

EN

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Answer given by Ms Albuquerque
on behalf of the European Commission
(7.8.2026)

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 due process.

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)¹, including the Helms Burton Act, then the latter regulation already protects the EU operators by prohibiting compliance with that executive order.

Information obtained under the Blocking Statute Regulation pertains to the effects of the laws, regulations and other legislative instruments included in its Annex.

The Commission does not have access to company-level data that would allow an estimate of foregone income to be made; such an estimate is further complicated by the difficulty in assessing the counterfactual (if companies were to continue operations in Cuba but under conditions of fuel and other restrictions). The fundamental concern for the EU is that there be a level playing field for all foreign investors in Cuba.

¹ Council Regulation (EC) No 2271/96, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31996R2271> .