

Mandates of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights

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(Please use this reference in your reply)

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Dear Director General,

We have the honour to address you in our capacities as Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights and Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, pursuant to Human Rights Council resolutions 52/17 and 54/15.

In this connection, we would like to bring to your attention information received concerning urgent human rights concerns of systemic financial exclusion, forced displacement and migration governance in Cuba, in follow-up to the recent [preliminary findings](#) by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Professor Alena Douhan, documenting her country visit to Cuba from 11 to 21 November 2025.

According to the information received:

Cuba has experienced migration of up to 10 per cent of its population, with vacancy rates in public sectors including healthcare and education reaching 30-50 per cent, representing what the Special Rapporteur characterises as significant brain drain particularly affecting young people with the highest levels of qualification. This displacement occurs in a context where Cuba allocates 7 per cent of GDP to education and maintains universal healthcare provision free of charge, suggesting that emigration pressure derives not from inadequate public investment in human capital formation but rather from financial coercion rendering the domestic economy structurally unviable for educated workers.

The mechanism producing this displacement operates through comprehensive financial exclusion rather than conventional fiscal constraints. The Special Rapporteur documents that following Cuba's re-designation as a State Sponsor of Terrorism in January 2021 and February 2025, reportedly 200 foreign banks and financial institutions terminated relationships with Cuba. Remittance services including Western Union withdrew from the country in February 2025 despite official humanitarian exemptions for family remittances. Cuba remains excluded from World Bank and Inter-American Development Bank financing through what the Special Rapporteur identifies as US veto power within universal financial institutions. The prohibition on transactions in US dollars,

the 10 per cent de minimis rule preventing export of goods containing more than 10 per cent US components or patents, and the imposition of penalties on executives of foreign companies engaged in transactions with Cuba have created procurement costs reportedly 40 to 300 per cent above market rates whilst simultaneously constraining revenue generation. Cuba's 2024 trade deficit exceeded US\$ 5 billion against exports valued at approximately US\$ 2 billion, representing a structural imbalance created through enforced financial isolation rather than borrowing.

The Special Rapporteur's assessment concludes that these measures violate principles of sovereign equality of states, the prohibition on intervention in domestic affairs, principles of peaceful settlement of disputes and cooperation in good faith, and constitute unilateral coercive measures repeatedly condemned in resolutions of the UN Human Rights Council and General Assembly. She further finds that the extraterritorial application of jurisdiction to nationals and companies of third states, particularly threats to revoke visas of officials from countries engaged in agreements for deployment of Cuban medical teams, constitutes intervention in domestic affairs of states worldwide and has severe extraterritorial effects on the right to health and life in underserved communities that previously benefited from Cuban medical assistance.

From the perspective of our mandates, this situation raises urgent questions about how exclusion from international financial architecture functions as a mechanism of forced displacement. The displacement documented is not incidental migration driven by individual economic opportunity, but rather structural displacement produced by systematic denial of access to international banking, payment systems, development finance, and normal terms of trade that would enable the state to guarantee employment, decent work, and sustainable livelihoods despite substantial public investment. The Special Rapporteur documents that the average public sector salary in 2025 amounts to 6,649 Cuban pesos per month in a context of regular currency devaluations, hyperinflation, and multi-layered exchange rate systems reflecting fundamental uncertainty about monetary stability. This fiscal incapacity to maintain wage levels adequate for skilled professionals results directly from revenue constraints imposed through financial exclusion. The state cannot compete for retention of educated workers not because of policy choices regarding public expenditure priorities but because comprehensive financial isolation prevents revenue generation whilst imposing extraordinary cost premiums on all essential imports. The resulting fiscal impossibility creates conditions where qualified professionals, particularly those in whom the state has invested heavily through free higher education and professional training, cannot sustain dignified livelihoods and face effective coercion to emigrate.

Accordingly, the implications for the International Organization for Migration's mandate on migration governance appear substantial yet have not, to our knowledge, been systematically addressed within frameworks the organisation has developed around migration and development, protection of migrants, or root causes of displacement. IOM's 2015 Migration Governance Framework emphasises rights-based approaches, addressing drivers of irregular migration, and coherence across migration and development policy. Yet financial coercion

producing mass displacement through systematic exclusion from international financial architecture sits awkwardly within existing analytical categories.

Furthermore, IOM's partnerships with World Bank, regional development banks, and bilateral development agencies raise concerns in the Cuban context given the migratory challenges. When these same institutions participate in financial exclusion through political vetoes on membership or lending, as for Cuba, the relationship between migration and development becomes inverted. Rather than development creating conditions enabling dignified non-migration choices, deliberate underdevelopment through financial exclusion manufactures emigration pressure. IOM's work on migration and development cannot address root causes if the development finance architecture itself functions as a driver of displacement. This in turn raises fundamental questions about accountability, participation, and remedy. Financial exclusion producing forced displacement operates without the procedural safeguards, impact assessments, or accountability mechanisms that increasingly characterise development finance, however imperfectly. There is no independent evaluation of humanitarian impact, no consultation with affected populations, no remedy for individuals whose livelihoods are destroyed through denial of access to international financial systems. The decision-making occurs within domestic legal frameworks of sanctioning states and through informal pressure within international financial institutions, insulated from human rights scrutiny and migration governance frameworks.

The costs of managing displacement fall on states and communities that played no role in decisions that led to that displacement. Receiving countries in Latin America, the Caribbean, North America, and Europe face challenges linked to this forced migration whilst origin communities experience loss of essential service providers, reduction in remittances during transition periods, and social disruption. Third countries that benefited from Cuban medical cooperation face degradation of healthcare access in remote regions. None of these fiscal consequences feature in the calculus of institutions imposing financial exclusion, representing a comprehensive failure of accountability within international financial governance. If financial coercion violates international law as pointed out by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and produces foreseeable mass displacement, it remains unclear if affected individuals have access to protection claims beyond those available to economic migrants.

The Guiding Principles on Internal Displacement, whilst not directly applicable to cross-border movement, establish that displacement resulting from violations of international human rights or humanitarian law creates specific protection obligations. The Special Rapporteur's documentation of systematic violations affecting rights to food, health, education, adequate standard of living, and freedom from poverty through financial exclusion suggests that resulting displacement shares characteristics with forced displacement in other contexts. The distinction between internal and cross-border displacement may be less salient than the distinction between displacement produced through financial violence and migration driven by individual economic strategy.

Without wishing to prejudge the accuracy of the information received and with full respect for the International Organization for Migration's mandate and governance structures, we wish to express our concerns regarding systemic financial exclusion, forced displacement and migration governance in Cuba and wish to recall that article 13(2) of the Universal Declaration of Human Rights establishes that everyone has the right to leave any country, including one's own, and to return to one's country. This right is fundamentally undermined when financial coercion renders national economies unviable, effectively compelling emigration through destruction of livelihood opportunities rather than enabling free movement as genuine choice. Similarly, article 11 of the International Covenant on Economic Social and Cultural Rights recognises the right to an adequate standard of living, whilst article 6 recognises the right to work and the right of everyone to the opportunity to gain a living by work freely chosen or accepted. When comprehensive financial exclusion systematically prevents states from guaranteeing these rights despite substantial public investment, the resulting displacement constitutes a form of forced migration that migration governance frameworks must recognise and address.

The Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families establishes standards for protection and decent work that apply regardless of migration status. Yet when financial exclusion produces displacement of healthcare workers, teachers, engineers, and other essential service providers, both origin and receiving countries face challenges in ensuring these standards whilst managing service gaps and integration pressures. The brain drain documented in Cuba, with vacancy rates reaching 50 per cent in essential public services, represents not merely loss of individual professionals but systematic dismantling of public capacity to provide healthcare, education, and infrastructure maintenance for populations unable to emigrate.

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. Has the International Organization for Migration conducted assessment of migration flows from Cuba specifically in relation to financial exclusion and sanctions regimes, distinguishing these from general economic migration? If such assessments exist, please share methodology, findings, and any policy recommendations developed.
2. What analytical frameworks does the organisation employ to identify and categorise displacement driven by systematic exclusion from international financial architecture? Are existing typologies adequate to capture the dynamics documented in the Cuba case, or does this represent a distinct form of forced migration requiring new analytical approaches?

3. Through what mechanisms does IOM engage with international financial institutions regarding situations where those institutions themselves participate in manufacturing migration pressure through lending restrictions, membership exclusions, or policy conditionalities? Given documented partnerships between IOM and World Bank, regional development banks, and bilateral donors, how does the organisation address tensions that arise when development finance architecture functions as driver rather than mitigant of displacement?
4. What protection frameworks do IOM apply to individuals displaced through financial coercion that violates international law? Are protection needs of such individuals assessed differently than those of economic migrants exercising choice within legal constraints?

Pending your clarifications, and recognising the technical and political complexity of these issues, we respectfully urge that the International Organization for Migration:

- a. Undertake comprehensive assessment of financial exclusion as driver of forced displacement, using the Cuba case as initial empirical grounding whilst extending analysis to other contexts where comprehensive sanctions regimes produce comparable migration patterns.
- b. Develop analytical frameworks within migration governance architecture that distinguish displacement produced through systematic financial exclusion from voluntary economic migration, particularly where financial coercion violates international law and produces foreseeable mass displacement.
- c. Establish mechanisms for engaging international financial institutions regarding their role in manufacturing migration pressure through lending restrictions, membership exclusions, and veto power exercised on political rather than fiduciary grounds.
- d. Engage with the Office of the High Commissioner for Human Rights, relevant treaty bodies, and Special Procedures mandates to develop coordinated response to human rights violations producing forced displacement through financial means.

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.

We remain available to engage constructively with the International Organization for Migration and all stakeholders to advance understanding of how international financial architecture affects migration patterns and to develop

governance frameworks that address financial exclusion as a driver of forced displacement whilst upholding human rights and the dignity of all persons.

Please be informed that a copy of this letter has also been sent to the Republic of Cuba.

Please accept, Director General, the assurances of my highest consideration.

Attiya Waris

Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

Alena Douhan

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

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, I would like to draw your attention to the relevant international norms and standards that are applicable to the issues brought forward by the situation described above.

One of the pillars of the protection of economic, social and cultural rights under article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) is the obligation to progressively realize the rights set out in the Covenant, making use of the maximum of available resources.

I would like to recall that the UN Declaration on the right to development (A/RES/41/128) declares that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development; that they have the duty to co-operate with each other in ensuring development and eliminating obstacles to development, and that they 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 cooperation among all States, as well as to encourage the observance and realization of human rights (article 3.1 and 3.3).

The Declaration further states that sustained action is required to promote more rapid development of developing countries and that effective international cooperation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development (article 4.2). I refer to the guidelines and recommendations on the practical implementation of the right to development (A/HRC/42/38), which urge states to guarantee social protection floors and welfare, even in times of economic and financial crisis, in line with the Social Protection Floors Recommendation, 2012 (No. 202), of the International Labour Organization (para. 60). The guidelines also request that States should prioritize the use of domestic resources for development over the servicing of debt (para. 63) and to enhance accountability in the private sector, by publishing the taxation rates and revenues generated by major economic actors (para. 65); and recommend that Governments should develop a global and a regional taxation architecture with a view to countering the race to the bottom fuelled by tax policies that are increasingly in favour of capital to the detriment of people's welfare (para. 81).