



THE PERMANENT MISSION
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

April 17, 2024

Michael Fakhri
Special Rapporteur on the right to food
Geneva, Switzerland

Surya Deva
Special Rapporteur on the right to development

Olivier De Schutter
Special Rapporteur on extreme poverty and human rights

Alena Douhan
Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of
human rights

Dear Special Procedures Mandate Holders,

Please find enclosed the U.S. response to your letter dated January 25, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Billingsley".

Kelly Billingsley
Deputy Permanent Representative
Human Rights

U.S. response to Joint Communication regarding U.S. Autonomous Sanctions and Cuba

Sanctions are an appropriate, effective, peaceful, and legitimate tool for addressing threats to peace and security. They can be used to promote accountability for those who abuse human rights, undermine democracy, or engage in corrupt activities. In cases where the United States has applied sanctions, we have done so consistent with international law and with specific objectives in mind. These objectives include promoting a return to rule of law or democratic systems, advancing respect for human rights and fundamental freedoms, or responding to threats to international security. The United States is not alone in that view or practice.

We received your letter dated January 25, 2024, in which you raise the government of Cuba's efforts to guarantee Cuban citizens and residents the right to food and an adequate standard of living. The United States categorically rejects the insinuation that U.S. sanctions are responsible for the economic or human rights situation in Cuba.

We reiterate that in cases where the United States has applied sanctions, we have done so consistent with international law. Sanctions are a tool for promoting positive and enduring changes of behavior. We are clear and transparent about these goals.

The United States does not accept that our imposition of sanctions amounts to a violation of human rights. Among other legitimate purposes, sanctions can play a valuable role in disrupting and deterring human rights violations and abuses, promoting accountability, and addressing threats to peace and security. Put simply, our sanctions do not violate human rights; they are intended to prevent others from violating human rights.

While U.S. sanctions may have an impact on Cuba's economy, Cuba's mismanagement of its most productive sectors is a primary driver of its current economic crisis, as is its inability or unwillingness to pay creditors and exporters on time. U.S. sanctions include exemptions and authorizations for the export of food, medicine, and other basic goods to Cuba. In 2023, the United States exported nearly \$336 million in total agricultural commodities to Cuba and authorized another \$100 billion of humanitarian exports or donations, including over \$8 billion in medical exports. For example, the United States was Cuba's number one supplier of poultry in 2023, at a value of \$290 million.

Other items routinely exported from the United States to Cuba include essential goods for food security and other basic needs, such as frozen foods, packaged goods, animal feed, fertilizer, baby formula, mechanical car parts, construction material, household appliances, personal care and hygiene products, vehicles, electronic devices such as cellphones, and computer hardware. License applications containing agricultural, medical, or humanitarian products receive expedited review by the Departments of State, Treasury, and Commerce.

The Biden-Harris Administration's policy on Cuba focuses on maximizing support for the Cuban people while minimizing support for the Cuban government. Specifically, in May 2022, the Biden-Harris Administration announced several policy measures focused on actions that would benefit the Cuban people, foster the Cuban entrepreneurial spirit, and allow families to reconnect, all while continuing to deny resources to the Cuban military. We authorized scheduled and charter

flights to locations beyond Havana and implemented regulatory changes that strengthen educational connections. We have also supported independent Cuban entrepreneurs, restored authorizations for educational activities, and expanded and facilitated the resumption of remittances (including by removing the \$1,000 quarterly cap on remittances from the United States and allowing donative remittances) to encourage assistance to the Cuban people.

We expanded lawful pathways for Cubans to be reunited with their families in the United States. In January 2023, the U.S. Embassy in Havana resumed full immigrant visa processing, including diversity and K fiancé(e) visas. The Department of Homeland Security resumed processing cases under the Cuban Family Reunification Parole process in Havana in August 2022. On January 5, 2023, the U.S. Government announced a new parole process to create an additional safe, regular, and orderly process for Cubans with U.S.-based supporters to lawfully come to the United States.

Since the May 16, 2022, announcement from President Biden outlining policy priorities to support the Cuban people, there has been a 48 percent increase in Department of Commerce license applications to export goods to support the Cuban people and the growing Cuban private sector. We believe growth of an independent private sector is Cuba's best hope for generating economic development and employment to improve the standards of living for the Cuban people and reduce the current high levels of migration.

The U.S. embargo on Cuba has long been codified by statute and will end only through Congressional action or when the statutory criteria for terminating the embargo have been met. Carefully drafted sanctions are part of our broader effort to advance democracy in Cuba, promote respect for human rights, and support the Cuban people exercising their human rights.

U.S. policy toward Cuba promotes accountability for human rights violations and abuses and seeks to support the Cuban people. The sad fact is that Cuba's leaders deny their citizens their human rights and fundamental freedoms. Approximately 1,000 political prisoners remain behind bars. We call for the immediate release of those who are unjustly detained.

We stand with the Cuban people. We support their pursuit of human rights, freedom, prosperity, and a future of greater dignity.