

# Overview of current sanctions measures concerning Cuba

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*The information provided on the Interactive Sanctions Map and this document does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available on this site are for general informational purposes only.*

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## 1. United Nations (UN) sanctions concerning Cuba

None

## 2. United States (US) sanctions concerning Cuba

### ARMS EMBARGO

Policy of denial for defense articles and defense services to Cuba.

### FINANCIAL SANCTIONS

- Transactions with respect to securities registered or inscribed in the name of a designated national.
- Holding of certain types of blocked property in interest-bearing accounts.
- Restrictions on loans, credits and other financing.
- Restrictions on direct financial transactions with certain entities and subentities.
- Restrictions on lodging, paying for lodging, or making reservations at certain properties in Cuba.
- Persons subject to U.S. jurisdiction are prohibited from engaging in certain direct financial transactions with entities and subentities identified by the State Department on the Cuba Restricted List

## **IMPORT RESTRICTIONS**

No person subject to the jurisdiction of the United States may purchase, transport, import, or otherwise deal in or engage in any transaction with respect to any merchandise outside the United States if such merchandise:

1. Is of Cuban origin; or
2. Is or has been located in or transported from or through Cuba; or
3. Is made or derived in whole or in part of any article which is the growth, produce or manufacture of Cuba.

General policy of denial for license applications to export items for use by entities and subentities on the Cuba Restricted List

## **EXPORT RESTRICTIONS**

You need a license to export or reexport all items subject to the EAR to Cuba, including any release of technology or source code subject to the EAR to a Cuban national.

## **TRANSPORT RESTRICTIONS**

Entry of vessels engaged in trade with Cuba.

## **GOVERNMENT AID**

Prohibition on United States assistance and financing.

## **TRAVEL RESTRICTIONS**

Prohibition on travel relating to tourist activities.

Prohibition on lodging, paying for lodging, or making any reservation for or on behalf of a third party to lodge at any property that the Secretary of State has identified as owned or controlled by the Cuban government, a prohibited official of the Government of Cuba, a prohibited member of the Cuban Communist Party, a close relative of a prohibited official of the Government of Cuba, or a close relative of a prohibited member of the Cuban Communist Party.

SOURCE: <https://ofac.treasury.gov/sanctions-programs-and-country-information/cuba-sanctions> & <https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear> & <https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-126/section-126.1>

## **3. European Union (EU) sanctions concerning Cuba**

There are no EU sanctions against Cuba.

The US Government has imposed extra-territorial fines on some companies in third countries that have done business with Cuba in breach of the Helms-Burton Act.

However, the EU Blocking Statute prohibits compliance by EU operators with any requirement or prohibition based on the specified foreign laws. EU operators whose economic and financial interests are affected by the extra-territorial application of those laws are obligated to inform the European Commission.

SOURCE:

[https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions/blocking-statute\\_en](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions/blocking-statute_en)

#### **4. United Kingdom (UK) sanctions concerning Cuba**

There are no UK sanctions against Cuba.

The US Government has imposed extra-territorial fines on some companies in third countries that have done business with Cuba in breach of the Helms-Burton Act.

However, these sanctions conflict with the UK Protection of Trading Interests Act which makes it illegal for UK based companies to comply with extraterritorial legislation. The Act contains a provision for fines to be levied against companies and individuals that fail to comply with this stipulation.

This UK provision is also supported by a UK Blocking Statute which makes it illegal to comply with the US's extra-territorial sanctions.

SOURCE:

<https://www.gov.uk/government/publications/exporting-to-cuba/doing-business-in-cuba-cuba-trade-and-export-guide>

#### **5. Canada sanctions concerning Cuba**

There are no Canada sanctions against Cuba.

The US Government has imposed extra-territorial fines on some companies in third countries that have done business with Cuba in breach of the Helms-Burton Act.

Canada, however, like other countries, considers extraterritorial measures a violation of its sovereignty, regardless of the penalties that the U.S. may impose.

As a countermeasure, Canada's Parliament enacted legislation to "block" extraterritorial measures of the U.S.

The Foreign Extraterritorial Measures Act (United States) Order (“FEMA Order”) requires Canadian corporations, or their directors and officers, to give notice to Canada’s Attorney General of any directive that they receive related to U.S. laws applying to subsidiaries in Canada trading with Cuba.

SOURCE: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-92-584/page-1.html>