

Spanish court is first to close lawsuit in Europe presented under the Helms-Burton Law



Madrid, September 3 (RHC).-- A lawsuit brought by the Sánchez Hill family against Meliá Hotels International was the first decision closed by an European court, following the implementation of Title III of the US Helms-Burton law against Cuba.

The plaintiffs sought to base their claim on the alleged illegitimate exploitation of hotels in Cuba, built on land nationalized by Law 890 of 1960, after the Cuban revolution in 1959, and managed by the Meliá group since the late 80's and early 90's.

The ruling is conclusive when it states that a Spanish court is not competent to assess, among other things, whether or not the nationalization agreed upon by the Cuban State in 1960 was lawful.

According to a statement released by the Court of First Instance number 24 of Palma de Mallorca, it considered in its entirety the arguments raised by Meliá Hotels International in the decline of jurisdiction and international jurisdiction raised by the Company against the lawsuit filed by the Central Santa Lucía Company.

The US-based company claims to have been, before the Cuban Revolution of 1959, owner of land located in Playa Esmeralda (Cuba), allegedly expropriated by the Cuban State after the approval of Law 890 of 15 October 1960.

It bases its claim on an alleged illicit enrichment of Meliá derived from the management of the hotels Sol Río and Luna Mares, and Paradisus Rio de Oro.

According to the court, the claimant's right to the fruits of the business exploitation of these hotels could only be hypothetically recognized if their right of ownership over the land was previously recognized, which would imply entering into a discussion and ending up denying, in this case, the right of ownership of the Cuban State.

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