agreement is subject to fully respecting the stipulations of Art. 9. This, however, is not an issue while Cuba is not a Cotonou member state. It has to be understood that while the Common

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Position is a unilateral foreign policy statement of the EU, Cotonou is a multilateral partnership agreement constituting mutual rights and obligations under international law. This is separate from the annual UN Geneva evaluation of human rights, although it would be strange to note that while the EU member states and candidates vote solidly to censure Cuba, it would look inconsistent if they would approve Cuba's credentials for Cotonou. However, it has to be recalled that the EU has consistently supported motions in the UN criticizing

the human rights situation in countries with cooperation agreements, including Lomé and Cotonou signatories.

The decision to reapply for membership in 2002 and its consequences need to be considered in a wider and more complex scenario before the crisis of 2003, according to the analysis developed in Brussels. First, there was the financial exhaustion of Cuba by an accumulation of external shocks in 2001 (Hurricane Michelle, September 11 attacks, closing the Russian military intelligence station, global economic slowdown, oil price increases), with the result that Cuba faced in 2002 a sensible shortage in foreign hard currency, estimated at around \$500 million. As a remedy, the Cuban government made special efforts to attract more tourism and foreign direct investment as well as to

agree with debtors on rescheduling arrangements. However, some estimates question the internal benefits of these revenues, since as high as 40% are dedicated to import foreign products to be consumed by tourists.<sup>50</sup>

On the home front, measures to further liberalize the domestic economic environment, especially for the local entrepreneurial sector, have however not been improved accordingly. The economic gap between Cubans who have access to U.S. dollars and those who do not is increasing, as well as internal political dissidence. The crime rate has been obviously on the rise in recent years, but tight police and law and order control have clearly succeeded in reducing its more visible effects. Police forces have harassed political dissidents (especially the organizers of the Varela project) and independent journalists, leading to the drastic measures taken in March and April of 2003.<sup>51</sup>

On the international front Cuba embarked, after striking a rather conciliatory tone with the United States following the September 11 attacks, on a double-edged strategy: pursuing a more confrontational course with the Bush Administration and engaging in a deliberate offensive towards the growing U.S. anti-embargo lobby both in Congress and in the business community. Following Cuba's narrow condemnation at the United Nations Commission on Human Rights in 2002, which was supported by several Latin American countries, including for the first time Mexico, relations with the neighbours became rather sour (with insulting remarks against Uruguay's president). Relations with the Caribbean have been less problematic, with Cuba having signed partial free trade protocols with CARICOM in June 2001 and having joined CARIFORUM (the EU-ACP aid framework in the Caribbean area) in October 2001.

Because of the endemic economic crisis in Cuba, the regime was in 2002 interested in improving its relations with the EU. In spite of the Geneva confrontation and rejection of the conditions of the EU Common Position, a positive attitude towards Brussels developed. Allowing Oswaldo Payá to travel to Europe to receive the Sakharov Prize was apparently part of the strategy. In the context of this mild EU-Cuba "honeymoon," the Commission was accurately perceived by Cuba as a major, cohesive force for a deeper rapprochement. However, Brussels was well aware that Havana's moves

were dictated by a long-term strategic interest. Castro did not expect any special softening of the official U.S. attitude after the Republican victory in the mid-term elections in the Fall of 2002. Hence, he needed the Europeans for breathing space, pressed by financial shortfalls in Cuba and the rest of Latin America. The squeeze of oil from Venezuela has been only one of the troubles. Moreover, the economic opening from the United States in allowing the exports of some items has not come without a price — food and medicine sales are costly since they have to be purchased on a cash basis.

In consequence, the EU Commission opted once again for a policy of "constructive engagement", as opposed to one based on coercion, hoping for preparing the foundations for change in the longer run. In this line of thought, the opening of the EU Delegation in Havana

was supposed to serve as the proper setting for the inclusion of Cuba in the new Asia-Latin American (ALA) Regulation (in which Cuba is already inserted in its 1992 arrangement), including a technical framework agreement governing the implementation of EU aid. This new instrument would allow for substantially wider development assistance objectives than under the Common Position, although this measure remains the EU policy towards Cuba. The Council Conclusions of December 10, 2002, significantly widened the

scope of EU development cooperation in Cuba, thus taking away the sector limitations imposed in 1996.

The new ALA Regulation establishes clear principles for programming through a Country Strategy Paper and multi-annual indicative program, and limits the role of member states at the project approval stage and allows untying of aid at the regional level. It has to be noted that, in spite of the absence of a standard cooperation agreement and the lack of membership in the Cotonou structure, Cuba participates to some extent in several EU programs: INCO (the network of research institutes), ALFA (the network of universities), URB AL (the network of cities), and AL INVEST (the promotion of investments). Cuban partners can also apply to @LIS, a program of cooperation in the development of information and communication technologies in Latin American countries.<sup>52</sup>

On balance, there was still a sense of moderate frustration, combined with some resignation, as a common denominator of the European attitude. This

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perception would survive provided the Cuban internal situation would not worsen beyond the tolerable limits of international impact. However, in the event that during the path to a definite transition the European policy of economic engagement renders the expected results, a sense of satisfaction would then become visible. Meanwhile, each one of the member states will continue to proceed in the defence of their best interests and historical obligations. Frustration will diminish as long as the emphasis is put on lessening the tensions in preparing the way for a peaceful transition, under the assumption that the future of Cuba is, after all, in the hands of the Cubans. A Declaration of the EU Spanish presidency welcoming the “Varela Project,” was explicit in this line of thought widely shared by a majority of the decision-making and opinion circles of the EU: [The project] “will succeed in opening a debate in favour of the process of a peaceful transition towards a pluralist democracy and reconciled Cuban society.”<sup>53</sup> The European Parliament’s award of the Sakharov Prize to Oswaldo Payá,<sup>54</sup> the renewed offer of constructive engagement, and the opening of a EU Delegation in Havana were confirmation of this line of thought and policy. However, the serious events of April 2003 drastically changed the constructive EU approach.

### **THE (OTHER) EMPIRE STRIKES BACK**

Right after the serious events EU observers and representatives of member states compiled a bleak picture submitted in reports to the different institutions for their subsequent actions. It included, among others, the following aspects:

- Since March, in 29 trials, 75 defendants were found guilty and convicted under law articles 88 and 91 of the penal code, 3 others were charged under lesser charges. All those arrested were found guilty.
- Sentences ranged from 6 to 28 years with the average being 15-20 years; a total of 1454 years.
- The conduct of the trials has raised serious concerns about access to justice and the right to a free and fair trial by an impartial tribunal. The trials fell well short of international standards particularly with regard to: Adequate time and facilities for the preparation of a defence and communication with the counsel of defendant’s choosing; fair public hearing by independent and impartial tribunal; summary group trials each lasted on average 1 day; defendants were tried in groups of around 6, each on different charges; no independent international observers were allowed in the courtrooms; State Security filled the courtrooms and some family members/supporters were turned away.

- EU ambassadors were denied access to the trials.
- On April 11, 3 persons responsible for kidnapping a boat were executed, ending a nearly 3-year moratorium on the application of the death penalty.<sup>55</sup>

With this background, on the eve of the May 1 celebration, as important in Cuba as it is in most of the world with the exception of the United States, the European Commission, in its weekly meeting, considered the thorny topic of Cuba and decided to file the still pending petition of Cuba to become a member of the Cotonou Agreement. The Commission issued a statement indicating that the situation in Cuba “has strongly deteriorated in such a very serious manner that the Commission did not want to remain silent.”<sup>56</sup> Commissioner Poul Nielson recommended delaying the process some months waiting for a change to be made by the Cuban government. Other members of the Commission (led by Spain’s Loyola de Palacio and UK’s Chris Patten, in charge of external relations) pressed for an indefinite ban on membership. Nielsen declared that the reason for this drastic decision was that the cooperative agreement is not limited to commercial benefits, but it also includes the area of respect for human rights.<sup>57</sup> Moreover, Patten put the burden on Cuban authorities (“the ball is in their court”) until they “repair the damage done to the most basic human rights”. The Commission also contemplated the renewal of Cuba’s membership in the UN Human Rights Commission.<sup>58</sup> For its part, the EU Council acted with a speedy condemnation, warning Cuba not to expect European aid.<sup>59</sup> The Latin American Group of the Council decided to endorse an unsuccessful Nicaraguan censure motion against Cuba presented at the Organization of American States (OAS), to issue instructions to governments to limit contacts and participation in programs to be held in Havana, and to carry out a special evaluation of the Common Position on Cuba in place since 1996.

These moves were the coordinated results of decisions made by the other EU institutions. When the first arrests were announced, the Greek Presidency of the EU issued a critical declaration.<sup>60</sup> On April 10, the European Parliament approved a Resolution expressing concern, criticizing the lack of due process, demanding the release of the detainees, calling Cuba to stop “hampering human rights,” and asking the Council to “display firm resolve in tackling the issue of human rights in Cuba, and to monitor the situation very closely.”<sup>61</sup>

These decisions were the expected official result of a series of European reactions, first to the imprisonment of dissidents and later to the summary executions implemented by the Cuban government.

Right after the announcement of the imprisonment of 75 dissidents, their organizations, led by leaders such as Elizardo Sánchez, Gustavo Arcos and Oswaldo Payá, opted for asking the help of the EU institutions in their release.<sup>62</sup> European newspapers stepped up critical commentaries against the Cuban government, while intellectuals signed declarations of condemnation on both sides of the Atlantic.<sup>63</sup> Press activity became spectacular most especially in Spain, and it was not limited to the conservative press, a trend that has been evident since the mid-90s.<sup>64</sup> Moreover, op-ed pages in newspapers of all sorts of political inclinations have become frequent showcases of commentaries by Cuban anti-Castro exiles.<sup>65</sup> Some notable desertions in the backing of the Cuban government as with the case of Portuguese Nobel winner writer, Jose Saramago,<sup>66</sup> reminded observers of the spectacular alarm created by the Heberto Padilla “confession” in 1971.<sup>67</sup> The scandalous reaction reached an unprecedented level when the executions were announced.<sup>68</sup> In Spain, the alarm was translated as censure in press reports, editorials, and columns published by leading opinion makers of all sorts of political inclinations.<sup>69</sup> PSOE leaders qualified the executions as “savage”, while Izquierda Unida branded them as a “political mistake of great magnitude.”<sup>70</sup> Former Spanish Prime Minister Felipe González used harsh qualifiers on live TV interviews referring to Castro “in the last stages of a decrepit regime.” Former Socialist leaders and prestigious diplomats with social democratic credentials were especially critical of the Cuban leadership.<sup>71</sup>

The Spanish government and the leadership of the Partido Popular were especially noted for their blistering remarks.<sup>72</sup> Prime Minister Aznar, while invited to the White House, met in Washington, D.C., with Cuban-American members of Congress and issued a condemnation of the Cuban regime.<sup>73</sup> The PP also used the occasion to create confrontation with the opposition,<sup>74</sup> reviving the insertion of the Cuban issue as an internal theme to be manipulated for electoral purposes.<sup>75</sup> The Hispano-Cuban Foundation awarded its International Prizes for Human Rights to three distinguished Cuban dissidents in a ceremony to be held at the Spanish government setting of Casa América.<sup>76</sup> The Spanish Senate passed a motion to “withdraw” a medal given to Fidel Castro in 1987 on the occasion of a visit by its President.<sup>77</sup> A former President and current PSOE spokesman in the Senate lamented the lack of Spanish consensus on Cuba and potential loss of Spain’s

influence in the Cuban transition.<sup>78</sup> The who-is-who of Spanish artists signed protest manifestos along worldwide figures,<sup>79</sup> with the result that only Colombian novelist Gabriel García Márquez remained isolated in the group of famous writers siding with Castro.<sup>80</sup> In spite of the internal controversies, a survey revealed that an overwhelming majority of 90% of Spaniards believe that Castro should leave power, while 78% condemns the executions, figures similar to the popular opposition to the war in Iraq and to the U.S. embargo against Cuba.<sup>81</sup>

## DAVID RESPONDS TO THE NEW GOLIATH

Cuban authorities replied to this criticism and opposition by using hard expressions as “blackmail” and “soft” [on the United States] for the actions and attitudes of Europeans.<sup>82</sup> The Cuban ambassador in Madrid branded Spanish politicians as “opportunists” seeking electoral gains.<sup>83</sup> Meanwhile, protests in Europe and Latin America degenerated in serious confrontations and aggressions inflicted on press members by Cuban diplomatic staff.<sup>84</sup> The EU Commission warned that the repressive measures could have a “devastating effect” on

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The scandalous reaction reached an unprecedented level when the executions were announced.

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the relations with the EU.<sup>85</sup> Several European countries cancelled or considerably downsized the level of scheduled participation in programs and activities to be held in Cuba.<sup>86</sup> The French government, in spite of its spat with the United States over the war in Iraq, issued extremely critical statements against Castro, vouching for support of EU-wide measures,<sup>87</sup>

while intellectuals signed letters of protest.<sup>88</sup> The Italian parliament and government, dominated by premier Berlusconi’s party, announced their intention of proposing what they envisioned as a European-wide embargo on Cuba, in anticipation of tougher measures to be implemented when holding the EU presidency in the second semester of 2003, while reducing the diplomatic relations between the two countries to the level maintained with Pinochet’s Chile from 1973 to 1990.<sup>89</sup>

Cuban Foreign Minister Felipe Pérez Roque responded to the EU’s criticism in a three-hour press conference held on April 9, transmitted on Cuban television. He lamented that the EU was not making similar condemning statements on the situation on the imprisonment and trial of the Cuban security agents arrested in Miami. The Ministry of Foreign Affairs also claimed that the EU has never condemned the United States for a much higher annual number of executions. Pérez Roque also stated that recent sentencing of

dissidents as well as executions were performed strictly according to Cuban law and were “a sad but absolute necessity for defending the vital right to national independence and sovereignty,” as the United States “is looking for a pretext for an armed intervention” on the island, by “creating the conditions for a new massive exodus from Cuba,” are some arguments consistently reflected in other official declarations and reflections in the Cuban media. Most of these arguments were reiterated by the address made by Fidel Castro on May 1, and reflected by Cuba’s former ambassador to the EU, Carlos Alzugaray.<sup>90</sup>

On Friday May 16, the Ministry of Foreign Affairs of Cuba summoned the newly-appointed charge-d’affaires of the European Commission in Havana and announced the withdrawal of Cuba’s application procedure for membership in the Cotonou Agreement of the Africa, Caribbean, and Pacific (ACP) countries, and in fact renouncing to benefit from European development aid.<sup>91</sup> In a blistering note published in “Granma”, the official newspaper of the Cuban Communist Party, the government blamed the EU Commission for exerting undue pressure, alleged its alignment with the policies of the United States, and rejected EU’s censure for the measures taken by Cuba during the previous weeks.<sup>92</sup> In reality, Cuba avoided an embarrassing flat rejection of its application. This was the anti-climatic ending for a long process that can be traced back to the end of the Cold War, in a context where Cuba has been testing alternative grounds to substitute for the overwhelming protection of the Soviet Union.

In the expectation of a lasting impasse and Cuba’s rejection of positive moves, in addition of not attending Cuba’s May 1 celebrations, EU member states embassies were to be invited in Cuba to establish a new report on the situation of Human Rights in Cuba for an evaluation by the Council.<sup>93</sup> On June 5, the EU Greek Presidency issued a harsh Declaration, labelling as “deplorable” the recent Cuban actions, “aiming not only at violating fundamental freedom, but also at depriving civilians of the ultimate human right, that of life.” In consequence, the EU called Cuban authorities “to release immediately all political prisoners,” and decided the following collective measures:

- To limit the bilateral high-level government visits;
- To reduce the profile of member states’ participation in cultural events;

- To proceed with the reevaluation of the EU Common Position;<sup>94</sup>
- To invite Cuban dissidents to national celebrations.<sup>95</sup>

In fact, this policy was dramatically inaugurated when on July 14 the French embassy invited Cuban dissidents to the reception for the anniversary of the French Revolution. The Cuban government responded with a non-attendance policy and the celebration of a parallel function to celebrate its admiration for the 1789 historical event.

Cuba’s Foreign Minister Pérez Roque qualified these EU measures as a result of a “superficial analysis” of Cuba, a “victim of an agreement between the United States and the EU,” showing “European incapacity for maintaining an autonomous policy.”<sup>96</sup> He also refused to receive the members of the EU Troika (Italy, Greece and Spain), while Cuban officials skipped attending receptions at EU member states diplomatic functions. In an adaptation of a common epithet bestowed on Cuban exiles in Miami, Fidel Castro indirectly referred to the EU as a “little gang” and “a mafia allied with fascist imperialists.”<sup>97</sup> U.S.

Secretary of State, Colin Powell, received the latest EU measures with satisfaction indicating that the United States might join the European Union in a common strategy towards Cuba.<sup>98</sup>

This apparent U.S. invitation for a coalition added fuel to the ongoing fire. The Cuban government increased the level of the confrontation with the EU to an unprecedented level.<sup>99</sup> Fidel Castro and Foreign Minister Pérez Roque targeted Italy and, most

especially, Spain as the leaders of the EU measures imposed on Cuba.<sup>100</sup> The Italian government announced the termination of development programs estimated at about \$40 million, then rejected Cuban personal insults against Premier Silvio Berlusconi (addressed as “Nero,” and “Benito Berlusconi”), and subsequently congressional sources demanded the withdrawal of the ambassador.<sup>101</sup> France announced the termination of some cooperation programs, while former socialist Prime Minister Laurent Fabius questioned what he considered as a cautious attitude on behalf of the French government towards Cuba.<sup>102</sup> The Spanish government initially exercised extreme restraint<sup>103</sup> when challenged by a government-led demonstration in front of the Spanish embassy, presided by Castro himself. Spain’s Premier José Maria Aznar, accused as the main author of the “treacherous escalation against Cuba,” was labelled by Castro on live

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television as a “caballerito”, “coward”, “fascist”, and a “little Fuhrer”, depicted in posters as wearing a Hitler-looking moustache and a swastika. While the Spanish press reiterated critical commentaries on the Cuban reactions, former Spanish Prime Minister Felipe González branded Castro’s actions as “pathetic,” expressing doubts about the internal security of Cuba in view of the rash of aircraft and boat hijackings.<sup>104</sup>

Then, accusing Spain of improperly using its facilities, the Cuban government announced the cancellation of the bi-national agreement for the Spanish Cultural Centre, a unique institution funded by Madrid since 1997 at an initial cost of over \$3 million for the remodelling of a beautiful and centrally located building in front of the Malecón waterfront.<sup>105</sup> In an effort to divide the EU and Spanish leadership, the Cuban government indicated that the alleged Spanish and Italian influence on European decisions dictated its measures. With kind references to King Juan Carlos (in contrast to the attitude of President Aznar) and former Spanish anticommunist dictator Francisco Franco (who never broke diplomatic relations with Cuba), Castro reiterated his personal inclinations. Ironically, commentators insisted on the similarities between the current Cuban situation and the last stages of the Franco regime.<sup>106</sup> Behind the scenes, Cuban officials confidentially expressed concern about the international isolation of the regime and the erratic and counterproductive result of the actions and declarations implemented and issued by the top leadership, hoping that calm would finally prevail, reconstructing basic relations with the EU, a thought that is shared by the EU leadership.<sup>107</sup> Cubans attributed the ability to deal with different languages to their easiness to make friends and enemies alike.<sup>108</sup>

The EU Foreign Affairs Council rejected as “unacceptable” the insults from Havana, confirming the sanctions. Italy pressed for the termination of cooperation funding still enjoyed by Cuba,<sup>109</sup> but Javier Solana, High Representative for Foreign Policy of the EU, did not endorse the ending of humanitarian aid.<sup>110</sup> While the Spanish government reaction was prudent, vowing not to engage in a “verbal spiral of mutual disqualifications,” the Spanish Ministry of Foreign Affairs summoned Cuba’s ambassador to Madrid, Isabel Allende, to give her its displeasure for the general situation, the threats on the Cultural Centre,

and the presence of Castro in the lead of the demonstrations, an activity considered “outside the margins of normal diplomatic usage.”<sup>111</sup> Allende, in turn, blamed Spain for the diplomatic conflict.<sup>112</sup>

In an exchange of declarations and opinions issued by Cuban and Spanish officials, the already cloudier context of relations between the two countries got even more confusing if not contradictory. On the one hand, Spain’s Minister of Foreign Affairs, Ana Palacio, in a symposium organized by the Partido Popular-controlled FAES foundation (for Social Studies and Analysis), publicly stated that the Cuban regime was “exhausted” and “will not survive its founder”, because of its “caudillista” character. Moreover, she noted that “the Cuban transition has already started”, and that “the Cuban Suárez (as a parallel to the Spanish political process) is already present on the island.”<sup>113</sup> Coincidentally, the Spanish press frequently mentions Oswaldo Payá as the “Cuban Suárez.”<sup>114</sup> In addition, while business delegations decided to postpone scheduled visits to Cuba waiting for a better climate,

reports emanating from the governing Partido Popular signalled the intention of the Prime Minister of convening the Spanish companies dealing with tourism in Cuba to recommend them “not to benefit the Castro regime.”<sup>115</sup> On the other hand, in contrast with the acrimony of official relations between Havana and Madrid, Cuban Minister of Foreign Affairs Pérez Roque assured more than a hundred Spanish and

Italian companies that they would not be affected, reducing the conflict to a personal feud.<sup>116</sup>

In an apparent cohesive policy of avoiding further controversies, the Spanish government elected a wait-and-see attitude expecting the Cuban government to make the next move regarding its announced plans for the intervention of the Cultural Centre. While legally speaking the Castro government could use the contractual clauses to denounce the agreement with a ninety-day notice, the Spanish government could litigate on the grounds of expenses incurred in the delivery of furniture and the over \$3 million contributed for the remodelling of the building. Meanwhile, the official posture of Madrid was revealed in the collective demands and expectations inserted in the EU General Affairs Council conclusions of July 21. In Cuba, the government was about to commemorate the 50th anniversary of the attack on the Moncada barracks.

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As an answer to the conditioning message of assistance and the political demands given by the EU, Castro dramatically ended a half a century of Cuban history confronting the United States by electing to target a new enemy — the European Union. Calculating the effective EU assistance to about an average of \$4.2 million in recent years, reduced to less than \$1 million in 2002, of which no funds have arrived yet, Castro pointed out that Cuba has imported European goods valued at \$1.5 million, while EU's imports of Cuban products only amounted to \$571 million. He not only blamed Spain's Prime Minister Aznar for being the main instigator of the EU measures, but labelled Spanish education as a "banana republic disaster, a shame for Europe". In an apparent deviation from his previous selective critiques and kind references to different EU commissioners, Castro also accused the professional staff of the EU institutions ("a small group of bureaucrats") of drafting a resolution (a "cowardly and repugnant act"), allegedly without consulting their ministers. Claiming the EU is endorsing "the hostility, threats, and dangers for Cuba" of the "aggressive policy of the hegemonic superpower", he stated that Cuba "does not need the European Union to survive," and bowed that "neither Europe nor the United States will say the last word about the destiny of humanity."<sup>117</sup>

Subsequently, the Cuban government sent a three-paragraph letter to the European Commission confirming the terms of Castro's speech. The EU Commission answered this address by confirming the spirit and the content of the conditioning conclusions and declarations, lamenting the "extreme attitude of the Cuban government", accepting its decision, and pledging to maintain its willingness for a political dialogue with Cuba.<sup>118</sup> The Spanish government remained silent while millions of the European citizens and the EU leadership went on vacation.

## CONCLUSION

The balance sheet of the experience of the European Union's policies and attitudes on Cuba shows a mixed picture. It is composed of a coherent script of measures intended in the first place for maintaining the communication line open, and secondly for contributing to facilitating the conditions for a sort of "soft landing" in the terrain of democracy and market economy in the event of a peaceful transition. This strategy does not come free of charge, as demonstrated by the persistent negative vote on Cuba in the UN Commission for Human Rights, and the maintenance of the Common

Position imposed in 1996 conditioning any special cooperation and aid package to the implementation of political reforms.

This institutional framework contrasts, on the one hand, with the apparently uncoordinated policies of the member states that trade and invest in Cuba according to their individual interests. This has made the Common Position "neither common, nor a policy," in the words of sarcastic EU insiders.<sup>119</sup> On the other hand, the EU collective strategy contrasts with the U.S. policy of confrontations and harassment. While the United States has been pursuing a path composed of the embargo and extraterritorial laws such as Helms-Burton, the EU has opted for a "constructive engagement". While the European pattern has been geared toward preparing for the transition, the United States policy has concentrated on regime change.<sup>120</sup> Both, however, share one dimension in common — Cuba has not changed or reformed according to the expected results. The European strategy can be labelled at its initial stages after the end of the Cold War as one based on good intentions and reasonable (if not high) expectations. But at the end of any serious attempt to condition an offer of a special status in the EU structure (bilateral agreement, Lomé, Cotonou), the result has been a high degree of frustration. With the latest development of the arrests and executions, this sentiment has been translated into blunt irritation.

Decision-makers in Brussels and many European capitals have come to the conclusion that Castro's priorities place a conditioned relationship with the European Union at a lower level than the urgency to maintain a line of internal discipline at the cost of violating basic human rights. Moreover, the confrontation with the United States is considered by the Cuban regime as the ultimate *raison d'être* to justify the continuation of the system and the refusal to modify it, or even less to change it. This ever-present theme is obsessive in all communications and declarations of the Cuban government when dealing in public and in private with EU officials. In view of the alleged "aggressive," "subversive," irresponsible", and "provocative," behaviour of U.S. officials in Havana supporting "mercenaries, created, organized, trained and financed"<sup>121</sup> by Washington, in Brussels and in many European capitals observers wonder why the Cuban government does not decide to close down the U.S. Interest Section instead of executing reprisals against European embassies. The answer is very simple. Besides having a scapegoat at hand, Castro

needs the United States presence in Havana to administer the visa programs and guarantee the reception of funds from the exile community.

In sum, in view of the seriousness of the events of April 2003, considering the unanimous condemnation and censure issued by the EU institutions, and taking into account the Cuban hard-line in rejecting conditions from the EU, it is expected that the freezing of the consideration of Cuba's membership in the ACP network and any other special economic benefits will continue. As discussed above, the strategy of giving Cuba a longer breathing space by extending the period

of evaluation of the Common Position from a semester to a year was scuttled in view of the Cuban blunt rejection of conditions, with the result of the renewal of the conditioning by the Council in June and July of 2003. The prospects of a harder EU attitude under the Italian presidency in the second part of the year were confirmed by the Declaration issued by the Presidency, the announcement of the new diplomatic measures to be implemented, and the confirming conclusions of the General Affairs Council. The explicit rejection of conditions made by Fidel Castro on July 26 has made the prospects of a rapprochement cloudier than ever.

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## NOTES:

\* This study is an outgrowth commentary of a brief piece entitled "Cuba: motivaciones y perspectivas de una extrema tensión," commissioned by Real Instituto Elcano. Análisis. April 2003.

<http://www.realinstitutoelcano.org/analisis/274.asp>

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