



Testimony for the Hearing on the Operation of the Agreement between the United States of America, the United Mexican States, and Canada
by Maria C. Werlau, Executive Director of Free Society Project / Cuba Archive

I respectfully request for this testimony to be considered for the public hearing regarding proposed amendments to Chapter 23 (Labor) of the United States–Mexico–Canada Agreement (USMCA), to be held December 3–5, 2025.

Since 2010, the non-profit organization I direct has been documenting and exposing a global state-run forced labor system operated by the Cuban government, often misrepresented as “internationalist cooperation.” This human trafficking business has been in place for over six decades but has grown considerably in the last twenty years. According to Cuba’s National Office of Statistics, it is the country’s largest official source of revenues. In 2023 (last year reported), Cuba reported \$4.4 billion from “health and human attention services” alone, and reported additional revenues separately from export services in other areas.

Our numerous publications on this unique brand of modern slavery are focused on the health workers exported in “medical missions” and available on our website CubaArchive.org. Our 31-page report [“Overview of Trafficking in Persons in Cuba’s Medical Brigades”](#) is extensively annotated and provides detail of the many labor and human rights violations committed against workers exported by Cuba to dozens of countries, which include systematic denial of even the most basic labor rights, restriction of movement and migration controls, withheld credentials, control, intimidation, and surveillance, unsafe and substandard living and work conditions, arbitrary restrictions, coercion to violate local laws and professional ethics, forced political duties, and numerous arbitrary restrictions and disciplinary measures.

The trafficking imposes wide-reaching human suffering to thousands of Cubans and their loved ones. Cuba currently reports around 26,000 health workers in 56 countries just in the health sector; an undetermined number of educators, sailors, scientists, construction workers, sports trainers, musicians, and others are also affected. Past victims number hundreds of thousands since the 1960s.

For many years, Cuba Archive has submitted detailed annual reports on this issue, written by me, to the US Department of State’s Office to Monitor and Combat Trafficking in Persons, the latest one in [February 2025](#). In 2024 our work was recognized with a U.S. Department of State’s Trafficking in Persons Hero Award and the Secretary of State highlighted the “Human Trafficking in Cuba’s Labor Export Program labor trafficking by Cuba” among selected “Topics of Special Interest” in the annual Trafficking in Persons Report, issued pursuant to the Trafficking in Persons Victims Act, a US law since 2000.

Two of the three state parties to the USMCA, Mexico and Canada, currently host Cuban “missions” in their territory. The Mexican government is party to a bilateral agreement with Cuba to import Cuban health workers, as acknowledged by Mexico’s president Claudia Sheinbaum; around 3,200 are currently spread over Mexican territory. The Canadian government, meanwhile, has granted political asylum to several dozen Cuban workers who have escaped their employment under coercive conditions at the Sherritt International refinery in Fort Saskatchewan, Alberta —a joint venture between Sherritt and the Cuban government. The refinery currently employs, and has employed for over three decades, five or six Cuban workers at any one time under Cuba’s trafficking scheme, as described in our report of August 25, 2025 titled “Cuba’s Human Trafficking Business in Canada: The Cuban ‘Mission’ to Sherritt’s Refinery in Alberta.” I have personally obtained direct testimony from several “deserters” of the Cuban missions in Mexico (doctors) and Canada (professionals not in the health field).

Forbidding the trafficking not only protects its direct victims, but also safeguards national security of the USMCA countries, as Cuban intelligence operatives are embedded within the missions to engage in surveillance and influence activities to bolster the Cuban dictatorship, weaken democracy, and destabilize the region.

The USMCA’s labor provisions *technically prohibit* forced labour, as Article 23.3 on labor rights addresses “the elimination of all forms of forced or compulsory labour.” Yet, it ties enforcement to adherence to each country’s domestic laws and ILO principles — not to trade measures or sanctions. Article 23.6 reads: “Each Party shall prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labour, including forced or compulsory child labour.” Enforcement, thus, applies only when forced labor can be shown to “affect trade or investment.”

To strengthen labor protections in the Agreement, the following is recommended:

1. Amend Article 23.6 (Forced or Compulsory Labour)

The current title: *Forced or Compulsory Labour*, should be amended to *Prohibition of Forced or Compulsory Labour in Goods and Services*.

The text should be revised as follows:

1. The Parties recognize the goal of eliminating all forms of forced or compulsory labour, including forced or compulsory child labour.
2. Accordingly, each Party shall prohibit within its territory and in its trade with the other Parties:
 - (a) the production, provision, or supply of goods or services in whole or in part by forced or compulsory labour, including forced or compulsory child labour; and
 - (b) the importation, exportation, or consumption of such goods or services.
3. Each Party shall adopt or maintain laws, regulations, and enforcement mechanisms to identify, investigate, and eliminate the use of forced or compulsory labour in the goods and services sectors.
4. The Parties shall cooperate through information exchange, technical assistance, and coordinated enforcement actions to prevent goods or services made or delivered with forced or compulsory labour from entering commerce within the territories of the Parties.

2. Amend Article 23.3 (Labor Rights)

Add a new paragraph (following 23.3 (c)):

(d) Each Party shall adopt and maintain in its statutes and regulations measures prohibiting the use of forced or compulsory labour in the performance of any service, whether public or private, commercial or non-commercial, including government-contracted services.

3. Clarify Enforceability under Chapter 31 (Dispute Settlement)

Add this interpretive note or annex: “For greater certainty, a Party’s failure to effectively prohibit or eliminate forced or compulsory labour in the production or provision of goods or services shall be presumed to affect trade or investment between the Parties for purposes of Article 31.4 (Scope of Dispute Settlement).”

4. Add a Side Letter (Implementation Cooperation)

The Parties recognize that the elimination of forced or compulsory labour in services requires coordination among labour, immigration, and trade authorities. To that effect, they shall exchange information, best practices, and capacity-building initiatives to identify, prevent, and remediate cases involving export workers subjected to coercive labor conditions by the Cuban State.

Thank you.