

Cuba 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Cuba during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment by the government; arbitrary arrest and detention; transnational repression against individuals in another country; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; restrictions of religious freedom; trafficking in persons, including state-sponsored forced labor; and prohibiting independent trade unions and significant and systematic restrictions on workers' freedom of association.

The government did not take credible steps or action to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were several reports the government or its agents committed arbitrary or unlawful killings during the year.

In July the nongovernmental organization (NGO) Center for Legal Information Cubalex released a report documenting 56 deaths of persons in detention or under custody of authorities between January 2022 and January 2024. Based on victims' families' testimonies, media reports, and other NGOs' findings, the report stated one of the principal causes of death was use of excessive force. For example, on January 7, Roleívis León died in a Colón hospital after being beaten by prison officials while on a hunger strike. Cubalex stated investigations lacked transparency and mischaracterized the causes of death to cover up the state's responsibility, which perpetuated a culture of impunity.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The government or the Cuban Communist Party (PCC) repeatedly limited public debate of topics considered politically sensitive. Several laws criminalized aspects of freedom of expression, such as the Social Communication Law that came into force on October 1, which increased regime control over information, press and other media, and social media through the Institute of Communication and Information. Rather than enforce these laws, police typically used other pretexts to harass and arrest persons exercising freedom of expression.

Physical Attacks, Imprisonment, and Pressure

Repression and forced exile were used to harass independent journalists. In June authorities fined independent journalist Julio Aleaga Pesant 3,000 Cuban pesos (\$125) for the crime of “enemy propaganda” because of his social media posts criticizing the lack of rights in the country.

Despite meeting government vetting requirements, journalists belonging to state media institutions who reported on sensitive subjects risked reprisal. The government harassed and threatened independent citizen journalists who reported on human rights abuses. As of September, the NGO Instituto Cubano por La Libertad de Expresión y Prensa (Cuban Institute for Freedom

of Expression and Press) registered 99 arbitrary detentions, 179 aggressive actions and threats, 126 physical assaults, and 36 artists, social media influencers, reporters, activists, political prisoners, and religious figures imprisoned or under house arrest for exercising their right of freedom of expression.

The government harassed and denied access to foreign correspondents who reported stories deemed critical of the government. Fearing harassment, many foreign journalists did not publish stories on human rights abuses while inside the country.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The government or the PCC directly owned all print and broadcast media outlets and almost all widely available sources of information. News and information programming were generally uniform across all government-controlled outlets. The government controlled all printing presses and nearly all publications. The government limited the importation of printed materials. Foreign newspapers and magazines were generally unavailable outside of tourist areas.

The law prohibited distribution of printed materials considered “counterrevolutionary” or critical of the government on the grounds of national security. The penal code sanctioned propaganda against the

constitutional order with three to eight years' imprisonment. 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 possession of these materials reportedly sometimes resulted in harassment and detention.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law did not provide for workers' right to form and join independent unions; instead, it severely restricted worker rights by recognizing only the PCC-controlled Central Union of Cuban Workers (CTC) as the trade union confederation. To operate legally, a trade union was required to belong to the CTC.

The law did not provide for the right to strike. The law did not provide for collective bargaining; instead, it mandated a complicated process for reaching collective agreements which had to be approved by the government and the politically affiliated CTC. The International Labor Organization raised concerns regarding the trade union monopoly of the CTC, the prohibition on the right to strike, and restrictions on collective bargaining and agreements, including the way the law gave government authorities and higher-level CTC officials the final decision on all such agreements.

The Ministry of Labor and Social Security was responsible for enforcing all labor laws in the country, including at all foreign businesses and organizations, international organizations, and foreign government agencies operating in the country. The government effectively enforced its laws, although observers stated this was to maintain the primacy of the CTC and prevent the emergence of independent labor organizations rather than to provide for freedom of association or the right to strike. Workers who tried to organize or create independent unions were subject to penalties. The government prevented the formation of independent trade unions in all sectors. The PCC chose the CTC's leaders. The CTC's principal responsibility was to manage government relations with the workforce. The CTC did not bargain collectively, promote worker rights, or advocate the right to strike. The de facto prohibition on independent trade unions virtually eliminated workers' ability to organize independently, appeal against discriminatory dismissals, or seek redress for other workplace grievances. The government's strong influence over the judiciary and lawyers limited effective recourse through the courts. The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike for workers. Penalties for violations of collective bargaining rights were commensurate with – and violations of freedom of association rights were less than – analogous violations such as civil rights violations.

Workers who attempted to form unions faced police harassment and

government retaliation.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

Authorities set a national minimum wage at a rate below the poverty line.

The standard workweek was 44 hours, with shorter workweeks in hazardous occupations such as mining. The law provided workers with a weekly minimum 24-hour rest period and one month of paid annual vacation per 11 months of effective work. These standards applied to state workers as well as to workers in nonstate sectors, but they were seldom enforced in nonstate sectors.

The law did not prohibit obligatory overtime, but it generally capped the number of overtime hours at 16 hours per week and 160 per year. The law provided few grounds for a worker to refuse to work overtime below these caps. Compensation for overtime was paid either in cash with a 25 percent bonus on top of the regular hourly rate or in equivalent compensatory time off.

Occupational Safety and Health

The government set workplace occupational safety and health (OSH) standards and received technical assistance from the International Labor Organization to implement them. The Ministry of Labor and Social Security was responsible for enforcing the minimum wage and workhour standards through offices at the national, provincial, and municipal levels. The Labor Ministry of Labor and Social Security reported it conducted inspections for safety and health in risk sectors. The government proactively identified unsafe conditions, although it did not usually ameliorate such conditions due to lack of resources. The Office of National Statistics reported the highest number of occupational accidents occurred in the manufacturing sector.

Sources said workers could not remove themselves from dangerous situations without jeopardizing their employment, and no authorities effectively protect workers facing this dilemma.

Wage, Hour, and OSH Enforcement

The government did not effectively enforce wage, hour, or OSH laws, and penalties were not commensurate with those for similar crimes such as fraud or negligence. Inspectors could make unannounced visits and impose administrative sanctions. Information regarding penalties for violations of wage, hour, and OSH law, the number of labor inspectors on duty, or the

number of inspections carried out was not publicly available. Reports from recent years suggested there were very few inspectors and employers frequently ignored OSH standards. Civil society organizations reported working conditions for doctors in hospitals were unsanitary and doctors worked long hours without sufficient access to food.

The Ministry of Finance and Prices set salaries for state employees. Foreign companies operated in a limited number of sectors, such as hotels, tourism, and mining. Such companies operated via joint ventures in which the government contracted and paid company workers in pesos for a salary that was a small fraction of what the foreign company remitted in hard currency to the government for labor costs. Employers, including international businesses and organizations, were generally prohibited from contracting or paying workers directly, although many reportedly made informal supplemental payments in the form of gratuities. In some cases where workers were paid directly by their foreign employers, they were required to give a significant portion of their wages to the state.

Despite criminal penalties for doing so, a significant number of workers participated in the informal economy, including individuals who traded on the black market or performed professional activities not officially permitted by the government. There was no publicly available information regarding the size of the informal sector. The government did not enforce labor laws in this sector.

c. Disappearance and Abduction

Disappearance

There were no confirmed reports of extended enforced disappearances by or on behalf of government authorities. There were, however, numerous confirmed reports of short-term enforced disappearances. There were multiple reports of detained activists and protesters whose whereabouts were unknown for hours or days because the government did not register these detentions, many of which occurred at unregistered sites. Following protests regarding the lack of food and electricity in Santiago de Cuba in March, police and state security agents withheld information when relatives asked for information regarding the arrested protesters. The Centro de Derechos Humanos de Cuba (Cuban Center for Human Rights), a local NGO, and Justicia 11J, a Cuban NGO based abroad, tracked cases related to the oppression of protesters and short-term enforced disappearances.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of persons to challenge the lawfulness of their arrest or detention in court. Although the constitution included explicit protections of freedom and human rights, including habeas corpus, there were no indications authorities observed or enforced them.

The government frequently conducted arbitrary arrests of activists and dissidents and their relatives. Police routinely stopped and questioned citizens and carried out search-and-seizure operations directed at known activists. Police used legal provisions against public disorder, disobedience, contempt of authority, lack of respect, aggression, and failure to pay minimal or arbitrary fines as ways to detain, threaten, and arrest civil society activists.

The law required that police 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. Authorities routinely ignored this requirement. The government frequently detained activists without informing them of the charges against them and often denied them the ability to communicate with their relatives. Authorities frequently failed to specify the law that was allegedly broken or the name of the official who issued the fine, making fines difficult to contest in court. At times authorities prevented persons owing fines from leaving the country.

Despite being required to file charges within one week; the government held some detainees for months or years in investigative detention, in both political and nonpolitical cases. Independent media reported during the year authorities arrested more than 684 persons after protests. Justicia 11J estimated 676 of the more than 1,400 persons arrested in the July 2021 protests remained in detention as of March. As of October, the government

still held in preventive custody more than 10 protesters from the protests in Santiago de Cuba in March, although authorities had not initiated criminal investigations. Several persons were detained longer than the legally mandated period without being informed of the nature of the arrest or being permitted to contact family members or legal counsel.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, but there were credible reports government officials employed them. Members of the security forces and their agents reportedly harassed, intimidated, and physically assaulted human rights and prodemocracy advocates, political dissidents, and

peaceful demonstrators, and did so with impunity, according to reports from the NGOs Justicia 11J, Prisoners Defenders, Cubalex, Human Rights Watch, and the Inter-American Commission on Human Rights. Some detainees and prisoners endured physical abuse and threats of sexual abuse by prison officials or other inmates at the instigation of guards. Although the law prohibited coercion during investigative interrogations, police and other security forces at times used 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.

NGOs reported instances of prison guards beating and insulting prisoners while they were restrained. On April 11, the Spain-based NGO Prisoners Defenders stated in a report on political prisoners that on April 4, seven guards at the Boniato Prison in Santiago de Cuba beat Ibrahim Domínguez Aguilar.

Impunity was pervasive. There were no known cases of prosecution of government officials for any human rights abuses, including torture and other cruel, inhuman, or degrading treatment or punishment.

b. Protection of Children

Child Labor

The law prohibited all the worst forms of child labor. The legal minimum working age was 17, although the law permitted 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 did 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 could not 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. Local sources reported educational institutions in Santiago de Cuba, such as Pre-University Institute-Cuqui Bosch and Secondary School Espino Fernández, identified an increase in cases of child labor in their communities.

There was no information available on whether the government effectively enforced the laws on child labor. Nevertheless, in June state-run press acknowledged the issue of child labor in certain communities. Penalties for child labor were less than those for analogous crimes. There were no reports on whether these penalties were applied against violators.

Child Marriage

The family code set 18 as the legal minimum age for marriage. Forced marriage was punishable by seven to 15 years' imprisonment, and by 10 to 30 years' imprisonment or life imprisonment when the victim was a child. The government effectively enforced the law.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. Information regarding the extent of that cooperation was not publicly available.

Provision of First Asylum

The constitution provided for the granting of asylum to individuals oppressed due to their beliefs or actions involving several specified political grounds. The National Assembly approved a law in July to regulate the refugee and asylum process.

d. Acts of Antisemitism and Antisemitic Incitement

There were between 1,000 and 1,500 members of the Jewish community. There were no known reports of antisemitic incidents during the year.

e. Instances of Transnational Repression

The government engaged in acts of transnational repression.

Threats, Harassment, Surveillance, or Coercion

In June state security agents sent threatening WhatsApp messages to José Jasán Nieves Cárdenas, editor in chief of the Florida-based independent media outlet *El Toque*, including an attempt to intimidate him through a video suggesting agents were surveilling his home.