

# Cuba

Pillsbury helps clients navigate complex compliance issues in connection with the economic embargo imposed by the U.S. government on Cuba, including sanctions regulations administered by the Treasury Department's Office of Foreign Assets Control (OFAC), as well as licensing requirements of the Export Administration Regulations (EAR). We also conduct internal investigations, prepare voluntary disclosures, and represent companies in OFAC enforcement actions, including negotiation of reduced civil penalties for violation of sanctions regulations.

As U.S. policy towards Cuba continues to evolve, we are helping our clients understand the changes and how they impact their business. We have worked on some of the most complex and novel issues on Cuba sanctions and jurisdictional overlap between the U.S. Commerce Department, OFAC and federal statutes. We help companies analyze whether potential business opportunities are compliant with U.S. Cuba sanctions and export controls, and assist in the structure and preparation of license applications. We further advise on the policy direction of the Executive branch and Congress, as future liberalization will require Congressional action.

**Our recent experience in this area includes:****Travel & Transportation**

- Conducted internal investigations of international travel service providers with respect to compliance with Cuba sanctions regulations and extraterritorial conflicts with blocking measures adopted in the European Union and various member states, Canada, Mexico and Argentina, and represented these companies in OFAC enforcement proceedings.
- Advised travel service providers on compliance with Cuba travel regulations and assisted with the preparation of compliance policies and procedures.

- Assisted jet fuel provider with release of blocked funds and licensing requirements involving Cuba.
- Advised a non-U.S. company on Commerce Department license exceptions relating to aircraft, the overlap of U.S. sanctions and export control policies, and obtaining licenses authorizing exports to Cuba.
- Counseled European air carriers with compliance and licensing issues in connection with proposed travel services to Iran and Cuba.
- Advised cruise lines on U.S. sanctions rules in relation to passengers, employees and operation, and advised on Cuba sanctions reform.

#### Telecommunications & Media

- Advised electronics company on OFAC sanctions compliance regarding sales of telecommunications devices to Cuba, including performing due diligence on potential business partners.
- Assisted global electronics manufacturer in navigating the complex interplay of the OFAC and EAR restrictions on Cuba, Iran and other embargoed countries, obtaining licenses for replacement parts, and handling disclosure and compliance issues related to the use of EAR license exceptions.
- Monitored Cuba policy developments for Latin American subsidiary of electronics provider and counseled on interplay between Administration policy goals and federal statutes.
- Advised global satellite service providers on OFAC licensing and compliance involving sanctioned countries, including Cuba.
- Helped electronics retailer assess U.S. export control licensing requirements and potential licensing exceptions for sales of telecommunications items to Cuba.

#### Manufacturing

- Provided guidance to U.S.-based manufacturing company in connection with U.S. export licensing requirement for foreign-made products incorporating de minimis U.S. content.
- Advised non-U.S. manufacturing company on whether its global operations were in compliance with U.S. sanctions and export control laws, including re-exports of U.S.-origin products.

#### Food, Agriculture & Medicine

- Guided major agricultural commodities company on compliance with Cuba and Iran sanctions.
- Advised pharmaceutical companies on the impact of Cuba sanctions on their U.S. and global operations.

#### About Pillsbury

Pillsbury Winthrop Shaw Pittman LLP is an international law firm with offices around the world, and a particular focus on the technology, energy & natural resources, financial services, real estate & construction, and travel & hospitality sectors. Recognized by legal research firm BTI as one of the top 20 firms for client service, Pillsbury and its lawyers are highly regarded for their forward-thinking approach, their enthusiasm for collaborating across disciplines and their unsurpassed commercial awareness.

#### Global Trade & Sanctions Law Blog

For news and insights on all issues related to international trade and sanctions activity, please visit our blog at [www.globaltradeandsanctionslaw.com](http://www.globaltradeandsanctionslaw.com)

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