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Written statement* submitted by Iranian Thalassemia Society, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2024]

* Issued as received, in the language of submission only.



The Negative Impact of the Unilateral Actions on the Right to Health on the Cuban People

For more than 60 years, the United States of America has unilaterally imposed an economic, trade and financial embargo on Cuba, and the severity and scope of the sanctions have steadily increased.

The continuous imposition of sanctions has violated many fundamental rights of the Cuban people, including the right to health, which has led to frequent and intense debates in international forums. They affect all critical sectors of the Cuban economy, including public health, food and agriculture. The UN has repeatedly condemned the United States of America's sanctions as a violation of the United Nations Charter and international law.

The economic sanctions are often blamed for human suffering in Cuba. Even officials involved in the imposition of economic sanctions admit that the sanctions could have a negative impact on the population.

The economic sanctions affect the population in the sanctioned countries in many ways. One of the most direct effects on health is the lack of adequate nutrition. The decrease in food imports leads to a lack of calories and malnutrition, making children and other vulnerable groups such as the chronically ill more susceptible to infectious diseases.

The consequences of the lack of access to foreign goods – both final products such as medicines and intermediate products such as raw materials - affect the health of citizens. Even if humanitarian exemptions were effective, which is often not the case in practise, this would not be enough to maintain health and health services.

A weakened physical and medical infrastructure on the one hand and declining revenues of the sanctioned state - as a result of embargoes - to finance investments, maintenance and running costs on the other hand, reduce the ability of the health system to provide services and respond to medical emergencies.

The impact of sanctions on healthcare and healthcare services is not limited to problems with the supply of medicines. Health and health services are also affected by electricity and other functioning equipment such as ambulances and hospital facilities.

From 1 March 2022 to February 2023, the blockade caused Cuba losses of more than 4.8 billion dollars. The direct and indirect damage caused by the embargo to Cuba is enormous.

This year alone, the economic damage caused by the blockade totals 4.867 billion dollars and has led to shortages of goods, long queues, high prices and devalued salaries, causing suffering for Cuban families, including sometimes devastating power cuts. Sick people, including children and pregnant women, suffer from the irregular supply of medicines. In addition, people are struggling to get insulin, antibiotics, painkillers and other medicines as Cuba is forced to buy medical supplies at exorbitant prices or replace them with less effective treatments. During the most difficult time of the COVID-19 pandemic, Cuba was unable to import ventilators and the United States of America's government "opportunistically used COVID-19 as an ally in its hostile policy against Cuba". It is neither legal nor ethical for the government of a great power to subject a small nation to decades of uninterrupted "economic warfare". The inclusion of Cuba on the United States of America's list of sponsors of terrorism also takes an economic toll on the country.

Achieving this level of health is one of the most important universal social goals and is explicitly mentioned in international documents. According to the UN Declaration of Human Rights of 1948, everyone has the right to a standard of living adequate for his health and well-being, including food, medical care and social security, without discrimination of any kind on the basis of sex, race, or the political, legal or international status of the place to which a person belongs. The right to health is enshrined in several international human rights treaties, for example in Article 12 (ICESCR). This right is a right to "the enjoyment of the highest attainable standard of physical and mental health" based on the ICESCR. The Constitution of the World Health Organisation defines the health of all people as a necessary condition for the achievement of world peace.

We are deeply concerned about the extension of the extraterritorial nature of the embargo against Cuba, particularly through the full implementation of Title III of the Helms-Burton Act. The application of this law is a clear violation of the freedom of trade between nations, as it serves to intimidate by penalising any trade or investment transactions between a given country and Cuba.

We are particularly concerned about the risks to the right to life, health and other important rights of the most vulnerable sectors of the Cuban population.

Reaffirms that the use of unilateral coercive measures as a means of exerting political, economic or social pressure on developing countries is in clear contradiction with international law and prevents the full realisation of all human rights of the people affected by these measures, especially children, women and the sick. Our organisation raises a number of points to protect the Cuban people's right to health:

Recommendations

- We call on the United States of America to lift its economic and financial embargo against Cuba, which impedes humanitarian efforts to support the Cuban health system and to fund the purchase of medicines, medical equipment, food and other essential supplies.
- We call on all states to refrain from unilateral coercive measures and urge the lifting of such measures, as they are contrary to the Charter and the norms and principles governing peaceful relations between states at all levels.
- We call on all States to refrain from unilateral coercive measures that are inconsistent with international law and the Charter of the United Nations and that impede trade relations between States and prevent the full realisation of the rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of everyone to a standard of living adequate for his or her health and well-being, including food and medical care, housing and necessary social services;
- We urged States that continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal systems.
- We call on the international community to reject the use by certain countries of unilateral economic measures against developing countries that clearly violate international law and are aimed at directly or indirectly enforcing the sovereign choices of the countries subject to such measures;
- We call on the international community to work towards a consensus on the need to avoid economic sanctions that violate the right to health of people living in sanctioned countries. Recognising that access to health care is an important, but certainly not the only, prerequisite for health, we propose (a) prohibit sanctions that either directly impede access to health care by preventing trade in medical products, reagents and raw materials, or indirectly significantly affect access to health care in the sanctioned country, and (b) establish a task force/joint committee of supranational institutions to review and monitor sanctions and ensure that they do not violate the right to health. An ethical framework for the assessment of sanctions in terms of their health impact would be a much needed basis for the work of such a body.