Submission to the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights

From: The Cuba Solidarity Campaign (United Kingdom)
Subject: The United States Blockade Against Cuba

Summary

This submission, presented by the Cuba Solidarity Campaign (CSC), provides evidence that the 62-year economic, commercial, and financial blockade imposed by the United States (US) against Cuba constitutes a system of illegal unilateral coercive measures. It details the devastating impact on the human rights of the Cuban people, arguing that it is a massive and systematic violation of international law. The submission analyses the blockade's legality, the damages caused, its assault on economic, social, and cultural rights, its disproportionate harm to vulnerable groups, and the failure of purported humanitarian exemptions. The analysis concludes that the blockade's purpose and effect is collective punishment of the Cuban people and urges the Special Rapporteur to call for its immediate and unconditional end.

Introduction

The Cuba Solidarity Campaign (CSC) formally welcomes the official visit of the UN Special Rapporteur to the Republic of Cuba. This visit represents an opportunity to observe first-hand the negative impact of US unilateral coercive measures on the daily lives and fundamental human rights of the Cuban people.

CSC is a broad-based British organisation with over 5,000 members, over 500 affiliated trade union organisations, and local groups, campaigning against the illegal US blockade of Cuba.¹ Our mandate includes lobbying the British government, organising solidarity and educational initiatives, and providing material aid to mitigate the blockade's effects. As a non-party political NGO, the CSC is committed to defending Cuba's sovereignty and the Cuban people's right to self-determination, free from foreign intervention.²

This submission will demonstrate that the US blockade is not merely a set of sanctions, but part of a comprehensive set of measures designed to inflict maximum economic hardship on the Cuban people to achieve political ends. These measures act as economic warfare that systematically violates a wide range of human rights enshrined in the Universal Declaration of Human Rights and other international covenants, including the rights to life, health, food, education, and development. The blockade's effects are not accidental but are the intended consequence of a policy that has been repeatedly condemned by the international community, including through 31 consecutive UN General Assembly resolutions calling for its end.³

I. The US Blockade: A Framework of Unilateral Coercion and Economic Warfare

The US policy against Cuba is not a targeted sanction but a comprehensive framework of economic warfare. Its legal architecture, global overreach, and cynical use of political designations reveal a system designed for coercion, placing it firmly outside the bounds of permissible international conduct and in direct violation of the human rights of the entire Cuban population.

A. The Legal Architecture of the Blockade

The blockade is not a single policy but a complex and evolving web of legislation designed to be comprehensive and enduring. Its foundation rests on statutes such as the Trading with the Enemy Act of 1917, the Foreign Assistance Act of 1961, and the Cuban Assets Control Regulations (CACR) of 1963.⁴ This framework has been deliberately reinforced at moments of Cuban vulnerability. Following the collapse of the Soviet Union in 1991, which plunged Cuba into a devastating economic crisis known as the 'Special Period', the US Congress passed the Cuban Democracy Act (Torricelli Act) of 1992 and the Cuban Liberty and Democratic Solidarity Act (Helms-Burton Act) of 1996.⁴ Rather than easing pressure on a nation facing immense hardship, these laws were designed to tighten the economic noose and prevent recovery, explicitly aiming to destabilise the Cuban state.

The Helms-Burton Act is particularly egregious. It codifies the provisions of the blockade into US law, making it exceptionally difficult for any US President to lift the policy without Congressional approval.⁵ Furthermore, it explicitly links the ending of the blockade to a political transition in Cuba that meets US specified conditions, effectively making regime change the non-negotiable goal of the policy. This legislative entrenchment has created a self-perpetuating system that prioritises political objectives over international law and human life.

B. The illegality of extraterritoriality

A defining and illegal feature of the blockade is its extraterritorial application, which violates the principles of state sovereignty and non-interference in the internal affairs of other nations, as enshrined in the UN Charter. The US government actively seeks to coerce third-party states, their companies, and their citizens into complying with its unilateral policy against Cuba.

The **Torricelli Act** prohibits foreign-based subsidiaries of US companies from trading with Cuba and, critically, bars any vessel that has docked in a Cuban port from entering a US port for 180 days.⁶ For an island nation dependent on maritime trade, this provision massively increases shipping costs and limits the availability of carriers willing to serve Cuba. The **Helms-Burton Act** dramatically expands this global overreach. Its

Title III allows US nationals to sue foreign companies in US courts for "trafficking" in property that was nationalised in Cuba after 1959. This creates a profound legal and financial risk for any international entity considering investment in Cuba⁷.

These measures have been widely condemned by the international community. The European Union, Canada and other US allies have enacted blocking statutes to declare the extraterritorial US laws unenforceable within their jurisdictions. However, the immense power of the US financial system often renders these countermeasures ineffective, demonstrating a clear conflict of laws where the US unilaterally imposes its domestic policy on the global stage.

C. The Designation of Cuba as a "State Sponsor of Terrorism" (SSOT): A Political Tool for Intensifying Economic Strangulation

The politically motivated re-designation of Cuba as a "State Sponsor of Terrorism" in January 2025 serves as the linchpin of the modern financial blockade. The official justifications for this listing, such as Cuba's hosting of Colombian ELN peace negotiators at the request of the Colombian government and its granting of asylum to US political fugitives decades ago, are widely recognised as pretexts that do not meet the legal definition of supporting international terrorism. Cuba has not been implicated in any act of international terrorism for decades.

The true purpose of the SSOT designation is not counter-terrorism but economic strangulation. The designation automatically triggers a cascade of further sanctions, severely restricting Cuba's access to international financial markets, development aid, and even basic commercial banking. The SSOT label creates a profound "chilling effect," causing international financial institutions to adopt "zero-risk" policies of overcompliance. Fearing catastrophic fines from the US Treasury for inadvertently violating regulations related to "terrorist financing," banks across the world refuse to process any transaction, however legitimate or humanitarian, that involves Cuba. This designation effectively outsources the enforcement of the financial blockade to the compliance departments of global banks, making the siege near-total and self-enforcing.

II. The Assault on Economic, Social, and Cultural Rights

The US blockade directly and systematically violates the core economic, social, and cultural rights of the Cuban people. The policy's impact is not a series of isolated instances but an assault on the fundamental pillars of human dignity and well-being, where damage to one sector compounds the crisis in others.¹¹

A. The Right to the Highest Attainable Standard of Health

The blockade constitutes a direct and relentless assault on the right to health. Cuba's government reports that between March 2024 and February 2025 alone, the healthcare

sector suffered damages estimated at \$288.8 million.¹⁰ The policy severely limits Cuba's capacity to import medicines, medical equipment, and the latest technologies, many of which are produced exclusively by US companies or their subsidiaries, or contain more than 10% US components. This forces Cuba to procure essential goods from distant markets at vastly inflated prices, adding billions in costs to its national budget.¹⁰

This is not an abstract economic problem: it has specific, life-threatening consequences for the Cuban people. The blockade deliberately targets Cuba's world-renowned public health system, a key achievement of its social development model. As Cuba developed a world-class biotechnology sector to overcome the blockade's impact on medicine imports, the US responded by tightening sanctions that specifically block the import of raw materials and equipment for that very sector. This reveals a targeted strategy designed to undermine Cuba's successful efforts to mitigate the impacts of the blockade. The following table documents just a few of the devastating and specific impacts.

Table 1: Documented Impact of the Blockade on the Cuban Health Sector

Medical Item/ Technology	US Manufacturer/ Patent Holder	Intended Use	Affected Patient Population in Cuba (Estimated)	Source
Percutaneous Aortic Valves (TAVI)	EDWARD LIFESCIENCE, MEDTRONIC	Cardiovasc ular surgery	158,800 patients	10
Permanent Pacemakers	US Companies	Cardiac arrhythmia	375 patients	10
Spinraza (Nusinersen)	BIOGEN	Infantile spinal atrophy	Dozens of children annually	10
IQ 577 Laser System	IRIDEX CORPORATIO N	Retinopathy of Prematurity	Dozens of children annually	10

Mechanical Ventilators (during COVID-19)	Swiss subsidiaries of US companies	COVID-19 critical care	Entire population	11	
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The inability to acquire these and other essential supplies has led to a crisis in the healthcare system. As of early 2025, there were 94,729 people on surgery waiting lists, including 4,507 cancer patients and 9,913 children, with survival rates for childhood cancer falling.¹²

B. The Right to Food and Freedom from Hunger

The blockade attacks Cuba's food security on two fronts: it severely hinders the country's ability to import food and simultaneously sabotages its capacity for domestic production.¹³ As an island nation that imports up to 80% of its food, Cuba is acutely vulnerable to these restrictions.¹³

US law, while technically allowing food sales, imposes prohibitive conditions. It requires Cuba to pay in cash and in advance, without access to any form of credit, a nearly impossible demand for a country systematically deprived of foreign exchange. Furthermore, sanctions targeting shipping companies make it difficult and expensive to transport goods to the island.

Simultaneously, the blockade devastates domestic agricultural production by preventing access to essential inputs like machinery, spare parts, fuel for tractors and irrigation pumps, fertilisers, and animal feed. This has led to a collapse in domestic output. Between 2018 and 2024, Cuba's GDP fell by 11%, and food production was so reduced that in the 2024-2025 period, 100% of the food provided under the state's basic rationing system (*libreta de abastecimiento*) had to be imported. This manufactured crisis has led to acute shortages of basic goods, forcing Cuba to request assistance from the World Food Programme for the first time in its history to secure powdered milk for children. The blockade's impact on the energy sector creates a cascading failure: fuel shortages lead to blackouts, which cripple agricultural irrigation and food preservation, worsening food insecurity and creating a public health crisis that further strains the besieged healthcare system.

C. The Right to Education

Despite Cuba's longstanding constitutional commitment to free and universal education at all levels, the blockade inflicts significant and quantifiable damage on this

fundamental right, estimated at \$89.9 million in the 2024-2025 period alone.14

The sanctions prevent the acquisition of basic materials, from pencils and paper to specialised laboratory equipment for technical and vocational schools. ¹⁴ This is particularly damaging for subjects like chemistry and mechanics, where students are unable to develop practical skills due to a lack of modern tools and devices. Access to modern information technology, including software, state-of-the-art applications, and sufficient internet bandwidth, is severely restricted, stunting the integration of digital literacy into the curriculum. ¹⁵ As with all other sectors, Cuba is forced to source materials from distant markets, which incurs massive additional costs. It is estimated that Cuba could save over \$1.2 million annually in shipping fees alone for educational supplies if it were permitted to purchase them from the US. ¹⁵

In 2017 a young Cuban postgraduate student was denied the right to study at the UK's biggest university, the 'Open University,' purely because of his nationality¹⁶. After a wide-reaching campaign and legal action the student was able to join the course one year later. The case highlighted the impact of unilateral sanctions on the human rights of people beyond the territory of Cuba. The Open University case also highlighted the over-compliance with unilateral sanctions by an educational institution that was specifically opened to provide education for all.

D. The Right to Participate in Cultural Life and Enjoy the Benefits of Scientific Progress

The blockade actively seeks to isolate Cuba culturally and scientifically, violating the right of its people to engage with the world and benefit from human progress.

The policy severely restricts scientific collaboration. It blocks US research funding from reaching Cuban institutions, prevents the purchase of laboratory equipment and reagents from US firms or their foreign subsidiaries, and creates bureaucratic obstacles for academic travel, visas, and exchange. This harms not only Cuban scientists but also the international scientific community, which is denied the full benefit of collaboration with Cuba's innovative researchers, particularly in fields like biotechnology and medicine. Despite these barriers, Cuban and US scientists have shown a remarkable and persistent desire to collaborate, a testament to the potential benefits that are being actively suppressed by US policy.

The blockade also inflicts a form of cultural strangulation, with damages to the sector estimated at \$195.1 million in 2024-2025.¹⁹ It harms Cuban artists, musicians, and writers by restricting their access to the US market, preventing direct sales of art and music, and complicating the payment of royalties through the financial blockade.¹⁹ Cuban musicians are largely unable to obtain visas to tour the US, representing millions

of dollars in lost revenue and cultural exchange. Access to essential digital platforms for promotion and distribution, such as Spotify, is blocked, further marginalising Cuban culture on the world stage.¹⁹

III. The Disproportionate Burden on Vulnerable Populations

While the blockade harms all Cubans, its cruel effects are not distributed equally. The policy functions as a driver of inequality, actively undermining Cuba's social policy of equity and universal access.²⁰ By severely hindering the state's capacity to fund its comprehensive social safety nets, the blockade systematically replaces a universalist social model with a market-based struggle for survival. This disproportionately violates the rights of women, children, the elderly, and persons with disabilities, who are most reliant on the social services and resources the blockade is designed to destroy.

A. The Rights of Women

The 2021 Oxfam report *Right to Live Without a Blockade* provides definitive evidence that the blockade reinforces patriarchal systems and places an unconscionable burden on women.²¹ As shortages of food, medicine, and basic goods intensify, the responsibility of managing household scarcity falls overwhelmingly on women, who in Cuba already perform an average of 35.2 hours per week of unpaid household and care work.²¹

The daily struggle to acquire necessities, spending hours in long queues for food, medicine, or cleaning supplies, consumes enormous amounts of time and energy. This "time poverty" directly limits women's opportunities for professional development, political participation, rest, and personal autonomy. Furthermore, the blockade directly attacks sectors where women form the majority of the professional workforce, including healthcare (71% women), education (60% women), and biotechnology (53% women), thereby undermining their economic empowerment and leadership roles in society.²¹

B. The Rights of the Child

The blockade has a direct and lethal impact on children. An analysis published in *The Lancet* indicates that unilateral sanctions globally have a disproportionate effect on mortality rates for children under five, who represented 51% of all deaths caused by sanctions between 1970 and 2021.²²

This devastating global trend is reflected in Cuba's deteriorating health indicators. The country's infant mortality rate, once a source of national pride and among the best in the world, has doubled, rising from a low of 4.2 per 1,000 live births in 2014 to 8.2 in 2025.²² The mortality rate for children under five has also increased significantly.²² Children are denied access to specific life-saving medicines and medical technologies for conditions like cancer, heart defects, and rare genetic disorders due to the blockade. Worsening

food shortages and the government's difficulty in securing subsidised milk for children under seven directly threaten child nutrition and healthy development.

C. The Rights of the Elderly and Persons with Disabilities

Academic studies have consistently found that the health impact of Cuba's economic crisis, which is deliberately caused by the US blockade, falls most heavily on older adult men.²³ This demographic is particularly vulnerable to shortages of medicines for chronic illnesses such as hypertension and diabetes, as well as to nutritional deficits and the general deterioration of the public health infrastructure.

For people with disabilities, the blockade creates unique and severe challenges that violate their specific rights. It causes critical shortages of medical materials, specialised equipment, and assistive technologies. The inability to purchase or import these items directly impacts rehabilitation services, mobility, and the ability to live with dignity. There are documented cases of individuals waiting years for essential items like prostheses. The Office of the High Commissioner for Human Rights (OHCHR) has itself noted that much of the necessary equipment to ensure accessibility for persons with disabilities cannot reach Cuba specifically because of the US blockade.

IV. The Myth of Exemptions

The US government frequently claims that its sanctions exempt humanitarian trade, such as food and medicine. This claim is false. In practice, the combination of the blockade's complex regulations, its extraterritorial reach, the SSOT designation, and the credible threat of punitive multi-million-dollar fines has created a global climate of fear and 'over-compliance' that renders such exemptions practically void. The US has effectively pressured the global private sector including banks, insurance companies, shipping lines etc, to enforce its blockade, making the system far more pervasive than direct state action alone.

A. The 'Chilling Effect': De-risking and the Global Refusal to Engage

The ambiguity of US regulations and the huge size of the penalties for perceived violations force international banks, shippers, and suppliers to adopt a "zero-risk" policy towards Cuba.⁷ This "over-compliance" or "de-risking" means that financial and commercial entities refuse to engage in even legally permissible transactions out of an abundance of caution.⁷ It is simply cheaper and safer for a bank's compliance department to blacklist any transaction containing the word "Cuba" than to risk a billion-dollar fine from the US Treasury.

UN Special Rapporteur Alena Douhan has reported that "many banks around the world recently suspended operations involving Cuba due to United States sanctions," affecting even legitimate transfers for the purchase of food and medicine.⁷ This financial siege

extends to individuals, with Cuban nationals living abroad finding their bank accounts frozen or being denied financial services simply because of their nationality.

B. The Practical Blockade of Humanitarian Aid

While the US government publicises the existence of licences and general authorisations for humanitarian goods, these are rendered practically useless by the financial blockade. An organisation may have a licence to send medical supplies, but it is often impossible to find a bank willing to process the payment, an insurer willing to cover the shipment, or a shipping company willing to risk docking its vessel in a Cuban port.

Humanitarian organisations have repeatedly and publicly documented these obstacles. During the COVID-19 pandemic, a Swiss company was forced to cancel a sale of life-saving ventilators to Cuba because it was acquired by a US subsidiary. ¹¹ Following the devastating oil tanker fire in Matanzas in 2022, international financial institutions blocked humanitarian donations intended for disaster relief, even when the recipient bank accounts were located outside of Cuba. The Washington Office on Latin America (WOLA) has described the "onerous challenges" and pervasive fear of fines that make it "extremely difficult" to send aid. ¹¹

The UK registered charity 'The Music Fund for Cuba' ²⁸ has been blocked from using popular fundraising platforms like GoFundMe and JustGiving, which have refused to process donations for humanitarian aid to Cuba because their payment processors are US-based companies that list Cuba as a "prohibited jurisdiction".

The Cooperative Bank terminated all the bank accounts of the Cuba Solidarity Campaign in 2015.²⁹

CSC itself is regularly denied banking services for international transfers when making humanitarian donations to Cuba, as well as to European companies to provide material resources to be sent to Cuba. Bank transfers are often blocked by clearing banks and months can pass before these funds are returned.

V. Conclusion and Recommendations to the Special Rapporteur

The evidence presented in this submission demonstrates that the US economic, commercial, and financial blockade against Cuba is a sophisticated, illegal, and extraterritorial system of unilateral coercive measures that violates the UN Charter and fundamental principles of international law. It has inflicted quantifiable damage on the Cuban economy and systematically violates the economic, social, and cultural rights of 11 million people.

The blockade functions as a form of collective punishment, disproportionately harming

the most vulnerable members of society – women, children, the elderly, the disabled – and constitutes a massive, flagrant, and systematic violation of human rights. Purported humanitarian exemptions are rendered illusory by a global system of financial overcompliance, which is a direct and intended consequence of the blockade's punitive design.

The Cuba Solidarity Campaign respectfully urges the Special Rapporteur to use her mandate to:

- 1. **Condemn the US blockade** in the strongest possible terms as a violation of international human rights law, international humanitarian law, and the UN Charter.
- 2. **Call for the immediate and unconditional lifting** of the entire legislative and regulatory framework of the US economic, commercial, and financial blockade against Cuba.
- 3. **Demand the immediate and unconditional ending** of Cuba's designation as a State Sponsor of Terrorism, recognising its function as a tool of economic coercion rather than a legitimate counter-terrorism measure.
- 4. **Investigate and report specifically on the phenomenon of over-compliance** and the extraterritorial application of US sanctions, calling on third-party states and their financial institutions to uphold their own laws and international obligations rather than submitting to US coercion.
- 5. **Urge the US government to cease its policy of hostility** and engage with Cuba on the basis of mutual respect and non-interference, in line with the overwhelming will of the international community.

Appendix A: US Office of Foreign Assets Control (OFAC) enforcement actions against UK entities for Cuba sanctions violations

This appendix summarises historical enforcement actions undertaken by the United States Department of the Treasury's Office of Foreign Assets Control (OFAC) against UK entities for apparent violations of the Cuban Assets Control Regulations (CACR). The cases demonstrate the substantial legal, financial and reputational risks faced by British firms and provide concrete evidence of the potent extraterritorial reach of the US blockade.

Analysis of these cases reveals the two main jurisdictional triggers that OFAC uses to penalise UK entities.

Financial Systems: This applies to any entity, regardless of nationality, that causes a transaction, particularly one in US dollars, to be processed through a US financial institution. This has formed the basis for the largest penalties issued to UK banks.

Corporate Ownership: The CACR extends US jurisdiction to any corporation, regardless of its place of organisation, that is "owned or controlled by" a US person. This directly applies the US embargo to the global operations of UK subsidiaries of US parent companies.

The following table summarises some of the key enforcement actions, showing the size of the penalties and the type of violations.

UK Entity Name (and relevant subsidiar y)	Date of OFAC Action	Final Settlemen t Amount (USD)	Brief Descriptio n of Apparent Violations Related to Cuba	Primary Basis for US Jurisdicti on	OFAC Case Determina tion
Xerox (UK) Limited	2004-05- 07	5,207	Unauthoris ed travel services involving Cuba provided in 2000.	US ownership/ control (UK subsidiary)	Non- Voluntary Self- Disclosure (VSD)

Australia and New Zealand Bank Group, Ltd.	2009-08- 24	5,750,000 (for Cuba & Sudan violations)	Processed 15 Cuban- related financial transaction s worth \$77.7 million.	US Financial System Access (use of US correspon dent accounts).	Non- Egregious, VSD (for Cuba portion).
Lloyds TSB Bank Plc	2009-12-	217,000,0 00 (part of \$350M global settlement)	Evaded US sanctions by removing identifying information from transfers.	US Financial System Access (use of US correspon dent banks).	Not specified, but involved DOJ criminal charges. Non-VSD.
Barclays Bank PLC	2010-08- 18	176,000,0 00 (part of \$298M global settlement)	Processed 61 Cuba- related fund transfers, totalling \$6.7 million	US Financial System Access (including its NY branch).	Not specified, but involved DOJ criminal charges. VSD.
Royal Bank of Scotland plc	2013-12- 11	33,122,30 7 (part of \$100M global settlement)	24 wire transfers to Cuba, totalling \$290,206, were processed with sanctioned party	US Financial System Access.	Egregious, VSD.

			references removed.		
WATG Holdings, Inc. / Wimberly Allison Tong and Goo (UK) Limited	2016-01-20	\$140,400	Contracted for and received payments for architectur al design services for a Cuban hotel project.	US ownership/ control (UK subsidiary)	Non- Egregious, Non-VSD.
Standard Chartered Bank	2019-04-09	\$639,023	Thousands of transaction s for sanctioned entities, including Cuba, were processed through the US financial system	US Financial System Access.	Egregious, Non-VSD.
Acteon Group Ltd. / 2H Offshore Engineerin g Ltd.	2019-04- 11	227,500	Provided engineerin g services and engineers for Cuban oil	US Person Ownership /Control (owned by US investment funds).	Egregious, VSD.

			exploration		
Acteon Group Ltd. / Seatronics Ltd.	2019-04-	\$213,866 (for Cuba & Iran violations)	Supplied and serviced oil exploration equipment in Cuban waters.	US Person Ownership /Control (owned by US investment funds).	Non- Egregious, VSD.
Chubb Limited (as successor to ACE Europe)	2019-12- 09	\$66,212	Processed 20,291 Cuba- related travel insurance transaction s	ACE Europe, a UK subsidiary, was US owned/con trolled.	Non- Egregious, VSD.
Havin Bank Limited (Havana Internation al Bank)	2020-07- 30	Designatio n	Designation n as a Specially Designate d National (SDN) is an enforcement tool.	SDN Designatio n.	N/A

Appendix B: Documented de-risking incidents in the UK (the 'chilling effect')

Beyond direct penalties, the perceived risk of US sanctions has created a powerful 'chilling effect', compelling UK entities to pre-emptively disengage from lawful Cubarelated activities. The following table documents specific incidents of this 'de-risking' phenomenon.

Approx. Date	UK Entity	Action Taken	Stated/Implied Reason
2007	Barclays Bank	Closed accounts of Cuban entities in London (Havana International Bank, Cubanacan).	"Compliance with different regulations" in its operating jurisdiction.
2008	Lloyds TSB	Businesses pulled out of Cuba; payments blocked for UK firms like Fertecon.	"Full risk assessment process" to protect the bank's reputation and business.
2015	The Co-operative Bank	Cuba Solidarity Campaign (CSC) bank account closed.	Initially "risk appetite"; later admitted it was due to OFAC sanctions risk.
2016	Eventbrite	Funds withheld from Cubanos en UK's "Send a Piano to Cuba" concert.	Compliance with OFAC regulations as a US company.

2017	The Open University	Banned applications from Cuban nationals for its courses.	OFAC license sought over US jurisdiction concerns.
2021-Present	UK Citizens (General)	Cuba travel leads to US ESTA visa waiver denial.	US designation of Cuba as a State Sponsor of Terrorism.
2022	Stripe	Cubanos en UK's account, for Cuban humanitarian aid, was frozen.	Fear of violating the US blockade, officially citing high risk and financial crime.

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