

Forced/compelled labor (trafficking in persons)
by the Cuban state of temporary workers overseas

Information for the 2019 Trafficking in Persons Report

Report submitted by
Free Society Project, Inc./Cuba Archive
and Unión Patriótica de Cuba

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Introduction

The focus of this submission is Cuba and the forced/compelled labor of Cuban citizens sent abroad by entities of the Cuban state as temporary workers in bilateral agreements with governments (or their agencies) or private entities. It covers events occurring from April 1, 2018 to March 31, 2019, but contains background information of a historical and general nature that puts this form of trafficking in its proper context. Other forms of state forced/compelled labor and sex trafficking, including of minors, occur in Cuba but are not addressed in this report.

I. Background information

The State Department defines forced or compelled labor as “modern slavery,” as follows, according to the Trafficking Victims Protection Act’s (TVPA) and international agreements against trafficking: “Forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities—recruiting, harboring, transporting, providing, or obtaining—involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person’s labor is exploited by such means, the person’s prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee a trafficking victim.”¹

The 2018 TIP Report, which classified Cuba as a Tier 2 (Watch) country, states: “The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.” Regarding export workers, the report states: “Some participants in foreign medical missions as well as other sources allege that Cuban officials force or coerce participation in the program; the government has stated the postings are voluntary, and some participants also have stated the postings are voluntary and well-paid compared to jobs within Cuba. The Cuban government acknowledges that it withholds passports of overseas medical personnel in Venezuela; the government provided ID cards to such personnel in place of passports. There are also claims about substandard working and living conditions in some countries. Observers noted Cuban authorities coerced some participants to remain in the program, including by allegedly withholding their passports, restricting their movement, using “minders” to monitor participants outside of work, threatening to revoke their medical licenses, retaliate against their family members in Cuba if participants leave the program, or impose exile if participants didn’t return to Cuba as directed by government supervisors.”

II. Salient observations of the current trafficking situation

A. The forced/compelled export workers

The Cuban state is engaged in a gigantic state-run trafficking business that recruits and hires out Cuban citizens in bilateral arrangements with governments or private corporations to send them as temporary workers to many locations around the world including ships (merchant or in the hospitality industry). Cuba refers to most of these workers as “international collaborators.”

¹ “What is Modern Slavery?,” U.S. Department of State <<https://www.state.gov/j/tip/what/index.htm>>.

Payments for the workers' services go directly to the Cuban government; in turn, it compensates them a small fraction of those revenues; percentages vary per arrangement and country but reportedly range from 5 to 25%. See for instance in Annex 1 a copy of the contract provided by a doctor sent to Brazil by the Cuban entity Comercializadora de Servicios Médicos Cubanos, S.A. It indicates a pay for the doctor equivalent to US\$1,000 monthly, \$600 of which was to be paid in an account in Cuba and \$400 in an account in Brazil (initially, \$50 of the latter was deducted to be credited to a debit card in Cuba).

The workers must leave their families in Cuba, essentially as hostages. The resulting long family separations cause heartbreaking suffering and problems for the workers and their spouses, children, parents, and other loved ones left behind. If a worker "deserts" while abroad, he/she loses substantial accumulated wages frozen in Cuban bank accounts and who may not enter Cuba again in 8 years.² The family in Cuba suffers reprisals and systematic harassments and no close family members are allowed to travel abroad for years, even wives or children may not join a "deserter." Article 135 of the Cuban criminal code ("Ley No. 62") punishes with up to 8 years of prison abandoning a post abroad or not returning to Cuba after completing an assignment. Over years, many thousands have abandoned or overstayed their assignments, so many parents miss seeing their children grow up and sons or daughters cannot say farewell to elderly parents on their death bed or attend their funeral.

Cuban workers abroad are also subjected to many arbitrary measures as well and to the same labor right abuses as workers in Cuba: they may not form independent unions, strike, peacefully protest, engage in collective bargaining or direct employment, and are forced to "donate" a portion of their pay to state-controlled mass entities under the Cuban Communist Party. Many face considerable hardships, depending on where they are assigned (they cannot choose their location). Typically, they must work long hours without adequate rest, endure arbitrary restrictions of movement, are forbidden from marrying foreigners or socializing with locals, and their living quarters lack privacy, hygiene, and basic comforts. In some countries, their stipends are insufficient to cover even the most basic needs. In many cases, they are sent to live in unsafe, remote, and even dangerous areas. As a result, hundreds have died and many have been robbed, raped, and injured. In March of 2010, the Cuban and Venezuelan governments honored 68 Cuban doctors who had died in Venezuela in the previous seven years,⁴ presumably as a result of criminal acts.

The Cuban workers overseas are systematically subjected to surveillance and control by trained agents and spies working for Cuba in the host countries. In some countries, such as Venezuela, health workers must undertake tasks not of a medical nature such as attending political meetings, delivering medicine to poor patients to request their vote for the chavista government, and spreading political propaganda. In some countries, particularly in Venezuela, they must report inflated statistics and destroy medical supplies and medication to account for imaginary medical services in order to increase performance ratios for Cuba's political and pecuniary benefit or that of the host government. Sailors and other maritime and construction workers endure extreme duress and lack safety precautions in dangerous jobs; injuries leading to incapacitation are often ignored and a social safety net for care and rehabilitation is greatly lacking.⁵

² See, for instance, "Families torn apart," *Human Rights Watch*, 2005 Report.

<<https://www.hrw.org/report/2005/10/18/families-torn-apart/high-cost-us-and-cuban-travel-restrictions>>

³ With the Cuban migration law of January 2013, health professionals who desert may travel back to Cuba after 8 years. Before that, they could never return.

⁴ The Cuban Vice Minister of Health, Joaquín García, attended a ceremony in Caracas commemorating the 7th anniversary of the Barrio Adentro program. (Reconocen muerte de 69 médicos cubanos en Venezuela, *El Universal*, Caracas, 16 de abril, 2010.)

⁵ For a list of conditions of service see Fact Sheet: "Cuba's export workers: a state-run labor trafficking business." <<http://cubaarchive.org/files/FACT-SHEET-TRAFFICKING-IN-PERSONS.pdf>>

This practice is possible because Cuba is a totalitarian state with a guaranteed pool of captive low-paid workers easily exploited as “exportable commodities.” Most of the Cuban economy is in state hands and most workers, including all professionals, cannot practice privately. Their sole employer, the state, pays what is reported as the lowest average monthly disposable salary in the world,⁶ currently equivalent to US\$30.68.⁷ The average monthly salary of Cuba’s doctors, for instance, is around US\$60. While workers are paid in Cuban pesos, most staples, food, and consumer goods are priced in a hard currency denomination (CUC or Cuban Convertible Pesos) inaccessible to most of the population earning worthless pesos, including most professionals. Food and even basic staples are not available and most families live in dire conditions with great scarcities. As a result, many workers, including doctors, feel a need to go abroad two to three years in the aforementioned conditions to engage in businesses such as bringing clothes back to sell in Cuba and to collect on their return deposits of most of their wages into a frozen account so they can fix the roof of their house or improve their lot in ways that are otherwise impossible.

This situation is compounded by strict entry and exit restrictions for all Cuban citizens to and from their own country. Article 216 of Cuba’s Penal Code forbids citizens from leaving the country without government permission and punishes attempts to do so with 1 to 3 years of prison (in open violation of the Universal Declaration of Human Rights and other international human rights accords). To prevent desertions of international “collaborators,” they are issued a special passport with a red cover, different from the usual blue, to alert accomplices at border points and prevent their travel to anywhere but Cuba. In most cases, the passport is retained by supervisors once they reach the destination country. In countries such as Venezuela, fleeing doctors must bribe customs authorities to avoid being turned over to Cuba’s State Security and forced back to Cuba in disgrace.

Restrictions are even harsher on all health professionals, including doctors. Cuban government sources report that 75% of its international “collaborators” are health workers. Not surprisingly, the Ministry of Health forbids issuing their educational records and professional credentials.^{8/9/10} No health professional may leave the country without a special government permission that is very difficult to obtain and those who seek to emigrate are denied exit permits for years. A Ministry of Health resolution forbids giving health workers their educational and professional credentials, so they may not work overseas other than through Cuban government sponsorship. As one Cuban doctor remarked: Cuba’s doctors are “the highest qualified slave labor force in the world.”¹¹

B. Cuba’s unique form of trafficking and the impunity afforded by the international community

Aside from North Korea, no other state is known to traffic its own citizens systematically in exploitative labor arrangements to enrich the government’s coffers. In fact, Cuba seems to be the only state that engages in this practice not just with private corporations (as North Korean does) but directly in bilateral contracts with many governments.

⁶ See world ranking of Average Monthly Disposable Salary for 2014 at <https://www.nationmaster.com/country-info/stats/Cost-of-living/Average-monthly-disposable-salary/After-tax#2014>. (Cuba’s reported average monthly wage is today still below Gambia in 2014, the country that had the second lowest ranking.)

⁷ “30 dólares al mes: salario medio en Cuba no alcanza ni para empezar,” *Martinoticias.com*, agosto 26, 2018.

⁸ Michel Suárez, Bloqueada la legalización de títulos para médicos emigrantes, *Diario de Cuba*, 19 febrero 2010.

⁹ Resolución Ministerial No. 1 de 8 de enero de 2010 Ministerio de Salud Pública de Cuba.

¹⁰ Regulan documentos docentes y laborales para el exterior a profesionales de la salud <<http://cubalegalinfo.com/documentos-docentes-medicos>>

¹¹ According to a doctor who worked in an overseas mission, as related to Cuba Archive.

Cuba's singular practice of "modern slavery" constitutes a "new trend" in human trafficking by a state only in the sense that it has grown hugely since 2005 and that it is now gaining some significant media exposure. The Cuban government, in fact, has engaged in this practice since the early 1960s, although it was a tightly-guarded state secret until 2010 that Cuba was receiving financial compensation for its international "missions."

To date, Cuba has enjoyed not just near-total impunity for the systematic and widespread abuses against its "export workers" but it has also been aided and abetted by numerous governments and international agencies and organizations under the guise of supporting its "international solidarity" and "humanitarianism" in health and educational "international missions." UN system organizations such as the Pan American Health Organization (PAHO) and the World Health Organization (WHO) have entered into trilateral arrangements to facilitate and/or fund the delivery of certain medical and educational services by Cuban "brigades" in countries in Africa and the Americas that send Cuban workers to remote and hardship areas. Democratic states such as France, Australia, Norway, Germany, Japan, and others, as well as international non-governmental organizations, have supported and subsidized these arrangements, both currently and in the past, to assist needy populations in third world countries. Their "humanitarian" concerns openly disregard the rights of Cuban workers and the needs of the Cuban population suffering lacking services as a result. Since 2008, the Cuban Government has eliminated 77,880 technical positions and 20,124 nursing personnel from the island's health system, according to the statistical yearbooks published by the Ministry of Public Health up to 2017.¹² There is compelling information of a public health crisis in Cuba of underreported proportions: doctors are very scarce, especially specialists, and often foreign medical students without experience or proper training are the "doctors" available to the local population, and there is a chronic lack of supplies and equipment and extreme under-investment in the health system. Moreover, because some of the health "cooperation agreements" include the provision by Cuba of medication and medical supplies to other countries, these are not available to the local population.

Many politicians, academics, journalists, and non-governmental organizations all over the world know that the Cuban workers are being exploited (or at best, that they serve in highly irregular arrangements set up by a dictatorship) but have long treated the matter with indifference, complacency, and even encouragement. Many are themselves victims of an active machinery of influence and propaganda of the Cuban government meant to confuse and control the narrative.

It is evident that this practice violates numerous international agreements, such as the Palermo Protocol and the Trafficking in Persons Protocol, several ILO (International Labor Organization) conventions, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other international norms and standards. (See Annex 2, International Law Violations of Cuba's Government-to-Government or Government-to-Corporations Agreements to Sell Medical and Other Services.).

Because many Cuban workers serve "willingly" —even eagerly— to improve their lot, it is important to note that the victims' consent to forced labor practices does not exempt these practices from "trafficking in persons." The legal definition is clear: "The consent of the victim to the intended exploitation is irrelevant once it is demonstrated that deception, coercion, force or other prohibited means have been used." The Trafficking in Persons Protocol of 2000, a complement to the U.N. Convention Against Transnational Organized Crime, states that abuse of power or of a position of vulnerability for the purpose of exploitation constitutes human trafficking.

¹² Mirta Fernández y Pablo Díaz Espí, 77.900 técnicos y 20.120 trabajadores de enfermería menos ¿quién atiende a los cubanos?, *Diario de Cuba*, 11 de enero de 2019.

Because Cuba reaps huge rewards from this trafficking business, some of the health professionals it sends abroad are ill-trained and/or have not completed their medical training. There are reports of veterinarians and nurses receiving a specialized 6-month training and of medical students two years from graduating sent to developing countries as M.D.'s. Host governments typically waive national credential requirements, thus patients are left at great risk and, because they tend to be poor and receiving free public care, have little or no legal or other recourse in case of malpractice.

Please refer to the links in section IV, page 13 of this report for much more detailed information on the nature of this form of trafficking.

III. Events of the last year

A. Questions from Report Guidelines

1. What efforts did the government make to address the trafficking?

In the last twelve months, the government of Cuba has continued to promote this form of trafficking and continued to state so publicly through all sorts of official venues. It has made no efforts to meet the Trafficking Victims Protection Act (TVPA)'s minimum standards for the elimination of this form of human trafficking and has done nothing to prosecute perpetrators or protect victims. It has put in place no effective mechanisms –legal or otherwise—to protect against this form of trafficking. It has not entered into any effective, transparent, partnerships, or cooperative arrangements, or agreements resulting in concrete and measurable outcomes with domestic civil society organizations, or private sector entities, or international nongovernmental organizations, and has not entered into multilateral or regional arrangements or agreements to assist in the prevention of this form of trafficking, protect its victims, or punish traffickers.

Because the Cuban state is the perpetrator, official complicity is absolute. The country's laws and policies promote this form of trafficking and deprive its victims systematically of their rights as well as of any assistance. Specific laws and regulations institutionalize the condition of servitude, including the "Disciplinary Rules for Cuban Civilian Workers Serving as Collaborators Abroad," that has the status of law, and exercises broad control over international "collaborators," including through disciplinary actions. It establishes, among other things, the obligation of the "collaborators" to return to Cuba after completing their assignment, restricts their movement and that of his/her family, and forbids marrying a foreign citizen, attending social events, or having any kind of relationships with the local population without authorization. (See Annex 3, Reglamento Disciplinario.)¹³ Cuba's Migration law refuses entry into Cuba to "deserters" and Article 135 of the Penal Code criminalizes with prison from three to eight years the abandonment of a post in a foreign country or traveling to another country against the express order of the government while fulfilling a mission abroad.¹⁴

In fact, there are no individual or collective rights *per se* for any Cuban citizen. The Constitution (Art. 5) stipulates that the Communist Party is the superior and commanding force of the society and of the state and that the construction of socialism and the journey to the Communist society are its only allowable goals. All "rights" are conditioned by and subordinated to this stipulation. The individual is, thus, totally unprotected in law and in practice. This has such an effect that, even after arriving in free countries, most of the "deserters" refuse to speak publicly about their victimization, terrified of reprisals to their families and hoping to eventually be allowed back to their homeland and to be with their loved ones.

¹³ "Reglamento disciplinario para los trabajadores civiles cubanos que prestan servicios en el exterior como colaboradores", Republica de Cuba, Ministerio de Comercio Exterior e Inversión Extranjera, Resolución No 168 de 2010.

¹⁴ https://www.gacetaoficial.gob.cu/html/codigo_penal.html#A15

In Cuba, all independent organizations are banned and human rights and other civil society actors are threatened, persecuted, imprisoned, forced into exile and, in some cases, even killed or disappeared (the latter is documented in CubaArchive.org). The judicial system is entirely subordinated to the Executive branch. Even defense lawyers all work for the state.^{15/16} Thus, victim or witness protections are inexistent. The U.S. State Department's Cuba 2017 Human Rights Report indicates: "Civil courts, like all 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."

2. Do government officials understand the true nature of this form of trafficking?

Government officials well understand the true nature of this practice. For this reason, they continue to repress, silence, and threaten the victims, keep the work contracts secret and misrepresent their terms, as well as expend enormous efforts on disinformation and propaganda to justify the practice. On November 14, 2018, for instance, Cuba's Ministry of Health issued an official statement endorsing and celebrating its international medical "collaborations" and the medical mission in Brazil it had hastily ended. Its patently false declarations included: "For the overwhelming majority of missions completed, the expenses have been assumed by the Cuban government." (...) "The "collaborators" have had their place of work and 100 percent of their salary preserved for them in Cuba, with all labor and social guarantees..."¹⁷

3. Does the government effectively assist its nationals exploited abroad?

To the contrary, many workers recruited to go overseas are not informed of the actual terms of contracts until they are embarked or about to embark and ignore the living conditions the arbitrary restrictions and other requirements they will face in their country of destination. Once they arrive, instead of assisting them, Cuban authorities and agents systematically persecute and threaten them. They are forbidden from speaking to the press and are required to inform on their peers just for mere suspicion that they may want to "desert" or for violating any of the arbitrary rules imposed on them.

A recording posted on social media in December 2018 by a Cuban doctor in Brazil is a glaring example of the climate surrounding the workers, one of constant fear of losing access to their loved ones and their homeland as well as of facing financial and other reprisals. In an audio posted by Dr. Dayaimy González Valón from Brazil, a man reported as a Cuban working for PAHO in Brazil, Leoncio Fuentes Correa, coordinator for the Cuban medical brigade in the state of Mato Grosso, refers to her decision to stay in Brazil instead of returning to Cuba, as ordered by the government, that she had just announced on social media: "Think about it ... If you stay here, you know you will not be going to Cuba for eight years and you have your family there. And if, unfortunately, something happened to someone in your family, you will not be able to enter Cuba. (...) If you do not get on that flight on the designated day, I will report you as having abandoned the post and when I submit that report, you will not be allowed to enter the country for 8 years, that is clear."¹⁸ The *Más Médicos* program had in 2015, according to press

¹⁵ Javier Larrondo, La abogacía en Cuba, Unión Patriótica de Cuba, 9 de enero de 2019: <https://drive.google.com/open?id=1kbXO80FcJWKuc-IfLPcjCQbYrUHFLSE>.

¹⁶ A Human Rights report of 1999 provides a useful and relevant summary of how Cuba's laws restrict human rights. Cuba's Repressive Machinery: Human Rights Forty Years After the Revolution, *Human Rights Watch*, 1999. (See section on the laws at https://www.hrw.org/reports/1999/cuba/Cuba996-03.htm#P576_78223).

¹⁷ "Declaración del Ministerio de Salud Pública: Cuba anuncia salida del Programa Más Médicos de Brasil, Ministerio de Salud Pública," granma.cu, 14 de noviembre de 2018 <<http://www.granma.cu/cuba/2018-11-14/declaracion-del-ministerio-de-salud-publica-14-11-2018-09-11-05>>. (Translation from Spanish by the author.)

¹⁸ "Difunden la llamada de un funcionario cubano a una doctora que decidió quedarse en Brasil," cibercuba.com, 10 dic. 2018. (Translation from Spanish by the author.)

reports from Brazil, 28 Cuban “supervisors” scattered throughout the country;¹⁹ reportedly, they kept close tabs on the doctors. (There are unconfirmed reports that these Cuban officials were hired and paid by PAHO.)

4. Does the government work to ensure victims receive adequate assistance and support for their repatriation while in destination countries?

No. The workers may not travel back home even to attend to family emergencies; many have missed family emergencies, farewells with terminally ill parents, or funerals of close family members. Some have died of treatable medical conditions for lack of adequate treatment facilities in remote areas where they must live and work.

5. Does the government provide adequate assistance to repatriated victims after their return to their countries of origin, and if so, what forms of assistance?

No. In fact, it has been reported that promises made to the workers of compensation for their overseas service are not kept once they have returned home after having successfully completed their contract (these include collecting the agreed amount in their hard currency account frozen in Cuba, receiving a new home or car, collecting incapacity benefits, etc.)

6. Is labor trafficking now occurring in additional types of industries or agricultural operations? Many joint venture arrangements between Cuban and foreign entities are believed to engage in compelled/forced labor. Because there is no transparency or accountability and very scarce information in open sources, the extent and scope of this business is unknown. Additional research is required especially on this aspect.

B. Trends in the past year.

1. Victims of this form of trafficking are in the tens of thousands.

Tens of thousands of Cuban workers are believed to be serving overseas in what Cuba refers to as “international collaboration” arrangements. A precise number is not available from official or unofficial sources. Data from Cuban government sources is spotty and contradictory but consistently refers to tens of thousands.

Cuba tends to center its reports on just the “collaborators” in the health sector. The most recent official statistics published by the Cuban state concerns only health workers and is available in the Health Statistical Yearbook for 2017 published in 2018. It reports that in 2017 Cuba’s health “collaborators” were serving in 64 countries: 24 in the Americas, 28 in Sub-Saharan Africa, 1 in Europe (Portugal) and 11 in North Africa, Asia, the Middle East. (See Annex 4, Countries with health collaborators 2017.) The Ministries of Foreign Affairs and of Health of Cuba confirmed in 2018 that Cuba “currently serves in 67 countries.”²⁰ In November 2018, *Granma*, the official newspaper of the Central Committee of the Communist Party of Cuba, reported that Cuba had more than 21,700 health workers only in Venezuela²¹ and Cuba’s Minister of Foreign Affairs, Bruno Rodríguez, declared at the 26th Ibero-American Summit

¹⁹ Felipe Frazão, “O amor nos tempos do Mais Médicos,” *Brasil, Veja*, 21 jun 2015.

²⁰ Yaira Jiménez Roig, directora de Comunicación e Imagen del Ministerio de Relaciones de Cuba, en “MINREX abre Canal de Vocería por programa Más Médicos (+Video)”, *granma.cu*, 27 de noviembre de 2018 <http://www.granma.cu/mundo/2018-11-27/minrex-abre-canal-de-voceria-por-programa-mas-medicos-video>. “Declaración del Ministerio de Salud Pública...”, *op.ci*

²¹ Enrique Milánés León, Refuerza Cuba con 500 especialistas su abrazo médico a Venezuela, *granma.cu*, 11 de noviembre de 2018.

in Guatemala that "in just over five decades" Cuba "has contributed with 600,000 health employees to 164 nations."²²

In 2014, an official Cuban (state-owned) newspaper reported that 64,362 Cuban "collaborators" from different sectors were offering their services in 91 countries and that in the 55 years of the Revolution (to that date), 836,142 Cuban civilians had collaborated in 167 nations, 75% of these in the health sector.²³ No updated numbers have been found to date from official sources regarding the total amount of workers in all sectors.

Doctors, sports trainers, teachers, construction workers, entertainers, sailors, scientists, architects, engineers, and many others are "exported" through Cuban state entities including two large health conglomerates and dozens of smaller state entities. In 2016, Cuba Archive found online a Cuban government website of the Center for the Promotion of Foreign Trade and Investment offering the export services of 85 enterprises in wide-ranging industries. (See Annex 5, Export Service Companies.) The website was closed down and no longer exists, but its trace information can still be found online.²⁴ How many of these enterprises hire out Cuban workers to governments of foreign entities to go overseas is unknown, but Cuba Archive has reports from individuals who have been employed abroad in some of the cited enterprises. In any event, most if not all workers employed by the Cuban state to work for foreign entities and enterprises are presumed to be subjected to similar conditions of servitude and exploitation.

2. State revenues derived from the export services (the form of trafficking relevant to this report) remain the first source of revenues officially reported revenues by Cuba.

Trade data derived from countries importing services from Cuba ("mirror statistics" confirmed in media reports that cite Cuban officials) show that service exports have been Cuba's first source of revenues since 2005. Although Cuba's Statistics bureau, *Oficina Nacional de Estadísticas* (ONE), has published data only to 2016. (See table in this page, also available online.²⁵) World Trade Organization statistics for 2017 indicate that Cuba derived \$7,959.7 million from total export services net of travel, more than double the revenues generated by tourism. WTO data reflects a slight

**Cuba's Export Services
2003-2016**

in millions of Cuban Pesos
1:1 exchange with U.S. dollar

Year	Export Services	Tourism	Export Services net of Tourism
2003	2,844.60	1,999.20	845.4
2004	3,634.40	2,113.60	1,520.80
2005	6,550.50	2,398.90	4,151.60
2006	6,667.40	2,234.90	4,432.50
2007	7,951.80	2,236.40	5,715.40
2008	8,566.40	2,346.90	6,219.50
2009	7,762.60	2,082.40	5,680.20
2010	9,660.00	2,218.40	7,441.60
2011	10,281.10	2,503.10	7,778.00
2012	12,760.00	2,613.30	10,146.70
2013	13,027.00	2,607.80	10,419.20
2014	12,663.00	2,546.10	10,116.90
2015	11,369.00	2,828.60	8,550.40
2016	11,102.00	3,068.60	8,033.40

**2016 is the last year for which data has been published.*

Source: Maria C. Werlau, 2018. Table derived from External Balance of goods and services in the Statistical Yearbook of Cuba for 2009, 2010, 2011, 2012, and 2014 and in Cuentas Nacionales for 2015 and 2016, published by Oficina Nacional de Estadísticas, República de Cuba, www.one.cu.

²² Discurso del Canciller cubano en la XXVI Cumbre Iberoamericana, 16 de noviembre de 2018: <http://www.trabajadores.cu/20181117/discurso-del-canciller-cubano-en-la-xxvi-cumbre-iberoamericana/>

²³ Alberto Núñez, "More than 64,000 Cuban collaborators in 91 countries," *trabajadores.cu*, July 3, 2014 <<http://www.trabajadores.cu/20140703/mas-de-64-000-colaboradores-cubanos-in-91-countries/>>

²⁴ Web Archive records for <http://www.cepec.cu>: <https://web.archive.org/web/20160822091407/http://www.cepec.cu/es/perfil-informaci-empresas>

²⁵ See table in <http://cubaarchive.org/files/FACT-SHEET-TRAFFICKING-IN-PERSONS.pdf>.

variation each year from the table herein. (See Annex 6.) Cuban officials indicated in media and other reports that service exports had remained strong in 2018.

3. Deaths of “international collaborators.”

Six Cuban doctors in the *Mais Medicos* program died in Brazil alone in 2018, five of medical conditions and one in an accident. A seventh one died flying back home on vacation in a *Cubana de Aviación* (state-owned) crash under investigation that is strongly suspected as having resulted from gross negligence. (See Annex 7, Deaths of internationalists 2018. For all individual records, see www.database/CubaArchive.)

4. In November 2018, Cuban authorities issued additional restrictions regarding issuance of educational credentials in Cuba.

Collective lawyers’ offices (Cuba’s equivalent of law firms) were instructed to not legalize any academic or other type of document for health professionals and technicians serving in collaboration missions or attending international events anywhere in the world, including those granted permission for a temporary trip abroad. The sole exception to the rule is for health professionals who had been authorized to leave the country definitively.²⁶

5. The “medical mission” in Brazil ended abruptly.

A very public clash ensued regarding Cuba’s health “collaborators” in Brazil, one that derived in extensive media exposure (in Brazil and all over the world) of the Cuban doctors’ predicament and the deceptions surrounding the Brazil-PAHO-Cuba agreement.

In October 2018, Jair Bolsonaro, the current president of Brazil —then candidate for president— declared that any doctor who worked in Brazil had to revalidate credentials according to the country’s requirements (Cuban doctors had been exempted). In addition, he said that (assuming he became President), Brazil would pay the Cuban doctors in the *Mais Medicos* program directly and grant visas for their families to join them. Bolsonaro, elected October 28, 2018 and inaugurated president January 1st 2019, had long been critical of the agreement made with Cuba. The government of Dilma Rousseff, beginning in 2013, had hired over 11,000 Cuban doctors (from Cuban state enterprises) to live and work for three years in underserved areas of Brazil (in the *Mais Medicos* program) using PAHO as an intermediary.

Instead of addressing the problems or proposing solutions, on November 14, 2018 the Cuban government abruptly announced that it would remove all its doctors from Brazil, 8,471 at the time of the announcement, starting the following day. It did so in just four weeks.²⁷ This, of course, suddenly left many areas and patients without medical attention and caused distress to many Cuban doctors who had to pack in a hurry, abandon belongings in Brazil, and endure other difficulties in leaving so suddenly. 836, or 10%, of the 8,471 doctors in Brazil²⁸ decided to stay despite great pressures on them and their families and the reprisals they will face.

²⁶ Tania Costa, Cuba prohíbe a los bufetes legalizar papeles a los médicos en el extranjero, cibercuba.com, 23 noviembre 2018. (This article includes a picture of the email with the instruction.)

²⁷ Shasta Darlington, “Cuba is pulling doctors from Brazil after ‘derogatory’ comments by Bolsonaro,” *The New York Times*, Nov. 14, 2018.

²⁸ 60% were women and nearly 20,000 Cuban doctors had worked in Brazil under the program (76.3% women) in five years. (Leticia Martínez Hernández, “El abrazo de Raúl a los héroes que vuelven,” granma.cu, 23 de noviembre de 2018.)

6. Legal procedures that exposed Cuba's trafficking scheme.

a. In Brazil.

- i. The Pan American Health Organization's external auditor, the Spanish Court of Audit, indicated in 2018 that since the start of the *Mais Medicos* program in Brazil in July 2013, 198 Cuban doctors had presented 159 legal challenges in the Brazilian court system demanding equal working conditions as doctors of other nationalities and extra free time. In its April 2014 report, the auditors had pointed to the legal risks associated with specific aspects of the *Mais Medicos* program and stated that it would be "prudent that PAHO set a contingency plan to face possible negative statements of [the] lawsuits."

After bringing their case before the Brazilian courts, very few Cuban doctors managed to continue working in the *Mais Medicos* program independently and receiving full wages directly from the Brazilian government. Additional research is needed to learn the status of all the legal proceedings.

- ii. In July 2018, the "Tribunal de Contas da União" or Federal Court of Accounts (federal comptroller's or accountability office), an arm of the legislative branch of the Brazilian government, issued a ruling after conducting an audit of the hiring of Cuban doctors by the *Mais Medicos* program with numerous informational requirements. The ruling also provided detail of the payment scheme set up in 2013 by the governments of Cuba and Brazil with PAHO that deprived Cuban doctors of most of their wages. A table in the report details the payments, confirming Brazilian media reports since 2013, and shows that the Cuban doctors received 22.43% of the payment made by the Brazilian government for their services, of which only 9.35% (US\$935.40) was disbursed in Brazil; the remaining 14.03% (US\$1,403.10) was for deposit in an account in Cuba to be retrieved upon the doctors return to Cuba having successfully completed their "mission." No other doctors serving in the *Mais Medicos* program received less than 100% of the salaries paid by Brazil or had an intermediary such as PAHO. The following table is copied from page 11 of the July 27, 2018 judgment, section "Voto revisor":

d) as informações colhidas até o momento permitem elaborar a seguinte memória de cálculo (utilizando como cotação o dólar americano, que, conforme consulta ao sítio do Banco Central do Brasil, correspondia a R\$ 2,3385 no dia 24/2/2014):

Tabela 1 – Destinação dos valores no Programa Mais Médicos

Linha	Descrição	Reais	Dólar	% do Total
(a)	Valor pago pelo governo brasileiro	10.000,00	4.276,25	100%
(b)	Valor depositado em Cuba em nome do profissional participante do programa	1.403,10	600,00	14,03%
(c)	Valor entregue diretamente ao profissional participante do programa no Brasil	935,40	400,00	9,35%
(d)	Valor pago à OPAS a título de taxa de administração (5%, conforme Subcláusula Única da Cláusula Terceira do 3º Termo de Ajuste ao 8º Termo de Cooperação)	500,00	213,81	5,00%
(e)	Valores pagos pelo governo brasileiro cuja destinação é desconhecida (e) = (a) - (b) - (c) - (d)	7.161,50	3.062,44	71,62%

- iii. In a judgment of November 20, 2018 (see Annex 8, Brazilian court ruling on marriage), the civilian district court of Feijó, state of Acre, Brazil, ruled in favor of a Cuban doctor to allow his marriage to a Brazilian citizen and against the Brazilian administrative clerk attempting

to nullify the marriage and to force the doctor's compliance with clause 2.2 j. of his work contract with the Cuban state enterprise *Comercializadora de Servicios Médicos Cubanos S.A.* According to the court ruling, the work contract stated that "the marriage of Cuban doctors to foreigners will, as a rule, comply with Cuban legislation and the only exceptions would be with written authorization from the highest Cuban authority in Brazil." The court, unanimously affirming its jurisdiction over the matter, ruled that the marriage applicants had "the right to contract the marriage ... regardless of any provision to the contrary provided in the aforementioned contract." The ruling established that the doctors "are subject to Brazilian law regarding their civil and criminal responsibilities" (p. 6) and that the clause restricting marriage in the work contract "is unconstitutional." The court cited how this restriction conflicts with Brazil's constitution and laws regarding principles of national sovereignty, the dignity of the human person, public order and good customs, safeguards against discrimination, individual and collective rights, and family and family planning (p. 3-4). A similar case had been resolved in favor of the Cuban doctor in 2015 (p. 8-9).

b. In the United States.

Four Cuban doctors who had abandoned the medical mission in Brazil and established residence in the U.S. sued the Pan American Health Organization (PAHO) in Miami, Florida, claiming that it facilitated a "human trafficking network" and "slavery" in Brazil.²⁹ Although the matter of PAHO's jurisdiction and probable immunity as a UN affiliated agency is in question and will take time to decide, the case details conditions and terms of the work contracts confirming claims of trafficking.³⁰

7. Incipient initiatives by trafficking victims gained strength.

In the last year, a growing number of Cuban workers overseas went public with their claims of exploitation and abuse, especially doctors who had abandoned the mission in Brazil, said to be at least in the many hundreds. A series of factors coalesced to create a climate conducive to prompting many individuals to overcome their fear of reprisals. Until very recently, with the exception of doctors turning to Brazilian courts to work independently, most victims of this form of trafficking providing testimony of their situation would do so only reluctantly and anonymously.

In 2018, the group #Nosomosdesertores #SomosCubanosLibres (We are not deserters We are free Cubans) solidified its social media presence and made inroads in obtaining traditional media coverage. Its members and administrators are Cuban professionals who left official missions and are prevented by Cuban authorities from entering the country or having their families join them abroad. Administrators are mostly doctors, although the membership is open. The group had formed spontaneously on Facebook in the fall of 2017 when "deserters" saw their expectations frustrated that restrictions for their entry into Cuba would be lifted. In just a few weeks, their new Facebook page had 13,000 "friends," 8,000 of whom claim to be exiled professionals (mainly doctors). This platform allows them to share stories of family separation and their feelings of injustice as well as to share ideas for joint actions.

The group's main focus is to advocate for the elimination of Cuban government restrictions separating families. It also denounces their exploitation by the Cuban state and demands the lifting of the

²⁹ Case 1:18-cv-24995-DPG Document 9 Entered on FLSD Docket 12/26/2018, in the United States District Court Southern District of Florida, Miami Division. Ramona Matos Rodriguez, Tatiana Carballo Gomez, Fidel Cruz Hernandez and Russela Margarita Rivero Sarabia, Plaintiffs, v. Pan American Health Organization, Joaquin Molina, Alberto Kleiman, Individual Does No. 1-10, Defendants.

³⁰See one of several news reports: Frances Robles, "Cuban doctors accuse international agency of profiting from their work," *The New York Times*, Nov. 29, 2018.

government's embargo on academic records, that they consider seeks to prevent them from professional development abroad.

In April 2018, the group sent a representative to the Summit of the Americas in Lima to present its claims to the Inter-American Commission on Human Rights (IACHR)³¹ and supported a call "for human rights" by members of the Association of Cuban Residents of Brazil (many are doctors who have remained there in an irregular situation). The joint initiative took place before Mother's Day to demand to be able to hug their mothers in Cuba. #Nosomosdesertores #Somoscubanoslibres called to demonstrate in cities around the world and collected messages from many countries. The group later reported that it had ranked among global trends with more than five million messages and plans to foster similar initiatives and other actions on behalf of so-called Cuban "deserters."

In January 2018, one of the group's administrators met in Miami with the Vice President of the European Parliament, Pavel Telicka, to call for his support and raise awareness of their situation. In September 2018, another administrator met in Dublin with Cuba's Vice Minister of Foreign Affairs, Ana Teresita González, to request an end to forced family separation.

8. A breakthrough at the ILO (International Labor Organization).

The ILO adopted a historic decision on June 9, 2018 in favor of the Independent Trade Union Association of Cuba (ASIC), an independent labor group denied official recognition by the Cuban government and persecuted for decades. The ILO's Committee on Freedom of Association acknowledged the lacking essential and universally-recognized labor rights in Cuba such as recognition and free operation for independent trade union activities and denial of the right to strike in practice, including as regards any discrimination or disadvantage in employment, as well as aggression and other forms of anti-union discrimination.³¹ This outcome acknowledges within the ILO the absence of basic labor rights in Cuba, which, naturally, includes workers whose services the state exports.

9. A Resolution was submitted in the U.S. Senate regarding Cuba's trafficking in the medical missions.

On January 10, 2019, Senators Robert Mendez (D-NJ) and Marco Rubio (R-FL) submitted a resolution in the United States Senate "Affirming that the Government of Cuba's foreign medical missions constitute human trafficking."³² (See Annex 9, Senate Resolution.) It resolves that "it is the sense of the Senate that the Government of Cuba subjected Cuban doctors and medical professional participating in the *Mais Medicos* program to state-sponsored human trafficking." Among other things, it calls on the U.S. Department of State to downgrade Cuba to Tier 3 in its annual Trafficking in Persons (TIP) report, given new evidence on Cuba's foreign medical missions and the Government of Cuba's longstanding failure to criminalize most forms of forced labor. It also calls on the Pan American Health Organization to immediately provide greater transparency about its participation in the *Mais Medicos* program and its agreement with the Government of Cuba and the for-profit Cuban Medical Services Trading Corporation (CMS). If and when this resolution will be voted on by the Senate is not known.

IV. Basis for this report.

This report is based on investigation and documentation work since 2009 and continuing in the last twelve months and its ensuing large accumulated body of evidence on the reported form of trafficking.

³¹ Excerpt, concerning Cuba, case No. 3271, International Labour Office, Governing Body 333rd Session, Geneva, 9 June 2018, Institutional Section, Sixth Item on the Agenda, Reports of the Committee on Freedom of Association, 386th Report of the Committee on Freedom of Association.

³² 116th Congress, First Session, January 10, 2019.

Since 2009, the non-profit organization, Free Society Project, Inc., aka Cuba Archive, incorporated in Washington, D.C. in 2000, has undertaken multiple and varied efforts to research, investigate, track, document, educate, and raise awareness at different levels (with policy-makers, politicians, media, academia, NGO community, and others) on the reported form of trafficking. The organization's mission is to advance human rights through investigations and fact-based, scholarly, work. Its reputation is well-established and its work is respected and cited by academics, journalists, policy makers, and the human rights community.

Since 2009, Cuba Archive has interviewed scores of individuals who have participated in these labor arrangements, including former administrators for the Cuban government, collecting many media/journalistic, government, and other reports from reputable venues from all over the world.

Some of the published or public work by Cuba Archive detailing this practice includes:

- [Fact Sheet](#) “Cuba’s export workers: a state-run labor trafficking business.”³³
- [Amb. Mark Lagon & Maria C. Werlau, Cuba’s Human Trafficking Business: A Huge State-Run Enterprise](#), April 2017, Urgent Submission by the Human Rights Foundation and Cuba Archive to the UN Special Rapporteur for Trafficking in Persons, April 14, 2017.³⁴
- [Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, March 22, 2016, Statement by Maria C. Werlau.](#)³⁵
- Published academic work and Opinion Editorials published in *The Wall Street Journal* and *The Miami Herald*.³⁶

In April 2018, Cuba Archive’s Executive Director met in Geneva with senior staff of the office of the U.N. *Rapporteur on the human rights of victims of human trafficking, especially women and children*. During the Rapporteur’s April 2017 official trip to Cuba, she had only met with witnesses presented by the state and had praised Cuba for its foreign “missions,” which had prompted a newsletter by Cuba Archive.³⁷ The Rapporteur’s senior staff acknowledged that they were aware that no meetings with agents independent or unauthorized by the Cuban government would be allowed during the visit, but indicated that they had knowledge of trafficking not publicly addressed by the Rapporteur and encouraged official complaints using UN Special Procedures. It was evident that the Rapporteur or her staff had not met with any Cuban victims of trafficking outside of Cuba.

During the last year and to date, Cuba Archive has continued to gather reports on Cuba’s forced/compelled labor practices of overseas workers. It also received specific reports of prisoners in seeming trafficking schemes linked to foreign corporations —construction of hotels, agricultural work for export ag products. More investigation is required to properly document this.

In November 2018, the Cuba-based organization Unión Patriótica de Cuba (UNPACU) began collaborating with Cuba Archive on the issue of TIP/forced labor and initiated its own independent and profound investigation, namely through its representative in Europe. As a result, it decided to coordinate an effort to present a case to the International Criminal Court in The Hague for crimes against humanity

³³ <http://cubaarchive.org/files/FACT-SHEET-TRAFFICKING-IN-PERSONS.pdf>

³⁴ <http://cubaarchive.org/files/Cubas-Human-Trafficking-Business-A-Huge-State-Run-Enterprise.pdf>

³⁵ <https://docs.house.gov/committee/Error/Error.aspx?Code=404>

³⁶ See links at <http://cubaarchive.org/files/LINKS-TO-CUBA-ARCHIVES-WORK-ON-TRAFFICKING-IN-PERSONS-AND-HUMAN-EXPLOITATION.pdf>

³⁷ See newsletter “Zero Accountability?: The UN Rapporteur for Trafficking in Persons should not overlook Cuba’s state-run trafficking business” <[https://mailchi.mp/cubaarchive/un-rapporteur-dont-overlook-cubas-state-run-trafficking-business?e=\[UNIQID\]](https://mailchi.mp/cubaarchive/un-rapporteur-dont-overlook-cubas-state-run-trafficking-business?e=[UNIQID])>.

committed in state parties to the Rome Statue (subject to ICC jurisdiction) relative to the forced/compelled labor of Cuban export workers subject to trafficking by the Cuban state.^{38/39}

Cuba Archive and UNPACU have extensive reliable sources, including first-hand testimonies, as evidence for each and all allegations in this report. All supporting background information (citations, links, and annexes) constitute an intrinsic part of this submission.

V. Conclusion

There is overwhelming evidence of the unique form of state-run trafficking by Cuba described in this report and that it constitutes a huge global business for the Cuban government. In fact, its nature as a modern-slavery scheme has been amply reported in the media, including in the United States in *The Wall Street Journal*⁴⁰, *The New York Times*⁴¹, *Forbes*,⁴² and many other leading venues.

This state-run trafficking violates international law. It directly exploits Cuban workers and abuses them in varied ways, causes extended family separation, great emotional suffering, psychological traumas, forced exile, and the hijacking of professional skills. Moreover, it funds Cuba's dictatorship and huge repressive and influence/propaganda apparatus, allows the Cuban leadership to avoid adopting structural reforms that would promote sustainable development and, perhaps democracy, and helps Cuba continue undermining the interests of the U.S., Venezuela, and other democracies, to the detriment of global peace and stability.

Cuba's "social missions" also victimize countless individuals indirectly. Some of the health workers sent by Cuba around the globe are unqualified, which poses grave risk to patients, who have little legal recourse in their home countries.⁴³ Sending thousands of doctors, teachers, and other professionals abroad to generate revenues for the state also robs the Cuban population of needed services. Moreover, doctors and medical associations from different countries where Cuban medical "missions" —including Venezuela, Bolivia, Ecuador, Paraguay, and Brazil— are hired by governments friendly to Cuba have reported that local doctors are often fired or denied recruitment to assign their positions to the Cubans and are often paid less than their government pays Cuba for its doctors.

VI. Recommendations/remedies for the U.S. Department of State

1. Apply to Cuba the provisions of the Trafficking Victims Protection Reauthorization Act of 2017 (TVPRA), that amends and reauthorizes international provisions of the Trafficking Victims Protection Act (TVPA) to evaluate concrete actions foreign governments are taking to abolish trafficking. A comprehensive review of the evidence on this form of trafficking by Cuba by should include:
 - a) Requesting copies of existing agreements by Cuban state entities with other governments or with private entities that involve sending Cuban workers abroad.

³⁸ Raúl Castro y Díaz-Canel serán llevados ante el Tribunal Penal Internacional por crímenes de lesa humanidad, Madrid, *Europa Press*, 21/11/2018.

³⁹ La UNPACU llevará al régimen cubano a la Corte Penal por crímenes de lesa humanidad, Madrid, 21/11/2018, *Diario de Cuba*.

⁴⁰ Mary Anastasia O'Grady, "Cuba's Slave Trade in Doctors," *The Wall Street Journal*, Nov. 9, 2014.

⁴¹ Ernesto Londoño, "Cuban Doctors Revolt: 'You Get Tired of Being a Slave'," *The New York Times*, Sept. 29, 2017.

⁴² Paul Roderick Gregory, "Barack Obama Extols Cuba's Slave-Labor Medical Care," *Forbes*, Apr 5, 2016.

⁴³ Cases of medical negligence against Cuban doctors have been reported in some countries.

- b) Reviewing victim testimonies from visa applications for the CMPP program at U.S. embassies,⁴⁴ press reports (especially from countries hosting Cuban workers and in languages other than English), work contracts, NGO reports, etc.
 - c) Conducting interviews of victims of this form of trafficking in the health, education, technical construction, shipping, hospitality, and other fields. (Work in coordination with independent NGOs and groups is suggested to facilitate access to reluctant potential witnesses reluctant.)
 - d) Considering the context of Cuba's political and legal system including its legal framework most relevant to the reported form of trafficking.
2. Apply U.S. sanctions to private entities engaged in forced/compelled labor agreements with Cuba (from which Cuban state entities derive revenue), as per provisions of current U.S. laws regarding Cuba sanctions.
 3. Deny U.S. visas to Cuban government officials and other professionals linked to state institutions who seek to visit the U.S. to attend "educational" programs and/or commercial or other activities that in any way seek to promote this form of trafficking.
 4. Deny parole (admittance) to Cuban government officials and other representatives, former or current, who have engaged in or in any way directly promoted this form of trafficking or participated in controlling, repressing, silencing, or threatening its victims.
 5. Work within the international system to combat this form of trafficking and assist the victims:
 - a) Demand that international organizations of which the United States is a member refuse to fund arrangements with Cuban state entities that violate international law regarding fair payment and the guarantee of all labor and human rights of Cuban affected by this form of trafficking.
 - b) Require transparency from governments, international agencies, and private entities under U.S. jurisdiction in all their agreements with Cuban entities that hire Cuban workers.
 - c) Work with other governments to request review of the terms of all existing labor agreements with Cuba as well as agreements allocating public funding to support Cuba's "social missions," to make sure they uphold the rights of Cuban workers affected by this form of trafficking.
 - d) Link U.S. foreign assistance to recipient countries' compliance with international law in guaranteeing the rights of Cuban workers affected by this form of trafficking.
 - e) Promote awareness within the international system (UN, OAS, WHO, PAHO, ILO, etc.) to combat this form of trafficking and to promote labor rights for all Cubans.
 - f) Work bilaterally and multilaterally with certain countries to launch programs to directly hire – and retrain as necessary— Cuban health and other professionals who wish to remain overseas working independently.
 6. Consider relaunching the U.S. special visa program, CMPP – Cuban Medical Professional Parole program⁴⁵ (ended by the Obama Administration in January 2017) to expedite visa approvals for Cuban health professionals subjected to forced/compelled labor overseas:
 - a) Consider proposing measures or guidelines for executive discretion that would specifically instruct immigration authorities to parole (admit) Cuban health workers seeking entry into the U.S. from third countries who present suitable evidence of current compelled labor agreements (such as copies of the work contracts).

⁴⁴ Cuban Medical Professional Parole program had approved, since its beginnings in August 2006, to January 2016 7,117 applications. (Jeff Mason, Daniel Trotta, "U.S. considers ending program that lures Cuban doctors to defect," Washington/Havana, *Reuters*, Jan. 8, 2016.)

⁴⁵ Cuban Medical Professional Parole (CMPP) Program <<https://www.uscis.gov/humanitarian/humanitarian-parole/cuban-medical-professional-parole-cmpp-program>>

- b) Consider stricter vetting to preclude issuing admittance to agents of the Cuban government working in missions abroad.
 - c) Support doctors and nurses (with assistance, loans, etc.) once they arrive in their path to revalidate their titles (by studying English and for U.S. medical boards); consider issuing aid and loans in exchange for a commitment to work for a certain number of years in developing countries sponsored by the U.S. government or in U.S. locations with sparse doctor coverage.
7. Allocate U.S. government funds designated to combat trafficking to NGOs that investigate and combat trafficking in persons by Cuba. Their work could include:
- a) Researching and documenting this form of trafficking by Cuba.
 - b) Conducting international advocacy and educational initiatives to combat this form of trafficking as well as to protect victims.
 - c) Developing a list of guidelines or best practices to address and correct current abuses and guarantee the rights of Cuban workers working overseas.
 - d) Suggesting legal and ethical ways to maintain needed social services where these are most needed, such as those currently provided by Cuban workers in “medical missions.”
 - e) Establishing guidelines on confirming credentials for Cuban health workers and providing adequate legal protections to healthcare recipients in the host countries.
8. Issue a U.S. government guidance that refuses to hire for the U.S. diplomatic mission in Cuba workers from state-controlled agencies and insist on hiring and compensating them directly. Work with other governments to coordinate multilateral action to uphold the rights of Cuban workers in diplomatic missions and foreign entities in Cuba.

Addendum provided by Unión Patriótica de Cuba sent separately after the report had been submitted.

Addendum to Section III, “Events of the last Year,” Section B. “Trends in the past year,” and Subpara 5 “The “medical mission” in Brazil ended abruptly.”

On April 24, 2018, a public judgment in favor of Cuban doctor José Ramón Ramírez Espinosa, who wished to work in the *Mais Médicos* program independently of his contractual agreement with the Cuban state enterprise *Comercializadora de Servicios Médicos Cubanos, S.A.* (CSMC) and of PAHO’s intermediation.

Although Dr. Ramírez had established his legal residence in Brazil, the Federal Union of Brazil, the Republic of Cuba, and the Pan American Health Organization (PAHO) had opposed his continued independent participation in the *Mais Médicos* program alleging he was tied to his contractual responsibilities with CSMC.

Federal judge Marcio Luiz Coelho de Freitas’s ruling in favor of the defendant stated that forcing “the claimant to remain bound to the contract “which would equate to **a form of slave labor** which, clearly, cannot be admitted.” (Translation from Portuguese.) The ruling exposed the abusive clauses of the CSMC contract and the disadvantage terms of Dr. Ramírez’s agreement with respect to other doctors from third countries other than Cuba working in the *Mais Médicos* program.

See Annex 10, Judgment.