

Mandates of the Special Rapporteur on the right to development; the Special Rapporteur on the right to education; the Special Rapporteur on the right to food; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and the Special Rapporteur on the human rights to safe drinking water and sanitation

Ref.: AL USA 12/2026
(Please use this reference in your reply)

23 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the right to development; Special Rapporteur on the right to education; Special Rapporteur on the right to food; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and Special Rapporteur on the human rights to safe drinking water and sanitation, pursuant to Human Rights Council resolutions 60/7, 53/7, 58/10 , 60/10, 54/15 and 51/19.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **negative impacts of the executive order issued by the United States President on 29 January 2026, imposing a fuel blockade on Cuba, on various human rights, including the rights to development, food, education, health, water and sanitation.**

We previously expressed concern, in a letter dated 25 January 2024 (AL USA 3/2024), about the damaging impact of the United States embargo imposed on Cuba for over 60 years on Cuba's ability to guarantee the right to food and to an adequate standard of living for its citizens and residents.

According to the information received:

On 29 January 2026, by authority of the United States Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), and section 301 of title 3, United States Code, the United States President issued an executive order "addressing threats to the United States by the Government of Cuba" .

The executive order imposes an additional *ad valorem* on imports of goods that are products of a foreign country that directly or indirectly sells or otherwise provides any oil to Cuba. This fuel blockade has severely increased the negative impacts of the embargo which has been imposed by the United States on Cuba for over 60 years.

The executive order states that "the policies, practices, and actions of the Government of Cuba constitute an unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to the national

security and foreign policy of the United States”. The executive order does not in a credible way explain how the Government of Cuba poses a threat to the national security of the United States. While the executive order focuses on how the Cuban authorities violate the human rights of its people, it does not provide an assessment of how the executive order itself, a unilateral coercive measure, violates the human rights of the Cuban people.

The impacts of the fuel blockade cut across all sectors of Cuban society and constitute a major obstacle to Cuba’s economic and social development. Cuba is highly dependent on imported fuel in order to provide essential services such as access to electricity, health services, water and sanitation systems, public transportation, food production and distribution. The lack of fuel makes it difficult for people to go to the hospital, and for children to go to school. Health systems are facing a backlog of over 96,000 pending surgeries, including 11,000 for children, while the National Immunization Programme has been delayed for thousands of infants.

It is reported that lack of access to energy is seriously affecting the right to development – economic, social, political and cultural development – of people in Cuba. It is also undermining the enjoyment of the rights to food, education, health, water and sanitation.

While we do not wish to prejudge the accuracy of these allegations, we wish to express our serious concerns regarding the negative effects of the executive order imposed by your Excellency’s Government on Cuba on the enjoyment of human rights in Cuba, including the right to development. As already [noted](#) by some of us, the executive order of 29 January 2026 is a serious violation of international law, including the principles of sovereign equality, non-intervention and self-determination.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures have been taken by your Excellency’s Government to ensure that the executive order of 29 January 2026 – a unilateral coercive measure – is compliant with the obligations of the United States under international law, including under the UN Charter, to respect the principles of sovereign equality, non-intervention and self-determination.
3. Please explain how that “the policies, practices, and actions of the Government of Cuba constitute an unusual and extraordinary threat ...

to the national security and foreign policy of the United States”, as claimed in the executive order of 29 January 2026.

4. Please provide information on the steps taken by your Excellency’s Government to ensure that the executive order does not violate the Cuban people’s right to enjoy economic, social, cultural and political development in line with the Declaration on the Right to Development.
5. Please provide information on the steps taken by your Excellency’s Government to ensure that the executive order does not violate the Cuban people’s rights to development, food, education, health, water and sanitation.
6. Please provide information whether your Excellency’s Government has conducted any human rights impact assessment of the executive order of 29 January 2026 before issuing it.

This communication, and any response received from your Excellency’s Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency’s Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency’s Government’s to clarify the issue/s in question.

Please be informed that a copy of this letter on this subject matter has also been sent to the Government of Cuba.

Please accept, Excellency, the assurances of our highest consideration.

Surya Deva
Special Rapporteur on the right to development

Farida Shaheed
Special Rapporteur on the right to education

Michael Fakhri
Special Rapporteur on the right to food

Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

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

Pedro Arrojo-Agudo
Special Rapporteur on the human rights to safe drinking water and sanitation

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw your attention to the relevant international norms and standards, including customary international law as reflected in the 1948 Universal Declaration of Human Rights and the 1966 International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

We would like to refer to common article 1.1 of the International Covenant on Civil and Political Rights (ratified by the United States of America in 1992) and the International Covenant on Economic, Social and Cultural Rights (signed by the United States of America in 1977), which provides that “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

The Universal Declaration on Human Rights article 25.1 provides that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” Article 26 guarantees that everyone has the right to education. Article 28 further provides that “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.”

We further wish to recall that the human rights to safe drinking water and sanitation is a component of the right to an adequate standard of living, which is enshrined in article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Interpreting article 11(1) of ICESCR, the Committee on Economic, Social and Cultural Rights has stated in its general comment No 15 that States should refrain from actions that interfere, directly or indirectly, with the enjoyment of the right to water in other countries. In particular, States should refrain at all times from imposing embargoes or similar measures, that prevent the supply of water, as well as goods and services essential for securing the right to water. Water should never be used as an instrument of political and economic pressure.

We would also like to recall article 1 of the UN Declaration on the Right to Development, adopted by General Assembly on 4 December 1986 (resolution 41/128), which provides that the “right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” Article 3 of the Declaration provides that:

1. “States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.
3. States have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and co-operation among all States, as well as to encourage the observance and realization of human rights.”

Article 4 of the Declaration provides that “effective international co-operation is essential in providing [developing] countries with appropriate means and facilities to foster their comprehensive development.” Article 6 further provides that “All States should co-operate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all”.

Finally, we would like to recall article 5 of the Declaration, which provides that “States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from ... colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.”