

A situational update on Haiti and Cuba

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On July 13, Secretary of Homeland Security Alejandro Mayorkas warned that people fleeing Haiti and Cuba by boat would not be permitted in the United States. “The time is never right to attempt migration by sea. To those who risk their lives doing so, this risk is not worth taking,” he said at a Department of Homeland Security press briefing, “Allow me to be clear: if you take to the Sea, you will not come to the United States.”¹

Mayorkas’ comments were made in the middle of a turbulent month for both Caribbean nations. This paper provides a brief summary and analysis of recent events in Haiti and Cuba and existing and potential pressures for displacement.

Turmoil in Haiti after assassination

In the early morning hours of July 7, 2021, Haitian President Jovenel Moïse was shot and killed inside his home outside of Port-au-Prince, the capital.² His wife, First Lady Martine Moïse, was also shot but survived. International condemnation of the assassination was swift, and the United States dispatched Homeland Security and Federal Bureau of Investigation officials to assist the investigation in Haiti.³ Police believe a group of mainly Colombian mercenaries carried out the attack.⁴

Gang violence has reportedly escalated in recent weeks and has disrupted medical care and fuel supplies.⁵ UNICEF said further violence and insecurity following the assassination could pose “serious challenges” to its humanitarian work in Haiti, where it says nearly one in three children need emergency humanitarian assistance.⁶ At least 18,000 people have left their homes due to fighting, most of them since early June.⁷

Conditions were already considered dire before the upheaval after Moïse’s assassination. On May 22, 2021, DHS announced a new 18-month designation of Haiti for Temporary Protected Status to allow qualifying Haitian nationals to remain in the United States.⁸ Mayorkas cited “serious security concerns, social unrest, an increase in human rights abuses, crippling poverty, and a lack of basic resources, which are exacerbated by the COVID-19 pandemic” as reasons that Haitians in the United States could not safely return home.⁹ The lingering effects of the devastating 2010 earthquake also continue to hold back human and economic development in Haiti.

But the specter of displacement from Haiti is much closer to the U.S. mainland. Thousands of Haitians are reportedly stuck at the U.S.-Mexico border unable to have their asylum claims heard.¹⁰ Citing the pandemic, a public health order initially implemented under Trump administration, referred to generally as “Title 42,” allows for the rapid expulsion of migrants who arrive at the border before they can apply for asylum. This policy is still currently in place under the Biden administration and keeps many Haitians in a state of legal limbo.¹¹ Some advocates also lament that removal flights to Haiti under Title 42 have continued, if not accelerated, under the Biden administration.¹²

Cuba mired in protests

On July 11, 2021, thousands of protestors filled the streets in Cuba in what were believed to be the largest anti-government protests on the island in decades.¹³ The government's economic policies and response to the COVID-19 pandemic have been sharply criticized at these protests. June 2021 was Cuba's worst month of the pandemic to date for COVID-19 infections.¹⁴ Embargo restrictions and the impact of COVID-19 have also resulted in the scarcity of food and other essential goods.¹⁵ Indeed, the pandemic and food insecurity reinforce one another as people continue to gather in crowded lines to buy food—which “remains one of the main risks for spread of the virus.”¹⁶

Under the Cuban Adjustment Act of 1966 (CAA), Cuban natives and citizens living in the United States who meet certain eligibility requirements have been allowed to apply for lawful permanent resident status (i.e., receive green cards).¹⁷ With the CAA on the books, federal law has long put Cubans in a “relatively advantageous situation compared to people from other countries,” who must make more specific claims about the persecution they faced in their home countries.¹⁸ However, Cubans were subject to many of the same policies that affected Central Americans during the Trump administration, such as Title 42 and the Migrant Protection Protocols, or the “Remain in Mexico” policy.¹⁹ But Cubans have still “fared relatively well compared to asylum seekers of other nationalities” when it came to their asylum claim success rate.²⁰ Meanwhile, Cubans have continued to try to make the dangerous journey from the island to the Florida coast. Since October 2020, the U.S. Coast Guard has intercepted at least 595 Cuban migrants, compared to just 49 the previous fiscal year.²¹

U.S. and United Nations officials have called for the Cuban government to respect the rights of peaceful protestors and urged the Cuban government to release citizens it detained during the protests. The Biden administration is reportedly considering whether to ease travel restrictions as well as regulations for fund transfers from the United States to Cuba.²²

Recommendations

Even before the crises of the last month erupted in Haiti and Cuba, U.S. Customs and Border Patrol data suggested that the number of Haitians and Cubans seeking to migrate to the United States was steadily increasing.²³ The current instability in both countries may only ratchet up existing pressures to migrate. With that context in mind, the U.S. Committee for Refugees and Immigrants recommends:

- 1) **The Biden administration must end the use of Title 42 to turn away asylum seekers.** Haitians at the border, as well as other nationalities fleeing gang violence in their home countries, must be allowed to make their claims for asylum. Without a reversal of the previous administration's misguided policy, Haitians and others will continue to suffer in legal limbo.
- 2) **The Biden administration must allow remittances to flow more freely back to families in Cuba.** While U.S. embargo restrictions clearly impact economic conditions in Cuba, remittances from family members abroad are also critical to the island's economic wellbeing. The Biden administration is rightly concerned that remittance funds would end up in the hands of the Cuban government and bolster the regime.²⁴ But easing remittance restrictions on everyday Cubans could be the most straight-forward policy to improve economic conditions on the island and thus ease the socio-economic pressures that lead to migration from Cuba.

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