

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Committee on Trade and Development

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THE OPERATION OF PART IV OF THE GENERAL AGREEMENT

Statements by Governments

Addendum

CUBA

The Revolutionary Government of Cuba considers that difficulties in general arise from failure of developed contracting parties to comply with the letter and spirit of Part IV. The Revolutionary Government of Cuba wishes to bring the following specific instances of such failure to the attention of the secretariat:

I. Infringements attributable to the Government of the United States:

1. Public Law No. 87-105 of 4 September 1961 authorizing the President of that country "to impose and maintain a total embargo on all trade between the United States and Cuba".
2. Proclamation 3447 by the President of the United States, dated 3 February 1962, imposing an embargo on all trade with Cuba.
3. Public Law No. 87-565 of 1 August 1962, amending the above-mentioned Law to stipulate that "no aid may be granted under that Law to the present Government of Cuba, nor to any country that may give assistance to the present Government of Cuba".
4. Public Law No. 87-872 "Foreign Aid and Agency Appropriations Law" which states that no economic aid may be granted to any country which sells, supplies or permits any vessel registered under its flag to carry articles of economic aid to Cuba so long as the latter is governed by the Castro régime.

Other provisions and measures applied by the competent authorities of the United States against trade between the United States and third countries, on the one hand, and Cuba, on the other, range from the establishment of black lists of ships engaging in the lawful activity of transporting goods to or from Cuba, to prohibition of purchase of products considered to have been manufactured with Cuban raw materials. The list of provisions mentioned is not exhaustive and is given only by way of illustration.

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All these provisions infringe many international instruments, including the General Agreement, but in accordance with your request we shall refer only to infringements relating to Part IV, and the following provisions thereof in particular:

Article XXXVI:1(a), (d) and (e) and 2, 7 and 9;

Article XXXVII:1(a) and (b) and 3(b);

Article XXXVIII:1 and 2(a), (c) and (f).

II. Regulation of the residual market for sugar by means of international arrangements guaranteeing equitable, remunerative and stable prices is one of the interests of our Government and of all the governments of sugar-exporting countries, in particular the less-developed exporting countries, which in their capacity as such are more severely affected by the deterioration in prices. The fact that some developed contracting parties are not participants in the International Sugar Agreement is a difficulty which our Government encounters in the implementation of Part IV and in particular the following provisions thereof:

Article XXXVI:1(a), (b), (d) and (e) and 2, 3, 4 and 7;

Article XXXVII:3(b) and (c);

Article XXXVIII:1, 2(a) and (b).

With respect to suggestions as to how to ensure more effective and satisfactory operation of Part IV, our reply is simple: the developed contracting parties should be requested to comply with the provisions of an instrument to which they are committed and which was considered at the time as constituting the minimum that could be offered to the less-developed countries.