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Answer given by Ms Albuquerque
on behalf of the European Commission
(3.8.2026)

The Commission has consistently maintained that the extra-territorial application of secondary sanctions is incompatible with international law and that sanctions must comply with the UN Charter, international humanitarian law and other international law and due process. Recently, the High Representative/ Vice-President has stressed ‘Cuba's economic crisis is really reaching a breaking point. Cuban people deserve opportunity and freedom, not more control and isolation’¹.

The assessment of third-country extraterritorial sanctions on Cuba should be framed also within the EU’s commitment to safeguard legitimate trade and investment. Where the new Executive orders can be considered as an action based on or resulting from an act specified in the Annex of Regulation 2271/96 (Blocking Statute)², including the Helms Burton Act, then the latter regulation already protects the EU operators by prohibiting compliance with that executive order.

Regulation (EU) 2023/2675 (the ‘Anti-Coercion Instrument’, ACI)³ allows responding to cases where a third country applies or threatens to apply a measure affecting trade or investment in order to prevent or obtain the cessation, modification or adoption of a particular act by the EU or a Member State, thereby interfering in the legitimate sovereign choices of the EU or a Member State. Conversely, and without prejudice to the qualification of the US measures in a specific context, the ACI cannot be activated in response to economic coercion by a third country towards another third country.

¹ In Joint press conference by High Representative/Vice President Kaja Kallas and Roberto Velasco, Mexico’s Secretary of Foreign Affairs re. EU-Mexico Strategic Dialogue, https://www.eeas.europa.eu/eeas/eu-mexico-strategic-dialogue-joint-press-conference-high-representativevice-president-kaja-kallas_en.

² Council Regulation (EC) No 2271/96, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31996R2271>.

³ Regulation (EU) 2023/2675 of the European Parliament and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries, OJ L, 2023/2675, 7.12.2023.