

# CUBA 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Cuba is an authoritarian state led by Miguel Diaz-Canel, president of the Council of State and Council of Ministers, with former president Raul Castro serving as the first secretary of the Communist Party (CP). Cuba has a one-party system in which the constitution recognizes the CP as the only legal party and the highest political entity of the state. On March 11, citizens voted to ratify a preselected list of 605 candidates to the National Assembly. A CP candidacy commission prescreened all candidates, and the government actively worked to block non-CP approved candidates from the ballot. On April 19, the National Assembly elected Diaz-Canel president of the Council of State and Council of Ministers. Neither the legislative nor the national elections were considered to be free or fair.

The national leadership, including members of the military, maintained effective control over the security forces.

Human rights issues included reports of an unlawful and arbitrary killing by police; torture of political dissidents, detainees, and prisoners by security forces; harsh and life-threatening prison conditions; arbitrary arrest and detention; holding of political prisoners; and arbitrary or unlawful interference with privacy. The government engaged in censorship, site blocking, and libel is criminalized. There were limitations on academic and cultural freedom; restrictions on the right of peaceful assembly; denial of freedom of association, including refusal to recognize independent associations; and restrictions on internal and external freedom of movement and on political participation. There was official corruption, trafficking in persons, outlawing of independent trade unions, and compulsory labor.

Government officials, at the direction of their superiors, committed most human rights abuses and failed to investigate or prosecute those who committed the abuses. Impunity for the perpetrators remained widespread.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports that government agents committed an unlawful and arbitrary killing. There were credible reports that Alejandro Pupo Echemendia was severely

beaten by local police and died in police custody in the town of Placetas on August 9. Reports indicated police officials beat him in a police precinct after he began suffering from a panic attack; he was pronounced dead after he was taken to a hospital.

### **b. Disappearance**

There were no confirmed reports of long-term disappearances by or on behalf of government authorities, but there were numerous reports of detained activists whose whereabouts were temporarily unknown because the government did not register these detentions.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits abusive treatment of detainees and prisoners. There were reports, however, that members of the security forces intimidated and physically assaulted human rights and prodemocracy advocates, political dissidents, and other detainees and prisoners during detention and imprisonment, and that they did so with impunity. Some detainees and prisoners also endured physical abuse by prison officials or by other inmates with the acquiescence of guards.

There were reports of police assaulting detainees or being complicit in public harassment of and physical assaults on peaceful demonstrators (see section 2.b.). Ivan Hernandez Carrillo of the Independent Union Association of Cuba reported police severely beat, kicked, and punched him during his arrest on March 25.

On October 31, Radio Marti reported two political prisoners were beaten while in police custody. Alberto Valle Perez was beaten by fellow inmates in the Holguin prison. Zacchaeus Baez, coordinator of the Patriotic Union of Cuba (UNPACU) in Havana, said Valle Perez told his family prison guards ordered other inmates to beat him. On October 27, officers of the Combinado del Este Prison in Havana beat Carlos Manuel Figueroa Alvarez. According to Baez, guards sprayed pepper spray in Figueroa's mouth while he was handcuffed and later took him to a solitary confinement cell.

### **Prison and Detention Center Conditions**

Prison conditions continued to be harsh. Prisons were overcrowded, and facilities, sanitation, and medical care were deficient. There were reports of prison officials assaulting prisoners.

Physical Conditions: The government provided no information regarding the number, location, or capacity of detention centers, including prisons, work camps, and other kinds of detention facilities.

Prison and detention cells reportedly lacked adequate water, sanitation, space, light, ventilation, and temperature control. Although the government provided some food and medical care, many prisoners relied on family for food and other basic supplies. Potable water was often unavailable. Prison cells were overcrowded. Women also reported lack of access to feminine hygiene products and inadequate prenatal care.

Prisoners, family members, and nongovernmental organizations (NGOs) reported inadequate health care, which led to or aggravated multiple maladies. Prisoners also reported outbreaks of dengue, tuberculosis, hepatitis, and cholera. There were reports of prisoner deaths from heart attacks, asthma, HIV/AIDS, and other chronic medical conditions, as well as from suicide.

Political prisoners were held jointly with the general prison population. Political prisoners who refused to wear standard prison uniforms were denied certain privileges, such as access to prison libraries and reductions in the severity of their sentence (for example, being transferred from a maximum-security to a medium-security prison). Political prisoners also reported fellow inmates, acting on orders from or with the permission of prison authorities, threatened, beat, intimidated, and harassed them.

Prisoners reported solitary confinement was a common punishment for failure to comply with prison regulations, and some prisoners were isolated for months at a time.

The government subjected prisoners who criticized the government or engaged in hunger strikes and other forms of protest to extended solitary confinement, assaults, restrictions on family visits, and denial of medical care.

Administration: Authorities did not conduct proper investigations of credible allegations of mistreatment. Prisoners reported government officials refused to accept complaints or failed to respond to complaints.

Prisoners and pretrial detainees had access to visitors, although several political prisoners' relatives reported prison officials arbitrarily canceled scheduled visits or denied visits altogether. Some prisoners were able to communicate information about their living conditions through telephone calls to human rights observers and family members.

Authorities allowed prisoners to practice their religion, but there were isolated reports authorities did not inform inmates of their right to access religious services, delayed months before responding to such requests, and limited visits by religious groups to a maximum of two or three times per year.

Independent Monitoring: The government did not permit monitoring of prison conditions by independent international or domestic human rights groups and did not permit access to detainees by international humanitarian organizations. Although the government pledged in previous years to allow a visit by the UN special rapporteur on torture and other cruel, inhuman, and degrading treatment or punishment, no visit occurred during the year.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. Nevertheless, arbitrary arrests and short-term detentions continued to be a common government method for controlling independent public expression and political activity. Challenges of arrests or detentions were rarely successful, especially regarding detentions alleged to be politically motivated.

By law police have wide discretion to stop and question citizens, request identification, and carry out search-and-seizure operations. Police used laws against public disorder, contempt, lack of respect, aggression, and failure to pay minimal or arbitrary fines as ways to detain, threaten, and arrest civil society activists. Police officials routinely conducted short-term detentions, at times assaulting detainees. The law provides that police officials furnish suspects a signed "report of detention," noting the basis, date, and location of any detention in a police facility and a registry of personal items seized during a police search, but the law was frequently not followed. Arbitrary stops and searches were most common in urban areas and at government-controlled checkpoints at the entrances to provinces and municipalities.

Police and security officials continued to use short-term and sometimes violent detentions to prevent independent political activity or free assembly. Such detentions generally lasted from several hours to several days. The independent human rights NGO Cuban Commission on Human Rights and National Reconciliation (CCDHRN) counted more than 2,870 detentions through November, compared with more than 5,155 in all of 2017. Members of the Todos Marchamos (We All March) campaign, which included Damas de Blanco (Women in White), reported weekly detentions of members to prevent demonstrations. Long-term imprisonment of peaceful government critics, while rare, sometimes occurred.

The law allows a maximum four-year preventive detention of individuals not charged with an actual crime, with a subjective determination of “pre-criminal dangerousness,” defined as the “special proclivity of a person to commit crimes, demonstrated by conduct in manifest contradiction of socialist norms.” Mostly used as a tool to control “antisocial” behaviors, such as substance abuse or prostitution, authorities also used such detention to silence peaceful political opponents. Multiple domestic human rights organizations published lists of persons they considered political prisoners; individuals appearing on these lists remained imprisoned under the “pre-criminal dangerousness” provision of the law.

In August authorities detained Jose Daniel Ferrer, leader of UNPACU, the largest political opposition group, in Santiago de Cuba for 12 days and charged him with attempted murder following a car crash in which he hit and injured an official in Palmarito del Cauto. There were reports the official intentionally jumped in front of the vehicle Ferrer was driving, resulting in minor injuries. Despite reported coercion of witnesses, police could not obtain corroborating evidence against Ferrer, and the prosecution was forced to change his status from preventive detention to immediate release. As of November the prosecution had not yet issued a final decision regarding the status of the charges against him. In March, Ferrer was also detained and released after several hours while attempting to travel to Havana from Santiago de Cuba to participate in the ceremony for the 2017 Oswaldo Paya Freedom and Life Award.

### **Role of the Police and Security Apparatus**

The Ministry of Interior exercises control over the police, internal security forces, and the prison system. The ministry’s National Revolutionary Police is the primary law enforcement organization. Specialized units of the ministry’s state security branch are responsible for monitoring, infiltrating, and suppressing

independent political activity. The police supported these units by carrying out search-and-seizure operations of homes and headquarters of human rights organizations, arresting persons of interest to the ministry, and providing interrogation facilities.

On August 14, authorities arrested UNPACU member Tomas Nunez Magdariaga on falsified charges and convicted him in a sham trial in which he was denied the opportunity to present witnesses in his favor. The arresting officer, Aldo Rosales Montoya, publicly admitted to fabricating the accusations against Nunez at the direction of a State Security official in a video recorded on September 14 and subsequently in a signed statement. Rosales admitted the purpose of Nunez's arrest was to weaken the opposition organization. On October 15, the government released Nunez after a 62-day hunger strike protesting his imprisonment.

The police routinely violated procedural laws with impunity and at times failed or refused to provide citizens with legally required documentation, particularly during arbitrary detentions and searches. Security force members also committed abuses of civil rights and human rights with impunity.

Although the law on criminal procedure prohibits the use of coercion during investigative interrogations, police and security forces at times relied on aggressive and physically abusive tactics, threats, and harassment during questioning. Detainees reported officers intimidated them with threats of long-term detention, loss of child-custody rights, denial of permission to depart the country, and other punishments.

No official mechanisms were readily available to investigate government abuses.

Undercover police and Ministry of Interior agents were often present and directed activities to disrupt efforts at peaceful assembly (see section 2.b.).

According to independent reports, state-orchestrated "acts of repudiation" directed against independent civil society groups and individuals, including the Damas de Blanco and other organizations, were organized to prevent meetings or to intimidate participants publicly (see section 2.a.).

### **Arrest Procedures and Treatment of Detainees**

Under criminal procedures police have 24 hours after an arrest to present a criminal complaint to an investigative police official. The investigative police

have 72 hours to investigate and prepare a report for the prosecutor, who in turn has 72 hours to recommend to the appropriate court whether to open a criminal investigation.

Within the initial 168-hour detention period, detainees must be informed of the basis for the arrest and criminal investigation and have access to legal representation. Those charged may be released on bail, placed in home detention, or held in continued investigative detention. Once the accused has an attorney, the defense has five days to respond to the prosecution's charges, after which a court date usually is set. Prosecutors may demand summary trials "in extraordinary circumstances" and in cases involving crimes against state security.

There were reports that defendants met with their attorneys for the first time only minutes before their trials and were not informed of the basis for their arrest within the required 168-hour period.

Reports suggested bail was available, although typically not granted to those arrested for political activities. Time in detention before trial counted toward time served if convicted.

Detainees may be interrogated at any time during detention and have no right to request the presence of counsel during interrogation. Detainees have the right to remain silent, but officials do not have a legal obligation to inform them of that right.

By law investigators must complete criminal investigations within 60 days. Prosecutors may grant investigators two 60-day extensions upon request, for a total of 180 days of investigative time. The supervising court may waive this deadline in "extraordinary circumstances" and upon special request by the prosecutor. In that instance no additional legal requirement exists to complete an investigation and file criminal charges, and authorities may detain a person without charge indefinitely.

Arbitrary Arrest: Officials often disregarded legal procedures governing arrest, detaining suspects longer than 168 hours without informing them of the nature of the arrest, allowing them to contact family members, or affording them legal counsel.

Pretrial Detention: The government held detainees for months or years in investigative detention, in both political and nonpolitical cases. In nonpolitical

cases delays were often due to bureaucratic inefficiencies and a lack of checks on police.

### **e. Denial of Fair Public Trial**

While the constitution recognizes the independence of the judiciary, the judiciary is directly subordinate to the National Assembly and the CP, which may remove or appoint judges at any time. Political considerations thoroughly dominated the judiciary, and there was no separation of powers between the judicial system, the CP, and the Council of State.

Civilian courts exist at the municipal, provincial, and national levels. Special tribunals convene behind closed doors for political (“counterrevolutionary”) cases and other cases deemed “sensitive to state security.” The government’s practice was to deny admission to observers to trial on an arbitrary basis. Military tribunals may also have jurisdiction over civilians if any of the defendants are active or former members of the military, police, or other law enforcement agency.

### **Trial Procedures**

The law provides for the right to a public trial, but politically motivated trials were at times held in secret, with authorities citing exceptions for crimes involving “state security” or “extraordinary circumstances.” Many cases concluded quickly and were closed to the press.

Due process rights apply equally to all citizens as well as foreigners, but courts regularly failed to protect or observe these rights. The law presumes defendants to be innocent until proven guilty, but authorities often ignored this, placing the burden on defendants to prove innocence. The law provides criminal defendants the right not to be compelled to testify or confess guilt.

The law requires that defendants be represented by an attorney, at public expense if necessary. Privately hired attorneys were often reluctant to defend individuals charged with political crimes or associated with human rights cases. Defendants’ attorneys may cross-examine government witnesses and present witnesses and evidence. Only state attorneys are licensed to practice in criminal courts.

Criteria for admitting evidence were arbitrary and discriminatory. According to reports, prosecutors routinely introduced irrelevant or unreliable evidence to prove intent or testimony about the revolutionary credentials of a defendant.



Defense attorneys have the right to review the investigation files of a defendant, but not if the charges involve “crimes against the security of the state.” In these cases defense attorneys were not allowed access until charges were filed. Many detainees, especially political detainees, reported their attorneys had difficulties accessing case files due to administrative obstacles. Interpretation was sometimes provided during trials for non-Spanish speakers, but the government claimed limited resources prevented interpreters from always being available.

In trials where defendants are charged with “pre-criminal dangerousness” (see section 1.d.), the state must show only that the defendant has “proclivity” for crime, so an actual criminal act need not have occurred. Penalties may be up to four years in prison. Authorities normally applied this provision to prostitutes, alcoholics, young persons who refused to report to work centers, repeat offenders of laws restricting change of domicile, and political activists who participated in public protests.

The law recognizes the right of appeal in municipal courts but limits it in provincial courts to cases involving lengthy prison terms or the death penalty.

### **Political Prisoners and Detainees**

The government continued to hold political prisoners but denied it did so and refused access to its prisons and detention centers by international humanitarian organizations and the United Nations.

The exact number of political prisoners was difficult to determine; the CCDHRN estimated there were 120 political prisoners, while other credible groups put the number slightly higher. On July 11, the CCDHRN published a documented list with the prisoners’ names and other details regarding their imprisonment. The lack of governmental transparency, along with systemic violations of due process rights, obfuscated the true nature of criminal charges, investigations, and prosecutions, allowing government authorities to prosecute and sentence peaceful human rights activists for criminal violations or “pre-criminal dangerousness.” The government used the designation of “counterrevolutionary” for inmates deemed to be political opposition, but it did not publicize those numbers. The government closely monitored organizations tracking political prisoner populations, which often faced harassment from state police.

On May 3, authorities arrested Ariel Ruiz Urquiola, a biology researcher at the University of Havana and environmental activist, after visiting his farm to question him about his building permits. On May 8, a judge convicted Ruiz Urquiola of disrespect and sentenced him to the maximum penalty of one year in prison for verbally insulting forestry officials. Amnesty International declared him a “prisoner of conscience,” alleging he was jailed “only for peacefully exercising his right to freedom of expression.” On July 3, after a hunger strike of more than two weeks, authorities released Ruiz Urquiola on medical grounds to serve the remainder of his sentence outside of prison.

Political prisoners reported the government held them in isolation for extended periods. They did not receive the same protections as other prisoners or detainees. The government also frequently denied political prisoners access to home visits, prison classes, telephone calls, and, on occasion, family visits.

Eduardo Cardet, director of the human rights organization Christian Liberation Movement (MCL) and declared a prisoner of conscience by Amnesty International, continued to serve a three-year prison sentence for allegedly assaulting a police officer in 2017. Authorities denied Cardet visits for several months until September 13, when they allowed a visit by family members.

### **Civil Judicial Procedures and Remedies**

It is possible to seek judicial remedies through civil courts for violations of administrative determinations, but independent legal experts noted general procedural and bureaucratic inefficiencies often delayed or undermined the enforcement of administrative determinations and civil court orders. Civil courts, like all other courts in the country, lacked independence and impartiality as well as effective procedural guarantees. No courts allowed claimants to bring lawsuits seeking remedies for human rights violations.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution protects citizens’ privacy rights in their homes and correspondence, and police must have a warrant signed by a prosecutor or magistrate before entering or conducting a search. Nevertheless, there were reports that government officials routinely and systematically monitored correspondence and communications between citizens, tracked their movements, and entered homes without legal authority and with impunity.

The Ministry of Interior employed a system of informants and neighborhood committees, known as “Committees for the Defense of the Revolution,” to monitor government opponents and report on their activities. Agents from the ministry’s General Directorate for State Security subjected foreign journalists, visiting foreign officials and diplomats, academics, and businesspersons to frequent surveillance, including electronic surveillance.

The CP is the only legally recognized political party, and the government actively suppressed attempts to form other parties (see section 3). The government encouraged mass political mobilization and favored citizens who actively participated (see section 2.b.).

Family members of government employees who left international work missions without official permission at times faced government harassment or loss of employment, access to education, or other public benefits. Family members of human rights defenders, including their minor children, reportedly suffered reprisals related to the activities of their relatives. These reprisals included reduced salaries and termination of employment, denial of acceptance into university, expulsion from university, and other forms of harassment.

On November 10, members of State Security in Mayari claiming to be following provincial orders forcefully entered the home of Osmel Ramirez Alvarez and seized documents, books, a laptop computer with accessories, and a cell phone. Authorities took him to a police station under the pretense that he needed to sign a document about the seizure of his property but then detained him for nearly four days.

On November 14, Rolando Rodriguez Lobaina, director of the independent press agency Palenque Vision, denounced that State Security agents broke into his home in broad daylight in the presence of his sons, sister, and brother-in-law, while he was away on travel. This was the fourth such break-in of his home within a year.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, only insofar as it “conforms to the aims of socialist society.” Laws banning criticism of

government leaders and distribution of antigovernment propaganda carry penalties ranging from three months to 15 years in prison.

Freedom of Expression: The government had little tolerance for public criticism of government officials or programs and limited public debate of issues considered politically sensitive. State security regularly harassed the organizers of independent fora for debates on cultural and social topics to force them to stop discussing issues deemed controversial. The forum's organizers reported assaults by state security, video surveillance installed outside of venues, and detention of panelists and guests on the days they were expected to appear. In addition, human rights activists, independent journalists, and artists were prohibited from traveling outside the country to attend events in international fora related to human rights and democracy in the country.

Government workers reported being fired, demoted, or censured for expressing dissenting opinions or affiliating with independent organizations. Several university professors, researchers, and students reported they were forced from their positions, demoted, or expelled for expressing ideas or opinions outside of government-accepted norms. The civic group Cuba Posible reported that during the year authorities harassed researchers who contributed to its projects and several contributors were fired from their state jobs.

On October 23, State Security agents interrogated Maylet Serrano, a student at Amadeo Roldan Conservatory and wife of graffiti artist Yulier P, whom police previously threatened and detained for his art in Havana. State Security agents threatened to hold back her graduation due to her husband's activities. The director of the conservatory, Enrique Rodriguez Toledo, arranged the encounter.

During the year some religious groups reported greater latitude to express their opinions during sermons and at religious gatherings, although most members of the clergy continued to exercise self-censorship. Religious leaders in some cases criticized the government, its policies, and the country's leadership without reprisals. The Roman Catholic Church operated a cultural and educational center in Havana that hosted debates featuring participants expressing different opinions about the country's future.

Press and Media Freedom: The government directly owned all print and broadcast media outlets and all widely available sources of information. News and information programming was generally uniform across all outlets. The government also controlled nearly all publications and printing presses. The party

censored public screenings and performances. The government also limited the importation of printed materials. Foreign correspondents in the country had limited access to and often were denied interviews with government officials. They also struggled to gather facts and reliable data for stories. Despite meeting government vetting requirements, official journalists who reported on sensitive subjects did so at personal risk, and the government barred official journalists from working for unofficial media outlets in addition to their official duties.

On June 13, authorities denied Fernando Ravsberg, a foreign freelance journalist and founder of the independent blog *Cartas Desde Cuba* (Letters from Cuba), renewal of his press credentials. During his 20 years of reporting, Ravsberg published articles that questioned government policies. He ceased reporting from the country after his press credentials expired.

Violence and Harassment: The government does not recognize independent journalism, and independent journalists sometimes faced government harassment, including detention and physical abuse. Most detentions involved independent journalists who filmed arrests and harassment of Todos Marchamos activists or otherwise attempted to cover politically sensitive topics. Community members and journalists for the Cuban Institute for Freedom of Expression and of the Press reported increased repression since President Diaz-Canel took office. Independent reporters experienced harassment, violence, intimidation, aggression, and censorship, and several were prevented from traveling abroad. On May 16, July 30, and September 22, government officials prevented independent journalist Anay Remon Garcia from boarding an airplane to leave the country. They did not cite a reason and did not accuse her of any crime.

Censorship or Content Restrictions: The law prohibits distribution of printed materials considered “counterrevolutionary” or critical of the government. Foreign newspapers or magazines were generally unavailable outside of tourist areas. Distribution of material with political content--interpreted broadly to include the Universal Declaration of Human Rights, foreign newspapers, and independent information on public health--was not allowed and sometimes resulted in harassment and detention. In February the government blocked direct online access to the independent magazine *El Estornudo* (The Sneeze). Government officials also confiscated or destroyed cameras and cell phones of individuals to prevent them from distributing photographs and videos deemed objectionable.

The government sometimes barred independent libraries from receiving materials from abroad and seized materials donated by foreign governments, religious organizations, and individuals.

Libel/Slander Laws: The government used defamation of character laws to arrest or detain individuals critical of the country's leadership.

Authorities sentenced independent union leader Eduardo Hernandez Toledo to one year in prison for "verbal disrespect" following his negative references to Fidel and Raul Castro at a September 27 celebration by the Committee for the Defense of the Revolution.

On February 6, authorities detained rap singer and composer Henry Laso on charges of "disrespect." Authorities accused him in January after his song *El Rey Falso*, (The False King) critical of the late Fidel Castro, went viral, but they did not arrest him due to mediation by the Roman Catholic Church in Cienfuegos. Medical authorities subsequently diagnosed Laso as schizophrenic and moved him to multiple hospital prisons. The government released Laso in October.

Human rights activists reported government internet trolls tracking their social media accounts and reported on the government's practice to send mass text messages warning neighbors to avoid association with dissidents. On August 11, in the Havana suburb of San Isidro, residents received a text message calling independent artist Luis Manuel Otero a "disgrace for the neighborhood" and warned he would bring police action to the community.

### **Internet Freedom**

The government restricted access to the internet, and there were reports the government monitored without appropriate legal authority citizens' and foreigners' use of email, social media, internet chat rooms, and browsing. The government controlled all internet access, except for limited facilities provided by a few diplomatic missions and a small but increasing number of underground networks.

While the International Telecommunication Union reported that 49 percent of citizens used the internet in 2017 and the government estimated 53 percent of the population used the internet during the year, this included many whose access was limited to a national network that offered only government-run email and government-generated websites, at a fraction of the price of internet available to the public.

The government selectively granted in-home internet access to certain areas of Havana and sectors of the population consisting mostly of government officials, established professionals, some professors and students, journalists, and artists. Others could access email and internet services through government-sponsored “youth clubs,” internet cafes, or Wi-Fi hot spots approved and regulated by the Ministry for Information, Technology, and Communications. Users were required to purchase prepaid cards to access the internet.

During the year the government increased the number of Wi-Fi hot spots to more than 700 countrywide, and on December 6 it launched 3G mobile service that allowed persons for the first time to access the internet on their cell phones without needing to connect to public Wi-Fi, but the cost was still beyond the means of most citizens. In addition to public Wi-Fi hot spots, citizens and foreigners could buy internet access cards and use hotel business centers. Authorities reviewed the browsing history of users, reviewed and censored email, and blocked access to websites it considered objectionable. The number of websites blocked fluctuated, with approximately 20 websites blocked on a regular basis, including independent media outlets such as CubaNet and Marti Noticias and websites critical of the government’s human rights record.

While the law does not set specific penalties for unauthorized internet use, it is illegal to own a satellite dish that would provide uncensored internet access. The government restricted the importation of wireless routers, actively targeted private wireless access points, and confiscated equipment.

The use of encryption software and transfer of encrypted files are also illegal. Despite poor access, harassment, and infrastructure challenges, a growing number of citizens maintained blogs in which they posted opinions critical of the government, with help from foreign supporters who often built and maintained the blog sites overseas. The government blocked local access to many of these blogs. In addition, a small but growing number of citizens used Twitter, Facebook, Instagram, and other social media to report independently on developments in the country, including observations critical of the government. Like other government critics, bloggers faced government harassment, including detention and physical abuse.

Human rights activists reported frequent government monitoring and disruption of cell phone and landline services prior to planned events or key anniversaries related to human rights. The government-owned telecommunications provider

Empresa de Telecomunicaciones SA frequently disconnected service for human rights organizers, often just before their detention by state security or to disrupt planned activities.

### **Academic Freedom and Cultural Events**

The government restricted academic freedom and controlled the curricula at all schools and universities, emphasizing the importance of reinforcing “revolutionary ideology” and “discipline.” Some academics refrained from meeting with foreigners, including diplomats, journalists, and visiting scholars, without prior government approval and, at times, the presence of a government monitor. Those permitted to travel abroad were aware that their actions, if deemed politically unfavorable, could negatively affect them and their relatives back home. During the year the government allowed some religious educational centers greater latitude to operate.

Outspoken artists and academics faced some harassment and criticism orchestrated by the government. On July 21, authorities arrested Luis Manuel Otero Alcantara for protesting against Decree 349, which regulates artistic and cultural activity, legalizes censorship, and prevents independent artists from presenting their work in public spaces. Otero Alcantara, Yanelys Nunez Leyva, Amaury Pacheco, Iris Ruiz, Soandry Del Rio, and Jose Ernesto Alonso organized the campaign “Cuban Artists against Decree 349” that included various artistic protest performances. On August 1, state security and police personnel surrounded Otero Alcantara’s home and arrested him again, along with Nunez Leyva, for planning a concert and open-microphone event to protest the decree. In December authorities arrested several artists who organized a sit-in at the Ministry of Culture to protest the decree, including Otero Alcantara, Pacheco, Tania Bruguera, Nunez Leyva, and Michel Matos.

During the year universities adopted new admissions criteria to give greater weight to prospective students’ ideological beliefs.

Public libraries required citizens to complete a registration process before the government granted access to books or information. Citizens could be denied access if they could not demonstrate a need to visit a particular library. Libraries required a letter of permission from an employer or academic institution for access to censored, sensitive, or rare books and materials. Religious institutions organized small libraries. Independent libraries were illegal but continued to exist, and owners faced harassment and intimidation.



## **b. Freedoms of Peaceful Assembly and Association**

The government restricted freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

Although the constitution grants a limited right of assembly, the right is subject to the requirement that it may not be “exercised against the existence and objectives of the socialist state.” The law requires citizens to request authorization for organized meetings of three or more persons, and failure to do so could carry a penalty of up to three months in prison and a fine. The government tolerated some gatherings, and many religious groups reported the ability to gather without registering or facing sanctions.

Independent activists faced greater obstacles, and state security forces often suppressed attempts to assemble, even for gatherings in private dwellings and in small numbers. The government did not grant permission to independent demonstrators or approve public meetings by human rights groups or others critical of any government activity.

The government also continued to organize “acts of repudiation” in the form of mobs organized to assault and disperse those who assembled peacefully. Participants arrived in government-owned buses or were recruited by government officials from nearby workplaces or schools. Participants arrived and departed in shifts, chanted progovernment slogans, sang progovernment songs, and verbally taunted those assembled peacefully. The targets of this harassment at times suffered physical assault or property damage. Government security officials at the scene, often present in overwhelming numbers, did not arrest those who physically attacked the victims or respond to victims’ complaints and instead frequently orchestrated the activities or took direct part in physical assaults.

### **Freedom of Association**

The government routinely denied citizens freedom of association and did not recognize independent associations. The constitution proscribes any political organization not officially recognized. A number of independent organizations, including opposition political parties and professional associations, operated as NGOs without legal recognition.

Recognized churches (including the Roman Catholic humanitarian organization Caritas), the Freemason movement, and a number of fraternal and professional organizations were the only organizations legally permitted to function outside the formal structure of the state or the CP. Religious groups are under the supervision of the CP's Office of Religious Affairs, which has the authority to deny permits for religious activities and exerted pressure on church leaders to refrain from including political topics in their sermons.

Groups must register through the Ministry of Justice to receive official recognition. Authorities continued to ignore applications for legal recognition from new groups, including several new religious groups as well as women's rights and gay rights organizations, thereby subjecting members to potential charges of illegal association.

The government continued to afford preferential treatment to those who took an active part in CP activities and mass demonstrations in support of the government, especially when awarding valued public benefits, such as admissions to higher education, fellowships, and job opportunities.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

There continued to be restrictions on freedom of movement within the country, foreign travel, and migration with the right of return. The government also controlled internal migration from rural areas to Havana.

Individuals seeking to migrate legally stated they faced police interrogation, fines, harassment, and intimidation, including dismissal from employment. Government employees who applied to migrate legally to the United States reportedly sometimes lost positions when their plans became known. Some family members of former government employees who emigrated from the island lost public benefits or were denied passports to travel and join their family members abroad.

The law provides for imprisonment of up to three years or a fine of 500 nonconvertible pesos (CUP) (\$20) for first-time "rafters" (those who attempted to depart clandestinely, commonly using homemade vessels). Most persons caught

attempting unauthorized departures via sea were detained briefly. In the case of military or police defectors, or those traveling with children, the punishment could be more severe.

Under the terms of the 1994-95 U.S.-Cuba migration accords, the government agreed not to prosecute or retaliate against migrants returned from international or U.S. waters, or from the Guantanamo U.S. Naval Station, after attempting to emigrate illegally if they had not committed a separate criminal offense. Some would-be migrants alleged harassment and discrimination, such as fines, expulsion from school, and job loss.

In-country Movement: Although the constitution allows all citizens to travel anywhere within the country, changes of residence to Havana were restricted. The local housing commission and provincial government authorities must authorize any change of residence. The government may fine persons living in a location without authorization from these bodies and send them back to their legally authorized place of residence. There were reports authorities limited social services to illegal Havana residents. Police threatened to prosecute anyone who returned to Havana after expulsion.

The law permits authorities to bar an individual from a certain area within the country, or to restrict an individual to a certain area, for a maximum of 10 years. Under this provision authorities may internally exile any person whose presence in a given location is determined to be “socially dangerous.” Dissidents frequently reported authorities prevented them from leaving their home provinces or detained and returned them to their homes even though they had no written or formal restrictions placed against them.

Foreign Travel: The government continued to require several classes of citizens to obtain permission for emigrant travel, including highly specialized medical personnel; military or security personnel; many government officials, including academics; and many former political prisoners and human rights activists. It also used arbitrary or spurious reasons to deny permission for human rights activists to leave the island to participate in workshops, events, or training programs. The Patmos Institute published a list of 64 human rights activists to whom the government denied permission for foreign travel as of July. Activists reported interrogations and confiscations at the airport when arriving from outside the country.

On April 12, airport authorities detained Marthadela Tamayo and Juan Antonio Madrazo, members of the independent NGO Committee for Racial Integration who were traveling to Geneva to participate in a session of the UN Universal Periodic Review, and barred them from leaving the country. In April the government prevented several members of independent civil society from traveling to Peru to participate in the Summit of the Americas. In May authorities prevented Berta Soler and Leticia Ramos of the Damas de Blanco from traveling to New York to receive an award for promoting liberty.

### **Protection of Refugees**

Access to Asylum: The constitution provides for the granting of asylum to individuals persecuted for their ideals or actions involving a number of specified political grounds. The government has no formal mechanism to process asylum for foreign nationals and is not a signatory to the 1951 Refugee Convention.

Temporary Protection: On the small number of cases of persons seeking asylum, the government worked with the Office of the UN High Commissioner for Refugees to provide protection and assistance, pending third-country resettlement. In addition, the government allowed foreign students who feared persecution in their home countries to remain in the country after the end of their studies until their claims could be substantiated or resolved.

### **Section 3. Freedom to Participate in the Political Process**

While a voting process to choose CP-approved candidates exists, citizens do not have the ability to form political parties or choose their government through the right to vote in free and fair elections or run as candidates from political parties other than the CP, and the government retaliated against those who sought peaceful political change.

#### **Elections and Political Participation**

Recent Elections: Government-run bodies prescreened all candidates in the March 11 National Assembly and provincial elections, and once approved by the CP, candidates ran for office mostly uncontested.

Political Parties and Political Participation: Government-run commissions had to preapprove all candidates for office and rejected certain candidates without explanation or the right of appeal. Dissident candidates reported the government

organized protests and town hall meetings to slander their names. The government routinely used propaganda campaigns in the state-owned media to criticize its opponents. Numerous opposition candidates were physically prevented from presenting their candidacies or otherwise intimidated from participating in the electoral process.

In July the National Assembly endorsed a new constitutional draft which a closed-door Constitutional Commission wrote without public input or debate, and submitted it for several months of controlled public consultation. According to a poll of more than 1,600 Cubans by independent journalism organization CubaData, more than 45 percent reported they did not participate in the consultation process. Some members of independent civil society alleged the official number of public consultations was grossly exaggerated and were not designed to gather public comments, and that some citizens who spoke up or criticized the constitutional draft during this consultation period were harassed.

Citizens who live abroad without a registered place of abode on the island lose their right to vote.

Participation of Women and Minorities: No laws limit participation of women or minorities in the political process, and they did participate. Women's representation increased slightly from previous years in the most powerful decision-making bodies; women held no senior positions in the military leadership.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption, and the government was highly sensitive to corruption allegations and often conducted anticorruption crackdowns.

Corruption: The law provides for three- to eight-years' imprisonment for "illegal enrichment" by authorities or government employees. The government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were numerous reports of law enforcement and other official corruption in enforcement of myriad economic restrictions and provision of government services. In November a high-level Brazilian official expressed concern the Cuban government laundered money through Brazilian construction giant Odebrecht's investments in the country. Multiple sources reported that when searching homes and vehicles, police sometimes took the owner's belongings or sought bribes in place of fines or arrests.

Financial Disclosure: The law does not require appointed and elected officials to disclose their assets.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

The government did not recognize domestic human rights groups or permit them to function legally. Several human rights organizations continued to function outside the law, including the CCDHRN, the UNPACU, the MCL, the Assembly to Promote Civil Society, and the Lawton Foundation for Human Rights. The government subjected domestic human rights advocates to intimidation, harassment, periodic short-term detention, and long-term imprisonment on questionable charges.

No officially recognized NGOs monitored human rights. The government refused to recognize or meet with any unauthorized NGOs that monitored or promoted human rights. There were reports of explicit government harassment of individuals who met with unauthorized NGOs.

The United Nations or Other International Bodies: The government continued to deny international human rights organizations, including the United Nations, its affiliated organizations, and the International Committee of the Red Cross, access to prisoners and detainees.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

Rape and Domestic Violence: The law specifically criminalizes rape of women, including spousal rape, and separately criminalizes “lascivious abuse” against both genders. The government enforced both laws. Penalties for rape are at least four-years’ imprisonment.

The law prohibits all threats and violence but does not recognize domestic violence as a distinct category of violence. Penalties for domestic violence range from fines to prison sentences of varying lengths, depending on the severity of the offense.

Sexual Harassment: The law provides penalties for sexual harassment, with potential prison sentences of three months to five years. The government did not

release any statistics on arrests, prosecutions, or convictions for offenses related to sexual harassment during the year.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law accords women and men equal rights, the same legal status, and the same responsibilities with regard to marriage and divorce, parental duties, home maintenance, and professional careers. No information was available on whether the government enforced the law effectively.

## **Children**

Birth Registration: Citizenship is normally derived by birth within the country's territory, and births were generally registered promptly. Those who emigrate abroad and have children must request a Cuban passport for the child before re-entering Cuba.

Early and Forced Marriage: The legal minimum age of consent for marriage is 18. Marriage for girls as young as age 14 and for boys as young as age 16 is permitted with parental consent.

Sexual Exploitation of Children: Prostitution is legal for those age 16 and older. There is no statutory rape law, although penalties for rape increase as the age of the victim decreases. The law imposes seven- to 15-years' imprisonment for involving minors younger than age 16 in pornographic acts. The punishment may increase to 20 to 30 years or death under aggravating circumstances. The law does not criminalize the possession of pornography, but it punishes the production or circulation of any kind of obscene graphic material with three months' to one year's imprisonment and a fine. The offer, provision, or sale of obscene or pornographic material to minors younger than age 16 is punishable with two to five years in prison. Child trafficking across international borders is punishable with seven- to 15-years' imprisonment. The law does not establish an age of consent, but sexual relations with children younger than age 16 can be prosecuted if there is a determination of rape. In such cases the law leaves room for consideration of possible consent and the age of the other person, especially if the other person is also a minor. A determination of rape may be made if the victim lacks the ability to understand the extent of the action or is not in command of his or her conduct, which could be applied or claimed for a person age 15 or 14. The penalty ranges from four- to 10-years' imprisonment. If the victim is older than age 12 and

younger than age 14, the penalty is seven- to 15-years' imprisonment. The punishment for having sex with a minor age 12 is 15- to 30-years' imprisonment or death.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

There were between 1,000 and 1,500 members of the Jewish community. There were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

No known law prohibits discrimination against persons with disabilities. The Ministry of Labor and Social Security is in charge of the Employment Program for Persons with Disabilities. The law recommends that buildings, communication facilities, air travel, and other transportation services accommodate persons with disabilities, but these facilities and services were rarely accessible to persons with disabilities.

Some persons with disabilities who opposed the government were denied membership in official organizations for the disabled, such as the National Association for the Blind. As a result, they were denied benefits and services, which include 400 minutes of telephone usage, training in the use of a white cane and in Braille, and reduced fare on public transportation.

On March 7, authorities barred Acelia Carvajal Montane, the wife of Juan Goberna, an advocate for the rights of persons with disabilities, from accompanying her husband on international travel in connection with his advocacy activities. Goberna, who is blind, required assistance from his wife when he



travelled. In April authorities again barred her from accompanying her husband to Lima, Peru, for the Summit of the Americas.

### **National/Racial/Ethnic Minorities**

Afro-Cubans often suffered racial discrimination, and some were subject to racial epithets while undergoing unlawful beatings at the hands of security agents in response to political activity. Afro-Cubans also reported employment discrimination, particularly in sought-after positions within the tourism industry and at high levels within the government.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care but does not extend the same protections to transgender or intersex individuals based on gender identity or expression.

The government did not recognize domestic human rights groups or permit them to function legally. Several unrecognized NGOs that promote lesbian, gay, bisexual, transgender, and intersex human rights faced government harassment, not for their promotion of such topics, but for their independence from official government institutions.

### **HIV and AIDS Social Stigma**

The government operated four prisons exclusively for inmates with HIV/AIDS; some inmates were serving sentences for “propagating an epidemic.” Special diets and medications for HIV patients were routinely unavailable.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutes, severely restricts worker rights by recognizing only the CP-controlled Central Union of Cuban Workers (CTC) as the paramount trade union confederation. To operate legally, all trade groups must belong to the CTC. The law does not provide for the right to strike. The law also does not provide for collective bargaining, instead setting up a complicated process

for reaching collective agreements. The International Labor Organization continued to raise concerns regarding the trade union monopoly of the CTC, the prohibition on the right to strike, and restrictions to collective bargaining and agreements, including that government authorities and CTC officials have the final say on all such agreements.

The government continued to prevent the formation of independent trade unions in all sectors. The CP chose the CTC's leaders. The CTC's principal responsibility is to manage government relations with the workforce. The CTC does not bargain collectively, promote worker rights, or advocate for the right to strike. The de facto prohibition on independent trade unions limited workers' ability to organize independently and appeal against discriminatory dismissals. The executive's strong influence over the judiciary and lawyers limited effective recourse through the courts.

During the year Ivan Hernandez Carrillo, general secretary of the Association of Independent Unions of Cuba, was harassed, beaten, detained, threatened, and fined. Authorities searched his house, and NGOs reported he was under constant threat of reimprisonment for failure to pay fines.

Several small, independent labor organizations operated without legal recognition, including the National Independent Workers' Confederation of Cuba, the National Independent Laborer Confederation of Cuba, and the Unitarian Council of Workers of Cuba; together they constituted the Independent Trade Union Association of Cuba. These organizations worked to advance the rights of workers by offering an alternative to the state-sponsored CTC and purported to advocate for the rights of small-business owners and employees. Police reportedly harassed the independent unions, and government agents reportedly infiltrated them, limiting their capacity to represent workers effectively or work on their behalf. In late September authorities arrested an independent union member and sentenced him a week later to one year in prison for "disobeying the authorities."

The government may determine that a worker is "unfit" to work, resulting in job loss and the denial of job opportunities. The government deemed persons unfit because of their political beliefs, including their refusal to join the official union, and for trying to depart the country illegally. The government also penalized professionals who expressed interest in emigrating by limiting job opportunities or firing them.

## **b. Prohibition of Forced or Compulsory Labor**

The law does not prohibit forced labor explicitly. It prohibits unlawful imprisonment, coercion, and extortion, with penalties ranging from fines to imprisonment, but there was no evidence these provisions were used to prosecute cases of forced labor. The use of minors in forced labor, drug trafficking, prostitution, pornography, or the organ trade is punishable by seven- to 15-years' incarceration. The government enforced the laws, and the penalties appeared sufficient to deter violations.

Compulsory military service of young men was occasionally fulfilled by assignment to an economic entity controlled by the military or by assignment to other government services. Allegations of forced or coerced labor in foreign medical missions persisted, although the government denied these allegations.

Prisoners were subject to forced labor. The government did not facilitate payment of decent wages to those incarcerated. The government continued to use high school students in rural areas to harvest agricultural products (also see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The legal minimum working age is 17, although the law permits the employment of children ages 15 and 16 to obtain training or fill labor shortages with parental permission and a special authorization from the municipal labor director. The law does not permit children ages 15 and 16 to work more than seven hours per day, 40 hours per week, or on holidays. Children ages 15 to 18 cannot work in specified hazardous occupations, such as mining, or at night.

There were no known government programs to prevent child labor or to remove children from such labor. Antitruancy programs, however, aimed to keep children in school. Inspections and penalties appeared adequate to enforce the law, because inspections for child labor were included in all other regular labor inspections. The government penalizes unlawful child labor with fines and suspension of work permits. There were no credible reports that children younger than age 17 worked in significant numbers.

The government used some high school students in rural areas to harvest agricultural products for government farms during peak harvest time. Student

participants did not receive pay but received school credit and favorable recommendations for university admission. Failure to participate or obtain an excused absence reportedly could result in unfavorable grades or university recommendations, although students were reportedly able to participate in other activities (instead of the harvest) to support their application for university admission. There were no reports of abusive or dangerous working conditions.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits workplace discrimination based on skin color, gender, religious belief, sexual orientation, nationality, “or any other distinction harmful to human dignity,” but it does not explicitly protect political opinion, social origin, disability, age, language, gender identity, or HIV-positive status or other communicable diseases. No information was available on government enforcement of these provisions during the year.

The government continued to use politically motivated and discriminatory dismissals against those who criticized the government’s economic or political model. Workers forced out of employment in the public sector for freely expressing themselves were often further harassed after entering the emerging but highly regulated self-employment sector.

Discrimination in employment occurred with respect to members of the Afro-Cuban population. Leaders within the Afro-Cuban community noted some Afro-Cubans could not get jobs in better-paying sectors such as tourism and hospitality because they were “too dark.” Afro-Cubans more frequently obtained lower-paying jobs, including cleaning and garbage disposal, which had no interaction with tourists, a major source of hard currency.

There were no statistics stating whether the government effectively enforced applicable laws.

#### **e. Acceptable Conditions of Work**

Authorities set a national minimum wage at 225 CUP (\$9) per month. The government supplemented the minimum wage with free education, subsidized medical care (daily wages are reduced by 40 percent after the third day of a hospital stay), housing, and some food. Even with subsidies, the government acknowledged that the average wage of 767 CUP (\$31) per month did not provide a reasonable standard of living.

The standard workweek is 44 hours, with shorter workweeks in hazardous occupations, such as mining. The law provides workers with a weekly minimum 24-hour rest period and one month of paid annual vacation per 11 months of effective work. These standards apply to state workers as well as to workers in the nonstate sector, but they were seldom enforced in the nonstate sector. The law does not prohibit obligatory overtime, but it generally caps the number of overtime hours at 16 hours per week and 160 per year. The law provides few grounds for a worker to refuse to work overtime below these caps. Compensation for overtime is paid in cash at the regular hourly rate or in additional rest time.

The government set workplace safety standards and received technical assistance from the International Labor Organization to implement them. The Ministry of Labor and Social Security enforced the minimum wage and working-hours standards through offices at the national, provincial, and municipal levels, but the government lacked mechanisms to enforce occupational safety and health standards adequately. No information was available about the number of labor inspectors. Reports from recent years suggested there were very few inspectors and that health and safety standards frequently were ignored or weakened by corrupt practices.

According to government statistics, more than 593,000 workers (34 percent of whom were women) were self-employed through August, a 9.7 percent increase from 2016. The percentage of the total workforce in the private sector increased from approximately 25 percent in 2012 to 31 percent at the end of 2017. In August 2017 the government suspended the issuance of new licenses for certain activities in the lucrative hospitality sector. On December 7, the government enacted new regulations for the private sector that significantly increased state control and red tape, imposed harsher penalties, and increased the tax burden on private business. Businesses operating under the license of “facilitator of home swaps and home sales-purchases” are no longer allowed to operate as real estate or dwelling management companies or to hire employees. This is also the case for music, art, or language teachers, other teachers, and sport trainers. The new rules also forbid the creation of schools or academies. They are particularly restrictive for the cultural sector, forbidding artists from dealing directly with the private sector, i.e., avoiding the intermediation and supervision of state-run agencies. The number of economic activities allowed to self-employees and small private businesses decreased, mostly by merging and regrouping activities.

Despite criminal penalties for doing so, a significant number of workers participated in the informal economy, including individuals who actively traded on the black market or performed professional activities not officially permitted by the government. There were no reliable reports or statistics about the informal economy.

Foreign companies operated in a limited number of sectors, such as hotels, tourism, and mining. Such companies operated via a joint venture in which the government contracted and paid company workers in pesos an amount that was a small fraction of what the company remitted to the state for labor costs. Most formal employment took place only through government employment agencies. Employers, including international businesses and organizations, were generally prohibited from contracting or paying workers directly, although many reportedly made supplemental payments under the table. The Ministry of Labor enforces labor laws on any business, organization, or foreign governmental agency based in the country, including wholly owned foreign companies operating in the country, joint-stock companies involving foreign investors operating in the country, the United Nations, international NGOs, and embassies. Cuban workers employed by these entities are subject to labor regulations common to most state and nonstate workers and to some regulations specific to these kinds of entities. Government bodies, including the tax collection agency and the Ministry of Finance and Prices, enforced regulations. There were no reports about protections for migrant workers' rights.

Official government reports cited 3,576 workplace accidents in 2016 (an increase of 92 compared with 2015) and 89 workplace deaths (an increase of 18 compared with 2015). The government reported in April that, although statistics showed a decrease in labor-related incidents every year, deaths related to roadside work and the agricultural and industrial sectors had increased. The CTC provided only limited information to workers about their rights and at times did not respond to or assist workers who complained about hazardous workplace conditions. It was generally understood that workers could not remove themselves from dangerous situations without jeopardizing their employment, and authorities did not effectively protect workers facing this dilemma.