|  |
| --- |
|  |
| **REPUBLICA DE CUBA**  **Misión Permanente ante la Oficina de las Naciones Unidas en Ginebra y los Organismos Internacionales en Suiza** |

**Note No.: 252 /2020**

The Permanent Mission of Cuba to the United Nations Office in Geneva and the International Organizations in Switzerland, greets the Office of the United Nations High Commissioner for Human Rights and has the honor to refer to the note dated May 4 2020, reuqesting information regarding the impact of unilateral sanctions on human rights, during the state of emergency in the context of the COVID-19 pandemic.

In this regard, the Permanent Mission of Cuba wishes to convey the following comments:

**Office of the High Commissioner**

**of the United Nations**

**for Human Rights**

**Geneva**

**Question 1**

Unilateral sanctions imposed by individual States or groups of States, have a clear impact on the enjoyment of the human rights of the citizens of the States subject to them. This impact is more evident in the context of situations such as the current COVID-19 pandemic.

The effects of unilateral sanctions are cumulative, so that when facing such situations the countries that are subject to sanctions are already at disadvantage. Historically, one of the sectors hardest hit by the effects of unilateral coercive measures has been public health, so that the countries that suffer them may have limited resources to face a pandemic like the current one.

**Question 2**

One of the human rights most affected by unilateral sanctions during the pandemic is the right to health, without neglecting the effects of these on the right to development, to food and others of utmost importance for people's lives.

The right to health is largely limited when sanctioned States cannot or are hindered from accessing vaccines, medicines and medical devices, and technologies related to the diagnosis and treatment of diseases such as COVID-19.

The Cuban people, who is a victim of a cruel, inhuman and genocidal economic, commercial and financial blockade imposed by the government of the United States of America for 60 years, have suffered firsthand the effects on their human rights, caused by the imposition of the most unjust, severe and prolonged system of unilateral sanctions that has ever been applied against any people.

The blockade against Cuba is an act of unilateral aggression and a permanent threat against the stability of the country.

Since the beginning of the application of the blockade against Cuba, harming the health sector has been a priority objective of US governments. In the last year alone, its effects on the Cuban health system were around 160 million US dollars. However, despite the strategy of the United States government towards Cuba, the health sector has invariably remained among the priorities of the Cuban Government, with 27.5% of the expenses of the State budget going to health in 2020.

**Question 3**

The sanctions have a direct impact on other countries that are not subject to them. The extraterritorial nature of many of them has a direct impact on the citizens of those countries, either due to the prohibitions imposed on trade in their goods with countries under unilateral measures, or through the impossibility of receiving inputs or services from those countries sanctioned with the ability to do so.

Sanctions have, among other things, a deterrent effect on trade relations between countries. By impeding the normal development of trade, they make it difficult for products from sanctioned countries to access other countries' markets, including medical-pharmaceutical products that could be used to save lives.

It also has an impact on health services. An example of this is the travel restrictions to Cuba imposed on US citizens, who cannot access medications and treatments developed only in Cuba.

The decision of the United States government to attack Cuban international medical cooperation threatens the enjoyment of the right to health of millions of human beings who benefit from the work of Cuban doctors in various latitudes. Only damaging bilateral agreements signed with several countries in the Americas region, the medical care of 67 million people has been seriously affected. The international community recognizes the professionalism and altruism of the more than 400,000 Cuban health collaborators who have completed missions in 164 nations for 56 years.

**Question 4 and 5**

Unilateral coercive measures have a direct impact on the ability of States to react to situations such as those caused by the current pandemic. The prohibitions and obstacles created by these sanctions have a very negative impact on the food and health of the most vulnerable people. In the case of COVID-19, the negative effect of this type of measures on older adults, a population group at high risk for the disease, is very high.

All sanctions have a negative impact on human rights, particularly in the course of the pandemic. They cannot be seen separately or sectorally because, although the effects on health or food are among the most visible, the impact of sanctions on other sectors negatively affects the ability of governments to promote and protect the human rights of their population.

When the first cases were diagnosed in Cuba, on March 11, measures from the National Plan prepared in accordance with the protocols and good practices of the World Health Organization were already being applied. Its daily monitoring has made it possible to strengthen epidemiological surveillance, guarantee early diagnosis and timely treatment of the disease in the country. The main objective of the Cuban response has been and continues to be to preserve the life of all people, either national or foreign.

Although it has currently been achieved a favorable scenario in facing the pandemic, the effects of the blockade against Cuba have been evident. The following two examples are a just a sample of it:

• Suppliers of pulmonary ventilators, key elements in the care of patients with COVID-19 in serious or critical condition, informed Cuban companies that they could not deliver the requested equipment, because the manufacturers IMT MEDICAL AG and AUTRONIC had been acquired by the company Vyaire Medical Inc., based in Illinois, USA, and therefore they had to suspend all commercial relations with Cuba.

• In April 2020, it was informed that Swiss banks blocked donation transfers made by the Swiss organizations MediCuba-Suiza and Asociación Suiza-Cuba, whose objective was to support efforts to confront the COVID-19 pandemic in the country.

In addition, if anyone wants to send medical equipments to Cuba, the suppliers' bank sometimes does not accept payments. Also, under blockade regulations, it is prohibited to export to Cuba any product that contains at least 10% of the components of US origin.

**Question 6 and 7**

So-called humanitarian exemptions are not enough to protect people's lives in the course of a pandemic like the current one.

These are deliberately lengthy processes such as those established by the US government, which in practice prevent access, to the supplies necessary to save lives, with the urgency imposed by a pandemic situation. In the pandemic period these have not been smoothed out.

For example, in recent years, MEDICUBA company has attempted to contact more than 60 US companies to purchase some of the drugs or equipment they manufacture or market. The operations have been unsuccessful because the vast majority of US companies do not answer and the one that does, affirms that they cannot establish ties with Cuba due to express prohibitions by the United States Treasury Department, or that their licenses have expired.

**Question 8**

On March 30, 2020, the impossibility of a Chinese donation from the ALIBABA company, with medical supplies to face the COVID-19 pandemic, became known. The carrier, a US company, declined at the last minute to carry out the transportation on the grounds that the regulations of the blockade imposed against the country of destination prevented them from doing so.

**Question 9**

The country has been able to respond to COVID-19 and arrive at a favorable scenario after preparing in advance and mobilizing the necessary resources to confront the pandemic. All this has been done despite the intensification of the blockade. The political will to maintain and improve the social achievements of the Cuban Revolution has played an important role in this.

For example, with enormous efforts and sacrifices, it has been possible to sustain a public health system, universal, free and accessible to 100% of the population. A system based on our main wealth: highly qualified and established professionals, recognized worldwide despite the smear campaigns of discredit that the US government carries out against Cuban international medical cooperation.

As part of the National Plan prepared in the country to confront COVID-19, the Cuban biopharmaceutical industry, as well as other important scientific research centers, have accompanied the actions generated by the Government. Currently, 70 investigations and clinical trials are being carried out, as well as new drugs that are applied in the treatment of this disease, the use of which has also spread to other nations.

**Question 10**

The confrontation with the pandemic has confirmed that solidarity and international cooperation are vital in this type of situation. No country, big or small, is oblivious to it.

That is why the international community must further promote cooperation, and put aside political confrontation.

The international community must demand the elimination of unilateral coercive measures, due to their negative impact on the human rights of people who suffer them, particularly in times of pandemic. It must promote, as the United Nations Secretary General and the United Nations High Commissioner for Human Rights have done, the relief or suspension of sanctions.

It must advocate for the lifting of the economic, commercial and financial blockade imposed by the United States against Cuba, as requested by the United Nations General Assembly, which has approved a resolution calling for an end to this genocidal policy for 28 consecutive occasions.

Access to health is a human right, and the United States commits a crime by intending to deny or hinder it for political or aggressive reasons.

The blockade against Cuba continues to be an absurd, obsolete, illegal and morally unsustainable policy, which has not and will not fulfill the purpose of defeating the decision of the Cuban people to preserve their sovereignty and independence. Cuba will continue to work sovereignly and tirelessly in deepening the objectives of justice, equity and solidarity that underpin the Cuban political, economic and social model.

The Permanent Mission of Cuba to the United Nations Office at Geneva and the International Organizations in Switzerland take this opportunity to reiterate to the Office of the United Nations High Commissioner for Human Rights, the testimony of its consideration.

Geneva, June 4th, 2020