

U.S.-Cuba Trade and Economic Council, Inc.

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Irony? EU-Based Company Facilitating Title III Lawsuits Opposed By EU Against Cuba

How Does U.S. Plaintiff Inform Defendant In Cuba That It's Being Sued? DHL (with a little benefit to the German Government) Or USPS (with a little benefit to the United States government)

Might Cuba Prohibit DHL and USPS from delivering Libertad Act-Related Documents?

Bonn, Germany-based **DHL Express Worldwide**, is a wholly-owned subsidiary of Bonn, Germany-based *Deutsche Post* (2018 revenues exceeded US\$68 billion). The government of Germany has a 21% shareholding in Deutsche Post.

DHL Worldwide Express Cuba Profile: https://www.dhl.com/en/cu/country_profile.html

Video From DHL Express Worldwide On Shipping To Cuba: <https://www.youtube.com/watch?v=xbhe49g0qFs>

Both DHL Worldwide Express and Washington DC-based United States Postal Service (**USPS**) contract with Republic of Cuba government-operated *Grupo Empresarial Correos de Cuba* [<https://www.correos.cu>] for the delivery of items throughout the Republic of Cuba.

Why the government of Germany, with its leadership position within the 28-member Brussels, Belgium-based European Union (**EU**) which opposes the implementation of the Title III of the Cuban Liberty and Democratic Solidarity Act of 1996 (known as "*Libertad Act*"), not discourage or impede or prohibit DHL Worldwide Express from delivering Title III-related documents to the Republic of Cuba using as a basis EU (and EU-member) statutes/regulations/policies discouraging cooperation with Title III-related activities?

Irving, Texas-based **Exxon Mobil Corporation** (2018 revenues exceeded US\$290 billion) paid DHL Express Worldwide to deliver its summons and complaint to Republic of Cuba government-operated *Corporacion Cimex S.A.* [Label LINK] and Republic of Cuba government-operated *Union Cuba-Petroleo* [Label LINK].

The law firm representing another of Libertad Act Title III plaintiff relied upon the USPS to deliver its summons and complaint to Amsterdam, Netherlands-based **Booking.com B.V.** [Label Not Available], Republic of Cuba government-operated Grupo Hotelero Gran Caribe [Label LINK], Corporacion de Comercio y Turismo International Cubanacan S.A. [Label LINK] and Republic of Cuba government-operated Grupo de Turismo Gaviota S.A. [Label LINK].

On 16 March 2016, the USPS re-established direct services to the Republic of Cuba: <https://www.cubatrade.org/blog/2017/3/6/usps-commences-deliveries-to-cuba?rq=USPS>

On 10 April 2019, two officials of the EU wrote [Letter LINK] to The Honorable Michael R. Pompeo, United States Secretary of State, reiterating the opposition by the EU to any implementation of Title III of the Libertad Act.

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European Union

Council Regulation (EC) No. 2271/96 Of 22 November 1996 [LINK]

Article 4

No judgment of a court or tribunal and no decision of an administrative authority located outside the community giving effect, directly or indirectly, to the laws specified in the Annex or to actions based thereon or resulting there from, shall be recognized or be enforceable in any manner.

Article 5

No person referred to in Article 11 (2. “any legal person incorporated within the Community,”) shall comply, whether directly or through a subsidiary or other intermediary person, actively or by deliberate omission, with any requirement or prohibition, including requests of foreign courts, based on or resulting, directly or indirectly, from the laws specified in the Annex or from actions based thereon or resulting therefrom.

From The Archives

Economic Eye On Cuba In 2000

“Global Express Guaranteed service from the United States to the Republic of Cuba is offered through an agreement with Brussels, Belgium-based DHL International Limited, which commenced operations within the Republic of Cuba in 1990.

DHL International Limited headquarters for Republic of Cuba operations is in the city of Havana and there are branch offices in the city of Santiago de Cuba (860 kilometers east of Havana) and in the resort area of Varadero (140 kilometers east of Havana). DHL International Limited also has offices in all provincial capitals of the Republic of Cuba and in resort areas within the Republic of Cuba.

Panama City, Panama-based Republic of Cuba government-operated Utisa (under the auspice of the Ministry of Information and Communications of the Republic of Cuba), a subsidiary of Republic of Cuba government-operated Cutisa (under the auspice of the Ministry of Information and Communications of the Republic of Cuba) is the representative of DHL International Limited within the Republic of Cuba. DHL International Limited owns 23% of Redwood City, California-based DHL Worldwide Express, Inc., and the founders (and their families) of DHL International Limited own a minority share of DHL Worldwide Express, Inc.

Bonn, Germany-based government of Germany-operated Deutsche Post AG (2000 revenues approximately US\$25 billion) controls 51% of DHL International Limited and Cologne, Germany-based Deutsche Lufthansa Aktiengesellschaft (Lufthansa Airlines) owns 25% of DHL International Limited. The founders and their families reportedly own the remaining 24% of DHL International Limited. DHL Worldwide Express has authorization from the Office of Foreign Assets Control (OFAC) of the United States Department of the Treasury in Washington, D.C., to provide delivery services between the United States and the Republic of Cuba. DHL Worldwide Express, Inc., which is controlled by individuals subject to United States law, receives revenues from DHL International Limited for package delivery services to the Republic of Cuba.

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The delivery services are limited to 2-pound packages containing documents, brochures, videotapes, compact discs, etc. DHL Worldwide Express sends packages from the United States to the Republic of Cuba through Mexico City, Mexico, where the packages are transferred from the operational control of DHL Worldwide Express, Inc., to the operational control of DHL International Limited. The packages are then sent by commercial aircraft (Mexico City, Mexico-based Aeromexico and Mexico City, Mexico Mexico-based Mexicana de Aviacion SA de CV) to the Republic of Cuba.

The cost of sending a one-pound package from the United States to the Republic of Cuba is approximately US\$81.00. The cost of sending a one-pound package from the Republic of Cuba to the United States is approximately US\$39.00. The delivery time for packages sent from the United States to Havana, Republic of Cuba, is four days. The delivery time for packages sent from Havana, Republic of Cuba, to the United States is three days.

In 1998, DHL International Limited delivered from various countries approximately 80,000 packages to the Republic of Cuba. In 1998, DHL International Limited sent approximately 32,000 packages from the Republic of Cuba to various countries. Republic of Cuba government-operated Seguros Internacionales de Cuba S.A. (ESICUBA) has an agreement with DHL International Limited to insure packages sent by DHL International Limited from the Republic of Cuba to other countries.

Neither Atlanta, Georgia-based United Parcel Service of America, Inc. (2000 revenues exceeded US\$24 billion) nor Memphis, Tennessee-based FedEx Corporation (2000 revenues exceeded US\$17 billion) currently operates direct delivery services or indirect delivery services between the United States and the Republic of Cuba.”