

Interim Report - Report No 404,

Case No 3271 (Cuba) - Complaint date: 21-DEC-16 - Active

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Allegations: The complainant organization alleges that lack of recognition, and harassment and persecution of independent trade unionists, involving acts of aggression, assaults and dismissals of independent trade unionists, and other acts of anti-union discrimination and interference by the public authorities

252. The Committee last examined this case (presented in December 2016) at its March 2022 meeting, when it presented an interim report to the Governing Body [see 397th Report, approved by the Governing Body at its 344th Session (March 2022), paras 332–364].

253. The complainant organization submitted new allegations in its communications dated 23 February, 1, 18 and 22 March, 11 April, 4, 29 and 30 September, 10, 14 and 24 October, 5 and 13 December 2022, and 9 and 23 February, 21 April, 28 May, 11 June, 20 July and 6 September 2023.

254. The Government submitted its observations in communications dated 2 and 17 March, 11 July, 24 and 26 August, 24 October, 16 November 2022, and 1 February, 2 March, 25 April, 5 and 12 October 2023.

A. Previous examination of the case

255. At its March 2022 meeting, the Committee made the following recommendations [see 397th Report, para. 364]:

(a) The Committee once again firmly urges the Government to ensure that the Independent Trade Union Association of Cuba (ASIC) is given recognition and that it can freely operate and carry out its trade union activities.

(b) The Committee once again strongly urges the Government to ensure that an investigation is made into all the allegations of acts of aggression and restrictions on public freedoms raised with respect to Mr Iván Hernández Carrillo, Mr Osvaldo Arcis Hernández, Mr Bárbaro Tejeda Sánchez, Mr Pavel Herrera Hernández, Mr Emilio Gottardi Gottardi, Mr Raúl Zerguera Borrell, Mr Reinaldo Cosano Alén, Mr Felipe Carrera Hernández, Mr Pedro Scull, Mr Lázaro Ricardo Pérez, Mr Hiosvani Pupo, Mr Daniel Perea García, Mr Dannery Gómez Galeto, Mr Willian Esmérito Cruz, Mr Roque Iván Martínez Beldarrain, Mr Yuvisley Roque Rajadel, Mr Yakdislania Hurtado Bicet, Mr Alejandro Sánchez Zaldívar, Mr Jefferson Ismael Polo Mezerene, Mr Ramón Zamora Rodríguez, Mr Yisan Zamora Ricardo, Mr Lisan Zamora Ricardo, Mr Ulises Rafael Hernández López, Mr Daniel Perea

García, Mr Humberto Bello Lafita, Ms Aimée de las Mercedes Cabrera Álvarez, Ms Ariadna Mena Rubio, Ms Hilda Aylin López Salazar, Ms Anairis Dania Mezerene Sánchez, Ms Consuelo Rodríguez Hernández and Ms Mailín Ricardo Góngora; and to provide the Committee with further detailed information on the outcome (copies of decisions or rulings) of any administrative or judicial proceedings instituted in relation to the above-mentioned allegations, and to include a copy of the conviction against Mr Humberto Bello Lafita. The Committee requests the Government to ensure that no workers are arrested for their trade union activities.

(c) The Committee also requests the Government to send its observations on the allegations by ASIC, contained in its communication dated 6 December 2021, and ensure that an investigation is conducted into the allegations of acts of aggression and restrictions on public freedoms made in the above-mentioned communications.

(d) Regarding the alleged restrictions on the capacity of ASIC members to participate in international activities related to their trade union work, the Committee reminds the Government that it must not restrict the right of ASIC officials and members to organize and freely exercise their trade union activities, including when these activities are conducted outside the country, or when they involve participation in international online forums.

(e) The Committee firmly urges the Government to fully ensure that ASIC officials have the freedom of movement in the national territory to carry out their trade union activities without Government interference.

(f) With regard to the alleged anti-union dismissals, the Committee requests the Government to send a copy of the outcome of the investigations into the dismissals of Mr Kelvin Vega Rizo and Mr Pavel Herrera. The Committee also urges the Government to investigate and send its observations on the new allegations of the anti-union dismissals of Mr Ismael Valentín Castro and Ms Dania Noriega, contained in the communication from ASIC dated 7 April 2021.

(g) Given the lack of information in some instances and the lack of progress in others, the Committee invites the Government to accept a direct contacts mission to gather further information, facilitate dialogue between the parties and encourage the application of its recommendations.

B. The complainant's new allegations

256. In its communications, the complainant provides new information on the specific violations of public freedoms of ASIC union officials and members.

257. The complainant alleges, firstly, that 116 workers, 55 of which are employed by the State and 61 are self-employed, remain in prison, some of whom have already received heavy sentences, after having taken part in the peaceful social protests of 11 and 12 July 2021. The list of 116 workers was drawn up by ASIC and its officials, including the provincial secretary of Holguín, Mr Ramón Zamora Rodríguez, who had received threats for publishing it. The complainant indicates in this regard that many international bodies have spoken out against the violations committed by the State on those days, including the High Representative of the European Union for Foreign Affairs. The complainant alleges, in addition, that two ASIC members, Mr Yunier Herrera Rodríguez and Mr Humberto Bello Laffita, were arrested [in April 2022] after taking part in the 2021 peaceful demonstrations. It alleges in this respect that: (i) Mr Yunier Herrera Rodríguez was violently arrested on 12 July 2021, after peacefully demonstrating to reclaim the trade union rights constantly being violated by the regime. During the arrest, he was violently beaten, during which he lost a number of teeth. In prison, he is being bullied by prison guards who are trying to subjugate him; (ii) Mr Humberto Bello Laffita was arrested after responding to the peaceful call to demonstrate on 15 November 2021. He was sentenced to a one-year prison term for the alleged offence of “spreading an epidemic“. He is being held in prison “1580“ in the San Miguel del Padrón district in Havana, kept in isolation in a punishment cell without electricity or drinking water (communication dated 11 April 2022).

258. In numerous communications, the complainant alleges that ASIC members and officials are constantly subjected to threats

and to frequent brief but arbitrary and intimidating arrests by state security agencies. It alleges specifically that:

On 19 February 2022, the trade union activist, Mr Juan Alberto de la Nuez Ramírez, and brother of the independent ASIC member Mr Bárbaro de la Nuez Ramírez, was arrested in Cienfuegos province while returning from a visit to the city of Colón in Matanzas province. Mr Juan Alberto de la Nuez Ramírez was taken in a police car to the provincial unit's technical investigations department of the Departamento de Seguridad del Estado (DSE) (Department of State Security) in the city of Cienfuegos, where he was interrogated for four hours by an official of the secret political police about his visit to Matanzas province and his meeting with the ASIC general secretary. During the interrogation, the official accused him of "mercenary activity", allegedly for receiving funds from a foreign power for the purpose of "subverting internal order". He warned him that, in addition to the fact that no trade unionist will be allowed to travel from one province to another for work meetings and that, with the new Criminal Code, any persons who accept financial assistance from abroad, including mobile phone top-ups, will be imprisoned (communication dated 23 February 2022).

Mr Leonardo Hernández Camejo, an activist affiliated to ASIC's Havana provincial secretariat, was stopped in the early hours of 16 March 2022 by a police car as he was leaving his home in the capital's Centro Habana municipality and arbitrarily arrested. He was taken to the Zanja police unit in the same municipality, where he was placed in a cell and interrogated by a DSE agent about his trade union activities. He was released the same day after 7 p.m. and issued serious threats and warnings (communication dated 22 March 2022). He was also threatened by the police during a subsequent interrogation in August 2023 (communication dated 6 September 2023).

On 22 February 2022, three state security agents arrested ASIC's general secretary in Holguín province, Mr Ramón Zamora Ricardo Rodríguez, at his home and took him to the criminal prosecution unit in Pedernales, where they issued him with a warning for his posts on social media networks, warning him that if he continued, he would be prosecuted for the offences of "enemy propaganda" and "dissemination of fake news". Mr Ramón Zamora Ricardo Rodríguez, his two sons Yisan Zamora Ricardo (ASIC youth secretary) and Lisan Zamora Ricardo, and his wife, Ms Mailín Ricardo, were victims of fresh attacks on 5 October 2022. They were arrested after demonstrating peacefully the previous day in front of their home, banging pots and pans to protest against the continuous and prolonged power cuts, in a simultaneous demonstration with neighbours in the area. Department of State Security agents raided the home of Mr Ramón Zamora Ricardo Rodríguez, seizing all telephones, computer equipment and printed trade union training material, as well as documents relating to his responsibilities as ASIC's national trade union leader. The family was subsequently transferred to the centre for criminal and police investigations in Holguín province for public order offences. The wife was released the same night, and the other family members four days later, without any explanation and with total disregard for their human and procedural rights (communications dated 10 and 14 October 2022).

On Sunday 16 October 2022, ASIC provincial secretary, Mr Ibán Guerra Hernández, and his wife, Ms Kety Martínez, were summoned to the police unit in the municipality of Santa Cruz del Norte, Mayabeque province. During the interrogation by a DSE agent, the latter threatened the trade unionist with imprisonment and gave him a warning. In the case of his wife, who is not an ASIC member, the police officer interrogated her separately and warned her that her husband would go to prison for his activism and especially for his comments on social media (communication dated 24 October 2022).

Also subjected to threats from DSE agents, in the province of Cienfuegos in November 2022, were ASIC national executive member, Mr Carlos Roberto Reyes (a victim of similar threats on other occasions), and ASIC representative in the aforementioned province, Ms Consuelo Rodríguez Hernández, and her husband Mr Lázaro Roberto Aguiar Mendoza (who were subjected to harassment in the street and threats at work). A DSE agent took the opportunity to send an intimidating message through Mr Lázaro Roberto Aguiar Mendoza to Mr Carlos Roberto Reyes Consuegras, ASIC executive member, to stop him from continuing to register complaints and send them to ASIC's general secretary, Mr Iván Hernández Carrillo (communication dated 5 December 2022).

On 9 December 2022, trade unionists Mr Lázaro Roberto Aguiar Mendoza and Mr Carlos Roberto Reyes Consuegras were arrested in the municipality of Cruces. After agents of the National Revolutionary Police and an unidentified DSE agent searched their belongings, they were warned that they could not leave the municipality of Cruces until after 10 December. On that date, ASIC provincial secretary, Ms Yorsi Kelin Sánchez Perdigón, was arrested at her home in Sancti Spíritus and taken to the police unit in the city, where she was detained for three days. According to relatives, the arrest followed a call for a national strike. On the same day, several trade unionists were kept under house arrest and not allowed to leave: in the municipality of Caibarién, Mr Ismael Castro Valentín and Ms Dania Marité Noriega Castriz; in Havana, trade union journalist Ms Yunia Figueredo Cruz; in the municipality of Cruces, Mr Carlos Reyes Consuegras; and in Colón, Mr Iván Hernández Carrillo, ASIC general secretary, was kept under close guard in and around his home. On 8 December 2022, another ASIC member, Mr Yolsdan Armenteros Vázquez, was summoned to the 3rd police unit in Santa Clara, where he was threatened with conviction under the new Criminal Code – which increases the number of crimes that carry life imprisonment and the death penalty – if he continued to post news on social media (communication dated 13 December 2022).

Seven ASIC activists and officials were arrested in early February 2023: activists Mr Luis Orlando León Randich, Mr Ulises González, Mr Leonardo Hernández Camejo, Ms Yaquelin Dalis Caballero, Mr Felipe Carrera Hernández, as well as provincial secretaries Mr Reinaldo Cosano Alén and Mr Emilio Gottardi Gottardi, who had previously been briefly arrested on 24 February 2022 by a police unit while on his way to the home of an opposition activist in the Santo Suárez neighbourhood (communication dated 1 March 2022). During the arrests, in addition to the persistent threats of judicial sanctions and the attempt to implicate general secretary Mr Iván Hernández Carrillo in an offence, an accusation of a heinous crime was recorded for the first time: DSE agents told the detainees that there was a “suspicion“ that ASIC members might be involved in the “poisoning of the water in los círculos infantiles [children’s day-care centres]“, which, according to the agents, was under investigation (communication dated 9 February 2023). Furthermore, during interrogations on 7 February, the DSE agents added the serious accusation that they considered ASIC to be “a terrorist organization” (communication dated 23 February 2023).

ASIC general secretary, Mr Iván Hernández Carrillo, is particularly targeted by threats. The complainant recalls that he was one of the 75 prisoners of the “Black Spring” of March 2003, sentenced to an arbitrary and excessive 25-year prison term, of which he served eight years and six months. In 2011 he was granted a licencia extrapenal [parole], meaning that the sentence still hangs over him and he could be sent to prison to serve the remainder of his sentence without any judicial proceedings (communications dated 4 September 2022 and 9 February 2023). On Tuesday, 21 February 2023, he was arrested as he left the El Focsa building in Havana, together with another independent trade unionist, Ms Maybell Padilla Pérez, and was taken away in a police car. Around 20 officers from the political and national police took part in the operation led by two DSE agents. The reason for his arrest centred on the ban on visiting Havana. Mr Iván Hernández Carrillo was kept locked in a patrol car for four hours, with the outside temperature at 32 degrees Celsius, before being taken to an interrogation office, where he was stripped completely naked in order to humiliate him. During the interrogation, in addition to the persistent threats of judicial sanctions and that his parole would be revoked, he was also banned from visiting the capital so as to prevent him from carrying out his trade union work (communication dated 23 February 2023). The political police officers who interrogated him behaved aggressively and violently throughout. The other trade unionist also suffered the same consequences.

On 14 April 2023, the independent trade unionists Mr Leonardo Hernández Camejo and Mr Luis Orlando León Randich were interrogated by DSE agents about their work, as well as, in the same police station in Centro Habana, ASIC provincial secretary Mr Emilio Gottardi Gottardi. On the same day, in a police unit in the municipality of Habana Vieja, independent trade unionist Ms Yaquelin Sánchez Batista was also interrogated about her trade union work. The aforementioned events are yet another example of the continued repressive actions of Ministry of the Interior institutions to prevent the normal development of the organization’s trade union activities, and show that the aim of the escalation of repression is, as the officials of this institution have stated, “to dismantle ASIC and make it disappear“ (communication dated 21 April 2023).

Independent trade unionists Mr Emilio Gottardi Gottardi and Mr Charles Rodríguez were subjected to unlawful and arbitrary

treatment by the political police on their return to the island after attending international events on defending human and labour rights in Panama City in the space of a week. On 20 May 2023, at around 10.15 p.m., on arrival in Havana, from the flight from Panama City, the trade unionists were subjected to an arbitrary search of their luggage and to a “conversation“ with the political police – in reality an interrogation – about their trade union activities, the names of the leaders with whom they had met and the main issues they had discussed. This unlawful procedure lasted around three hours between the search and the detention, so that they remained at the airport until 1.30 a.m., being the last passengers to leave the airport (communication dated 28 May 2023).

On the occasion of the commemoration of the second anniversary of the mass protests that shook the country on 11 July 2021, in order to pre-empt potential peaceful protests, in the days leading up to the date the regime arrested, threatened and interrogated a dozen independent trade unionists, Mr Alexis Gómez Rodríguez, Mr Carlos Javier Gómez Guevara, Mr Rodolfo Aparicio Alemán, ASIC provincial secretary Mr Emilio Gottardi Gottardi, and general secretary Mr Iván Hernández Carrillo. Similarly, the homes of several ASIC activists were kept under surveillance by DSE agents: the homes of provincial secretary Mr Liván Monteagudo Rivero, independent trade unionists Ms Yunia Figueredo Cruz, Ms Yaquelin Daly Caballero, Mr Ulises González Moreno and Mr Emilio Gottardi Gottardi remained under siege throughout the day by police or DSE agents in civilian clothes (communication dated 20 July 2023).

259. The complainant once again alleges that the harassment also includes a travel ban. Thus, on 18 March 2022, ASIC’s deputy general secretary, Mr Alejandro Sánchez Zaldívar, was refused a passport and notified of a ban on travel outside the country. This action is due to the fact that Alejandro visited the ILO headquarters for the 107th Session of the International Labour Conference, where he denounced the anti-union practices of the Cuban regime. Since then, he has been banned from leaving the national territory, making it impossible for him to attend international events, including seminars, trade union congresses and events held in support of Cuban workers (communication dated 18 March 2022).

260. Lastly, the complainant alleges that the authorities continue to use the new repressive weapon of cutting off communications. Thus, on 22 September 2022, trade union and civil society organizations from several countries in the Americas met in the city of San José, Costa Rica, for the regional forum on solidarity with Cuban workers. The virtual participation of ASIC leaders was planned. However, the internet connections were individually and selectively cut off to prevent their participation (communications dated 29 and 30 September 2022).

C. The Government’s reply

261. As regards recommendation (a) of the Committee’s last report (recognition and free operation of ASIC), the Government once again states, in its communication dated 24 October 2022, that: (i) the members of the organization that calls itself ASIC are neither workers nor employers; they do not belong to any labour collective and therefore have not been elected or appointed by the members as trade union representatives; they do not have the objective of promoting or defending workers’ interests, nor do they have the genuine support of the membership or any labour collective; and (ii) its supposed members answer to a foreign government, which provides them with funds in the political aim of subverting the internal order legitimately established by the Cuban people. The complainants operate under the agendas of the International Group for Corporate Social Responsibility in Cuba and the American organization National Endowment for Democracy to engage in internal subversion that constitutes an affront to the purposes and principles of the Charter of the United Nations and international law, particularly the principles of sovereignty, self-determination and non-interference in internal affairs.

262. Regarding recommendation (b) (investigations into the allegations of acts of aggression and restrictions on public freedoms with respect to certain union activists and officials), the Government indicates in its communication dated 24 October 2022 that: (i) as undertaken each time a communication is received from the ILO or another United Nations mechanism, an investigative action plan was devised and implemented immediately, coordinated by different entities and using the necessary measures and established

procedures, in order to verify each of the allegations against the individuals mentioned in the recommendation; and (ii) action taken included: searches in Ministry of the Interior automated records used for monitoring detained persons and other persons prosecuted in connection with alleged criminal acts; use of data intelligence procedures to establish the identity of persons; consultation of databases of bodies such as the Ministry of Justice; locating persons in places of residence; and interviews. The investigations involved heads and specialists from different bodies of the Ministry of the Interior, the General Prosecutor's Office, the People's Supreme Court and the Ministry of Labour and Social Security. The Government reiterates that: (i) none of the persons arrested were genuine trade unionists, let alone trade union leaders; (ii) none of them were tried or sentenced for any act or activity relating to the defence of workers' interests and, less still, with the exercise of trade union freedoms; (iii) the criminal proceedings brought against these individuals were in response to activities constituting offences provided for and sanctioned under the Cuban Criminal Code in force at the time; and (iv) the Cuban legal system, in particular the Constitution, protects and respects the guarantees of due process. Trials are public, oral and adversarial and in accordance with criminal procedural law, and final rulings are communicated to the public prosecutor and the accused person or his or her counsel, who are also provided with a copy. Each of the complainants could provide the Committee with these rulings, if they really have an interest in having them reviewed by the Committee.

263. While considering that sufficient information has been provided to refute the reported allegations of attacks, harassment, disrespect for freedoms and restrictions against these persons, the Government indicates that: (i) some of the citizens mentioned in recommendation (b) no longer reside in the national territory. One of their main objectives in engaging in activities against the Cuban constitutional order has been precisely to obtain the corresponding "endorsement" in order to be able to emigrate and more easily obtain immigration status to reside in the United States of America in particular; and (ii) investigations have shown on several occasions that some of these persons have never been subjected to police or any other type of action. They simply fabricate unsubstantiated allegations that the Government is then required to respond to and prove to be false, when they did not even occur. In its communication dated 24 October 2022, the Government reports on each of the individuals mentioned in recommendation (b):

(1) Mr Iván Hernández Carrillo: The Committee has been informed on several occasions that this person has no employment relationship and that he has engaged in making false accusations to the ILO supervisory bodies in order to denigrate the country's record on labour and trade union rights. It has been reported on numerous occasions that this citizen has been granted parole and is currently serving the remainder of his sentence in freedom, which ends in the first half of 2028. This means that, under existing criminal legislation in the country, he must comply with certain obligations imposed by law.

(2) Mr Osvaldo Arcis Hernández: The investigation reiterated that he had been declared "unfit to work" by the Expert Occupational Medical Examination Commission owing to his schizophrenia. His social and moral behaviour is despised by society and he lacks any support in his community.

(3) Mr Bárbaro Tejeda Sánchez: He displays appalling social behaviour and has been prosecuted on 12 occasions for the offences of theft, leaving the national territory illegally, public disorder, making threats, speculation, hoarding and handling stolen goods. He left Cuba for Nicaragua in 2019 and has not returned.

(4) Mr Pedro Scull: He has had no employment relationship and no links to ASIC since 2016. It has been reported that this person died in 2020.

(5) Mr Felipe Carrera Hernández: His activities have been aimed at seeking financial gain, with no credibility in his area of operation. No police action has been taken against him. Since 2017, he has made five trips abroad, three to Panama and two to Colombia.

(6) Ms Ariadna Mena: She has no relationship with ASIC, from which she was separated due to conflicts with Mr Iván Hernández Carrillo, who expelled her from the organization. Since 2015, she has made eight trips abroad, including three to

Colombia, two to Panama, two to Peru and one to France. On 21 June 2022, she left the country for Guyana, to make the journey to settle permanently in the United States. No police action was ever taken against her.

(7) Ms Hilda Aylín López Salazar: She has been living abroad since 21 April 2017. Between 2015 and 2017 she made four trips abroad, three to Panama and one to the United States.

(8) Mr Pavel Herrera Hernández: He has been living abroad since 18 June 2016 and was previously the subject of a criminal prosecution for the offence of theft.

(9) Mr Emilio Gottardi Gottardi: Several allegations have been received by the Committee about this citizen, which have been answered after the corresponding investigations.

(10) Mr Raúl Domingo Zerguera Borren: He has not been subjected to measures of any kind, nor has any regulation been imposed on his movements outside the territory. He has complete freedom of movement, precisely because he works as a taxi driver. He is not linked to ASIC at the moment, as he is focused on his arrangements for leaving the country, as he was accepted in the “visa lottery” of the United States embassy.

(11) Mr Reinaldo Cosano Alén: He is unemployed due to his advanced age. No police action has been taken against him. From 2015 to date he has made three trips to Panama and two to Colombia.

(12) Mr Lázaro Ricardo Pérez: Since 2015, he has made ten trips to Colombia and Mexico, three to Panama and five to the United States. Since 2019 he has lived in the United States with his family.

(13) Mr Hiosvani Pupo: He currently resides outside Cuba. During his stay in the country, he worked as a bicycle taxi driver in the municipalities of Centro Habana and Habana Vieja, illegally and without applying for the required licence.

(14) Mr Daniel Perea García: On 5 August 2019 he was charged with the offence of receiving and selling electrical transformer oil. He currently has no links with ASIC. He has not been subjected to threats or harassment.

(15) Mr Yisan Zamora Ricardo: He was arrested on 25 July 2021, charged with the offence of public disorder for holding demonstrations obstructing the public highway. After 72 hours, he was released, with no other charges against him.

(16) Mr Willian Cruz Delgado: He has an extensive criminal record, which has been previously reported to the Committee. Between 2004 and 2018 he was sanctioned for the offences of assault, making threats, contempt of court and public disorder. On 24 August 2019, he was fined for contravening the provisions of Decree Law No. 141/88 and failing to carry with him his personal identification papers. Between 2015 and 2021, he was reported on four occasions for less serious injury, contempt and public disorder; he was also taken on nine occasions to a National Revolutionary Police station for engaging in the illicit sale of goods and foreign currency. It was ascertained that this person has never been prosecuted for exercising his labour or trade union rights.

(17) Mr Yuvisley Roque Rajadel: He now resides permanently abroad. During his stay in the country he remained unemployed.

(18) Ms Yadislandia Hurtado Bicot: She is not linked to any trade union association in Cuba, nor is she linked to ASIC. The link that has been established is related to the support she receives from Mr Iván Hernández Carrillo, for personal interests that are unrelated to labour or trade union matters.

(19) Mr Dannery Gómez Galetto: He now resides permanently abroad. During his stay in the country he remained unemployed.

(20) Mr Roque Iván Martínez Beldarraín: This is a person with a long criminal record, which has already been reported to the Committee. He was dismissed from the Port of Cienfuegos due to repeated indiscipline associated with unjustified absences, lateness, mistreatment and disrespect towards co-workers and superiors, for which he was repeatedly summoned by members

of his trade union branch and workplace management, who then terminated his contract in accordance with the established procedures.

(21) Mr Alejandro Sánchez Zaldívar: This person has no employment relationships. Investigations have shown that there is no record of any police action or complaint against him in 2021.

(22) Mr Jefferson Ismael Polo Mezerene: He has no links to ASIC. He and his mother, Ms Anairis Dania Mezerene, were arrested and taken to the national police unit in Holguín at 5.30 p.m. on 11 July 2021 for a breach of public order during disturbances on that day. Polo Mezerene was held there for 72 hours and subsequently released with an administrative fine.

(23) Mr Ramón Zamora Rodríguez and Mr Yisan Zamora Ricardo: Information on these two citizens has been sent to the Committee in the past following relevant investigations.

(24) Mr Lisan Zamora Ricardo: No police action has been taken against him, let alone any kind of harassment.

(25) Mr Ulises Rafael Hernández López: This is a person who displays anti-social behaviour, with three official warnings issued for such behaviour, for not looking after his children and for breach of public order.

(26) Mr Humberto José Bello Laffita: Detailed information on this person was sent to the Committee in response to two communications received during the period.

(27) Ms Aimée de las Mercedes Cabrera Álvarez: No police action has been taken against this citizen. Between 2015 and 2019 it is recorded that she made four trips abroad, three of them to Panama and one to the United States. She has no employment relationship.

(28) Ms Consuelo Rodríguez Hernández: No police action has been taken against this citizen.

(29) Ms Maílín Ricardo Góngora: No police action has been taken against this citizen either. As far as is known, she has no links with any trade union group or with ASIC.

264. Regarding recommendation (c) (conducting an investigation into the allegations of acts of aggression and restrictions on public freedoms raised in the communication dated 6 December 2021, namely concerning Mr Iván Hernández Carrillo, ASIC general secretary), the Government refers to the information that it provided relating to recommendation (b).

265. With regard to recommendation (d) (alleged restrictions imposed on the capacity of ASIC members to participate in international activities in connection with their trade union work), the Government reiterates in its communication dated 24 October 2022 that in Cuba the right of every person to leave the country and return from abroad is protected and guaranteed. Current migration legislation determines the grounds on which the authorities may restrict the right of a person to leave the country and this is regulated clearly and precisely in article 25 of Decree Law No. 302 of 2012, amending Act No. 1312 of 1976, the “Migration Act”. This power is exercised in a non-arbitrary manner, in accordance with the law and respecting the guarantees provided. The Government reiterates that the restriction of access to virtual platforms is related to technical obsolescence resulting from the policy of sanctions imposed by the United States’ Government on Cuba (communication dated 2 March 2023). Attempting to use the argument of the impossibility of participating in a virtual forum through a platform prohibited in Cuba, holding the Cuban Government responsible and not the Government imposing such restrictions, demonstrates the complainants’ real objective.

266. With reference to recommendation (e) (restrictions on the freedom of movement of ASIC officials in national territory), the Government reiterates that the alleged restrictions by the national authorities are false.

267. Regarding recommendation (f) (alleged anti-union dismissals), the Government provides information on the situation of Mr

Ismael Valentín Castro and Ms Dania Marité Noriega Castriz, stating that the complainants are untruthful when they allege that the dismissals of Mr Ismael Valentín Castro and Ms Dania Noriega Castriz are politically motivated in connection with their apparent “trade union activism“. However, Cuba's willingness to cooperate with the ILO supervisory bodies led to a thorough investigation resulting in clarification of the true nature of the facts: in the context of the COVID-19 pandemic, isolation centres were created, such as in the province of Villa Clara, where the “Brisas del Mar” basic business unit for accommodation and catering services was set up in the municipality of Caibarién. In the aforementioned entity, violations of the prices established for the products on offer were detected, for which disciplinary measures and financial sanctions were applied against all those responsible. In the case of Ms Dania Noriega Castriz, she was fined under article 7(h) of Decree No. 30 “On personal offences, sanctions, measures and procedures to be applied for the violation of the rules governing the pricing and tariff policy“ of the Council of Ministers of 28 January 2021. The corresponding inspection report of the Integral Supervision Directorate states the reasons why these sanctions were applied. As a result of this measure, her husband, Mr Ismael Castro Valentín, voluntarily asked to be relieved of his position in the enterprise (communications dated 17 March and 24 October 2022).

268. With regard to recommendation (g) (proposed direct contacts mission), the Government reports that it is still considering the proposed direct contacts mission.

269. In its communications, the Government rejects ASIC's new allegations and reiterates that the complainants are not trade unionists and are not acting independently. It reiterates that they are persons funded by foreign governments, with the aim of presenting themselves as independent trade union activists, inventing violations of workers' rights by the Government and denouncing them without evidence. The Government reiterates once again in this regard that Mr Iván Hernández Carrillo is a Cuban citizen with no employment relationship, who has engaged in making false accusations to the ILO supervisory bodies in order to denigrate the country's record on labour and trade union rights (communications dated 11 July and 24 October 2022, and 5 October 2023).

270. The Government once again stresses that the Cuban authorities, including the security and law enforcement agencies and their officers, must adhere strictly to the law and are in no circumstances permitted to threaten or intimidate citizens; should such acts occur, there are mechanisms to report them and to adopt the necessary internal disciplinary and criminal measures.

271. With regard to the facts and persons mentioned in the new allegations, the Government reports the following, in its communications of 24 and 26 August 2022, and 25 April, 5 and 12 October 2023: (i) Mr Juan Alberto de la Nuez Ramírez: it is false to claim that he was arrested on 19 February 2022. There is no evidence in any police record of this citizen having been arrested, let alone detained in a Ministry of the Interior facility; (ii) Mr Ramón Zamora Rodríguez: neither he, nor his children or wife, have been victims of threats, persecution or harassment, but rather they committed acts designated as breaches of public order (communication dated 1 February 2023); (iii) Mr Emilio Gottardi Gottardi: on 24 February 2022, he was fined 150 Cuban pesos under Decree Law No. 141(h) for attempting to breach a security measure on the public highway. There is no evidence of any other action against this person; (iv) Mr Alejandro Sánchez Zaldívar: he has had no employment relationship since 2013, he is neither a leader nor representative of any trade union organization and there is no evidence of police surveillance against him; (v) Mr Leonardo Hernández Camejo: relevant investigations were carried out and no link to ASIC was established in respect of this citizen. However, it was known that this was a person with numerous previous convictions. There is no evidence in any police records that any action was taken to detain him on 16 March 2022 or on 14 April 2023, as indicated in the allegations; (vi) Mr Humberto Bello Laffita: following investigations, it has been established that this citizen has had no links to ASIC. This person was the subject of sanctions in November 2021 for failing to comply with the measures ordered by the health authorities to curb the COVID-19 pandemic. He was the subject of a criminal prosecution in Case No. 174/21, acknowledging his responsibility for the acts for which he was charged. The trial was held with all the guarantees established by criminal law and, at the time of sentencing, the court took into account the previous conduct of the accused who had been prosecuted for the offences of illegal currency trafficking, theft, contempt and resistance. He was also officially warned about conduct likely to encourage prostitution. It is false to claim that he is in solitary confinement. Mr Humberto Bello Laffita enjoys the conditions required for Cuban prisons, including the “1580 “ facility

where he is serving his sentence. He has electricity, water and the possibility of making telephone calls and receiving visits from family members; (vii) Mr Yunier Herrera Rodríguez: it is false to state that he was arrested for peacefully claiming trade union rights. He was arrested when found inebriated on the public highway shouting abusive phrases, totally unrelated to labour or trade union matters; (viii) lastly the Government denies the allegations that seven ASIC activists and officials were arrested in early February 2023 and rejects the allegations of interrogation or detention concerning Luis Orlando León Randich and Yaquelin Sánchez Batista.

272. With regard to the disturbances that occurred on 11 July 2021, referred to in the allegation letter, the Government indicates, in its communication dated 26 October 2022, that: (i) peace was disturbed for the deliberate purpose of subverting the constitutional order. There was a very serious incitement to violence in the country, causing injuries and endangering collective security and the lives of citizens, officials and law enforcement officers. Property and facilities were damaged and destroyed; (ii) no one was arrested or punished for exercising their constitutionally recognized rights, including their labour and trade union rights; and (iii) the ILO complaints mechanism cannot be used to settle issues unrelated to alleged violations of freedom of association. There is an attempt to make people believe that there is a “wave of repression“ in the country against alleged independent trade unionists, which is doubly false, given that there is neither repression nor are the persons mentioned in the allegation submitted trade unionists.

273. The Government indicates that, since the receipt of the communication of 11 April 2022, a thorough investigation has been conducted into the list of persons submitted as an annex. There is no evidence of the dissemination of this alleged list of workers, let alone that anyone has been threatened because of it or because it was drawn up. In particular, the alleged threats to Mr Ramón Zamora Rodríguez have not been proven.

D. The Committee’s conclusions

274. The Committee recalls that this complaint concerns several allegations of acts of aggression, harassment, persecution, arrests, assault and restrictions on the free movement of trade union officials and members while carrying out their functions by state security forces. The complainant also denounces its non-recognition by the Government.

275. As regards recommendation (a) (recognition and free operation of ASIC), the Committee notes that the Government once again stresses that: (i) ASIC is not a trade union organization; ASIC members do not have employment relationships, do not belong to any labour collective and therefore have not been elected or appointed by the members as trade union representatives; they do not have the objective of promoting or defending workers’ interests, nor do they have the genuine support of the membership or any labour collective; and (ii) its supposed members answer to a foreign government, which provides them with funds in the political aim of subverting the legitimately established internal order.

276. In this regard, the Committee firstly recalls that, for several decades, it has been examining allegations of non-recognition and interference by the Government in the free operation of trade union organizations not affiliated to the Confederation of Workers of Cuba [see Cases Nos 1198, 1628, 1805, 1961 and 2258 of the Committee on Freedom of Association]. The Committee also recalls that the right to official recognition through legal registration is an essential facet of the right to organize since this is the first step that workers’ or employers’ organizations must take in order to be able to function efficiently, and represent their members adequately; and a long registration procedure constitutes a serious obstacle to the establishment of organizations and amounts to a denial of the right of workers to establish organizations without previous authorization. It further recalls that freedom of association implies the right of workers and employers to elect their representatives in full freedom and to organize their administration and activities without any interference by the public authorities [see Compilation of decisions of the Committee on Freedom of Association, sixth edition, 2018, paras 449, 463 and 666]. Considering that, according to the information provided by the complainant, some trade union members and officials mentioned in the complaint were self-employed workers, and that others had been dismissed for anti-union reasons, the Committee secondly recalls that that the criterion for determining the persons covered

by the right to organize is not based on the existence of an employment relationship. Workers who do not have employment contracts should have the right to form the organizations of their choosing if they so wish [see Compilation, para. 330]. The Committee reiterates that in its initial examination of this case, it had noted that ASIC, in its founding declaration of principles, advocates trade union autonomy in the framework of the rule of law, aims to promote full compliance with ILO international labour standards and proclaims that it will not compromise or associate itself with party-political activities. In its union constitution, ASIC states that its key objectives include grouping together independent trade unions and reporting violations of international labour standards. Moreover, ASIC members' duties as set out in the union constitution include defending workers' claims and benefits. It is in this context that the Committee observes that the elements of ASIC's declaration of principles and union constitution fall within the scope of action and definition of a workers' organization. The Committee can only regret that there has been no progress since its last examination of this case and therefore once again refers to its previous conclusions and once more strongly urges the Government to ensure that ASIC is given recognition, and that it can freely operate and carry out its trade union activities.

277. Regarding recommendation (b) (investigations into the allegations of acts of aggression and restrictions on public freedoms with respect to certain union activists and officials), the Committee notes that the Government, in its communication dated 24 October 2022, provides information about the members identified in the said recommendation, indicating or reiterating that the persons in question: (i) do not have, or have not had, employment relationships (Mr Iván Hernández Carrillo, Ms Ariadna Mena, Mr Raúl Domingo Zerguera Borren, Mr Reinaldo Cosano Alén, Mr Daniel Perea García, Mr Yuvisley Roque Rajadel, Ms Yadislandia Hurtado Bicet, Mr Dannery Gómez Galeto, Mr Alejandro Sánchez Zaldívar, Mr Jefferson Ismael Polo Mezerene); (ii) continue to engage in inappropriate social behaviour and/or have committed offences, including public order offences (Mr Osvaldo Arcis Hernández, Mr Bárbaro Tejeda Sánchez, Mr Felipe Carrera Hernández, Mr Pavel Herrera Hernández, Mr Daniel Perea García, Mr Yisan Zamora Ricardo, Mr Willian Cruz Delgado, Mr Roque Iván Martínez Baldarraín, Mr Jefferson Ismael Polo Mezerene, Ms Anairis Dania Mezerene, Mr Ulises Rafael Hernández López); (iii) have never been subject to police action, such as arrests, ill treatment and isolation, or any other kind of action such as travel restrictions (Mr Felipe Carrera Hernández, Mr Raúl Domingo Zerguera Borren, Mr Reinaldo Cosano Alén, Mr Daniel Perea García, Mr Lisan Zamora Ricardo, Ms Aimée de las Mercedes Cabrera Álvarez, Ms Consuelo Rodríguez Hernández, Ms Mailín Ricardo Góngora); (iv) reside overseas (Ms Hilda Aylin López Salazar, Mr Pave Herrera Hernández, Mr Lázaro Ricardo Pérez, Mr Hiosvani Pupo, Mr Yuvisley Roque Rajadel, Mr Dannery Gómez Galeto, Ms Aimée de las Mercedes Cabrera Álvarez); (v) have died (Mr Pedro Scull); and/or (vi) have already been subject to comments by the Government (Mr Iván Hernández Carrillo, Mr Emilio Gottardi Gottardi, Mr Willian Cruz Delgado, Mr Ramón Zamora Rodríguez, Mr Yisan Zamora Ricardo, Mr Humberto José Bello Laffita).

278. While taking due note of the Government's reply, the Committee cannot fail to observe the numerous additional allegations made by the complainant regarding the commission of new acts of anti-union discrimination, in particular arbitrary arrests, threats of deprivation of liberty and various acts of harassment against ASIC members and officials. The Committee notes that ASIC even reports intensified repression by state security agencies against its union officials and activists, with the declared objective of putting an end to ASIC.

279. The Committee notes in this respect that, in the numerous communications received since its last examination of the present case, the complainant alleges that ASIC members and officials are constantly subjected to threats and to frequent brief but arbitrary and intimidating arrests by state security agencies, including: the trade union activist Mr Juan Alberto de la Nuez Ramírez; the activist Mr Leonardo Hernández Camejo; ASIC general secretary in the province of Holguín and his family; ASIC provincial secretary, Mr Ibán Guerra Hernández, and his wife Ms Kety Martínez; ASIC national executive member, Mr Carlos Roberto Reyes Consuegras; ASIC representative Ms Consuelo Rodríguez Hernández and her husband Mr Lázaro Roberto Aguiar Mendoza; ASIC provincial secretary, Mr Yorsi Kelin Sánchez Perdigón; members Mr Ismael Castro Valentín and Ms Dania Marité Noriega Castriz; trade union journalist Ms Yunia Figueredo Cruz; another ASIC member, Mr Yolsdan Armenteros Vázquez; activists Mr Luis Orlando León Randich, Mr Ulises González, Ms Yaquelin Dalis Caballero, Mr Felipe Carrera Hernández, as well as provincial secretaries Mr Reinaldo Cosano Alén and Mr Emilio Gottardi Gottardi; and ASIC general secretary, Mr Iván Hernández Carrillo; the independent trade unionist Ms Maybell Padilla Pérez; independent trade unionists Mr Leonardo Hernández Camejo, Mr Charles

Rodriguez; Ms Yaquelin Sánchez Batista; Mr Alexis Gómez Rodríguez, Mr Carlos Javier Gómez Guevara, Mr Rodolfo Aparicio Alemán; and provincial secretary Mr Liván Monteagudo Rivero (see paragraph 7, subparagraphs (a) to (k) above).

280. With regard to the persons referred to specifically in the new allegations, the Committee notes that the Government provides the following: (i) Mr Juan Alberto de la Nuez Ramírez: it is false to claim that he was arrested on 19 February 2022. There is no evidence in any police record that this citizen was arrested, let alone detained in a Ministry of the Interior facility; (ii) Mr Ramón Zamora Rodríguez: neither he, nor his children or wife, have been victims of threats, persecution or harassment, but rather they committed acts designated as breaches of public order (communication dated 1 February 2023); (iii) Mr Emilio Gottardi Gottardi: on 24 February 2022 he was fined an amount of 150 Cuban pesos, under paragraph 2(h) of Decree Law No. 141, for attempting to breach a security measure on the public highway. There is no evidence of any other action against this person; (iv) Mr Alejandro Sánchez Zaldívar: he has not had an employment relationship since 2013, he is neither a leader nor representative of any trade union organization and there is no evidence of police surveillance against him; (v) Mr Leonardo Hernández Camejo: relevant investigations were carried out and no link to ASIC was established in respect of this citizen. According to the Government, it was known that this was a person with numerous previous convictions. There is no evidence in any police records that any action was taken to detain him on 16 March 2022 or on 14 April 2023, as indicated in the allegations; (vi) Mr Humberto Bello Laffita: following investigations, it has been established that this citizen has had no links to ASIC. This person was the subject of sanctions in November 2021 for failing to comply with the measures ordered by the health authorities to curb the COVID-19 pandemic. He was the subject of a criminal prosecution in case No. 174/21, acknowledging his responsibility for the acts for which he was charged. The trial was held with all the guarantees established by criminal law and, at the time of sentencing, the court took into account the previous conduct of the accused who had been prosecuted for the offences of illegal currency trafficking, theft, contempt and resistance. He was also officially warned about conduct likely to encourage prostitution. It is false to claim that he is in solitary confinement. Mr Humberto Bello Laffita enjoys the conditions required for Cuban prisons, including the “1580” facility where he is serving his sentence. He has electricity, water and the possibility of making telephone calls and receiving visits from family members; (vii) Mr Yunier Herrera Rodríguez: it is false to state that he was arrested for peacefully claiming trade union rights. He was arrested when found inebriated on the public highway shouting abusive phrases, totally unrelated to labour or trade union matters; lastly, (viii) the Government denies the allegations that seven ASIC activists and officials were arrested in early February 2023 and rejects the allegations of interrogation or detention concerning Luis Orlando León Randich and Yaquelin Sánchez Batista.

281. The Committee cannot fail to once again note the diverging versions of events of the Government and the complainant and the fact that the Government continues to deny the alleged acts.

282. While the Government continues to list the offences or details of previous legal proceedings against various persons (including illicit economic activities, handling stolen goods, causing damage, public disorder, antisocial behaviour) mentioned both in recommendation (b) of the last report on the present case and in ASIC’s new allegations, the Committee regrets to note that it has still not provided information on the commission of such offences, nor has it annexed documents on the relevant investigations or copies of rulings, as the Committee noted in previous conclusions concerning the present case. The Committee recalls in this regard that on numerous occasions where the complainants alleged that trade union officials or workers had been arrested for trade union activities, and the governments’ replies amounted to general denials of the allegation or were simply to the effect that the arrests had been made for subversive activities, for reasons of internal security or for common law crimes, the Committee has always followed the rule that the governments concerned should be requested to submit further and as precise information as possible concerning the alleged arrests, particularly in connection with the judicial proceedings instituted as a result thereof, and the outcome of such proceedings, in order to be able to make a proper examination of the allegations. It also recalls that in many cases, it has asked the government concerned to communicate the texts of any judgments that have been delivered together with the grounds adduced therefor [see Compilation, paras 178 and 179]. In these circumstances, in order to be able to examine the allegations in full knowledge of the facts, the Committee again requests the Government to provide the outcome of the investigations carried out and, if applicable, the court rulings concerning the union members or officials in respect of whom the Government states that they are engaged in inappropriate social behaviour and/or have committed offences, including public order offences, in particular: Mr

Osvaldo Arcis Hernández, Mr Bárbaro Tejeda Sánchez, Mr Felipe Carrera Hernández, Mr Pavel Herrera Hernández, Mr Daniel Perea García, Mr Yisan Zamora Ricardo, Mr Willian Cruz Delgado, Mr Roque Iván Martínez Baldarraín, Mr Jefferson Ismael Polo Mezerene, Ms Anairis Dania Mezerene, Mr Ulises Rafael Hernández López, and Mr Leonardo Hernández Camejo.

283. The Committee also deeply regrets that the Government once again refuses to send a copy of the court ruling handed down against Mr Humberto Bello Laffita sentencing him to a one-year prison term. The Committee requests the Government to do so without further delay. The Committee requests the Government to ensure that no workers are arrested for their trade union activities.

284. Regarding recommendation (c) (conducting an investigation into the allegations of acts of aggression and restrictions on public freedoms) raised in the communication dated 6 December 2021, referring to the situation of Mr Iván Hernández Carrillo, ASIC general secretary, threatened by the DSE that his parole would be revoked and that he would be charged with mercenary activity, the Committee notes that the Government refers to the information it provided on recommendation (b), in other words merely recalling that Mr Iván Hernández Carrillo is currently serving the remainder of his sentence in freedom, meaning that under existing criminal legislation he must fulfil certain obligations. Noting both this information and the complainant's repeated allegations about the many restrictions to which Mr Iván Hernández Carrillo is allegedly subject, the Committee requests the Government to ensure that Mr Hernández Carrillo can freely carry out his legitimate trade union activities.

285. Regarding recommendation (d) (alleged restrictions on travelling outside the country to participate in international activities in connection with their trade union work), the Committee observes that the Government once again denies the existence of restrictions, repeating what it had already indicated to the Committee. While noting the diverging versions of events of the Government and the complainant, the Committee observes that the complainant reports new restrictions on travelling (as in the case of ASIC deputy general secretary, Mr Alejandro Sánchez Zaldívar, for denouncing the Government's anti-union practices at the 107th Session of the International Labour Conference (communication dated 18 March 2022). The Committee also notes that, in its most recent allegations, the complainant reports that the authorities continue to use the repressive weapon of cutting off communications to prevent ASIC trade unionists from participating in international online events with other trade union organizations (communications dated 29 and 30 September 2022). The Committee observes in this regard that the Government also stresses that these are false allegations and unfounded accusations, and that the restrictions on access to the internet and information technology are due to the blockade imposed on the country.

286. In light of the foregoing and the complainant's new allegations in the case, the Committee recalls that it has highlighted that trade unionists, just like all persons, should enjoy freedom of movement and that, in particular, they should enjoy the right, subject to national legislation, which should not be such so as to violate freedom of association principles, to participate in trade union activities abroad [see Compilation, para. 190]. The Committee strongly urges the Government to ensure that the right of ASIC officials and members to organize and freely carry out their trade union activities are not restricted, including when these activities are conducted outside the country, or when they involve participation in international online forums.

287. With reference to recommendation (e) (restrictions on the freedom of movement of ASIC officials in the national territory), the Committee notes that the Government reiterates that the alleged restrictions by the national authorities on the right to freedom of movement are false. While once again noting that the Government's and complainant's versions of events differ, the Committee observes that the complainant reports new restrictions on freedom of movement such as, for example, the ban on ASIC general secretary Mr Iván Hernández Carrillo from entering the capital (communication dated 23 February 2023) or the surveillance of the homes of trade unionists to pre-empt potential peaceful protests during the commemoration of the second anniversary of the mass protests that shook the country on 11 July 2021 (communication dated 20 July 2023). While recalling in this regard that the right to peaceful demonstration to defend the occupational interests of workers is a fundamental aspect of trade union rights, the Committee firmly urges the Government to fully ensure that ASIC officials have the freedom of movement in the national territory to carry out their trade union activities, including participation in demonstrations to defend the interests of their members, without

Government interference.

288. Regarding recommendation (f) (alleged anti-union dismissals), the Committee regrets that the Government simply provides information on the situation of Mr Ismael Valentín Castro and Ms Dania Marité Noriega Castriz, stating that these dismissals are related to violations of labour discipline and are not politically motivated in connection with their apparent “trade union activism“, without providing a copy of the outcome of the investigations carried out in this regard. It deeply regrets that the Government has not provided the outcome of the corresponding investigations into the dismissals of Mr Kelvin Vega Rizo and Mr Pavel Herrera Hernández either. The Committee requests the Government to provide a copy of the outcome of the investigations into the dismissals of Mr Ismael Valentín Castro and Ms Dania Marité Noriega Castriz, as well as that of Mr Kelvin Vega Rizo and Mr Pavel Herrera.

289. Lastly, seven years after receiving the first communication concerning the present case, the Committee regrets that the situation has reached such a point that the complainant continues to submit new allegations and that the Government continues to systematically reject them without providing the additional information necessary for an informed examination by the Committee. In these circumstances, given the lack of information in some instances and the lack of progress in others, the Committee once again invites the Government to accept a direct contacts mission to gather further information, facilitate dialogue between the parties and encourage the application of its recommendations.

The Committee’s recommendations

290. In the light of its foregoing interim conclusions, the Committee invites the Governing Body to approve the following recommendations:

- (a) The Committee once again strongly urges the Government to ensure that the Independent Trade Union Association of Cuba (ASIC) is given recognition and that it can freely operate and carry out its trade union activities.
- (b) The Committee requests the Government to provide information on the outcome of the investigations carried out and, if applicable, the relevant court rulings in respect of the following union members or officials: Mr Osvaldo Arcis Hernández, Mr Bárbaro Tejeda Sánchez, Mr Felipe Carrera Hernández, Mr Pavel Herrera Hernández, Mr Daniel Perea García, Mr Yisan Zamora Ricardo, Mr Willian Cruz Delgado, Mr Roque Iván Martínez Baldarraín, Mr Jefferson Ismael Polo Mezerene, Ms Anairis Dania Mezerene, Mr Ulises Rafael Hernández López and Mr Leonardo Hernández Camejo.
- (c) The Committee requests the Government to send a copy of the court ruling handed down against Mr Humberto Bello Laffita without further delay. The Committee requests the Government to ensure that no workers are arrested for their trade union activities.
- (d) The Committee requests the Government to ensure that ASIC general secretary, Mr Iván Hernández Carrillo, is able to freely carry out his trade union activities without interference.
- (e) The Committee strongly urges the Government to ensure that the right of ASIC officials and members to organize and freely carry out their trade union activities are not restricted, including when these activities are conducted outside the country, or when they involve participation in international online forums.
- (f) The Committee firmly urges the Government to fully ensure that ASIC officials have the freedom of movement in the national territory to carry out their trade union activities, including participation in demonstrations to defend the interests of their members, without Government interference.
- (g) The Committee requests the Government to provide a copy of the outcome of investigations into the dismissals of Mr

Ismael Valentín Castro and Ms Dania Marité Noriega Castriz, and of Mr Kelvin Vega Rizo and Pavel Herrera Hernández.

(h) Given the lack of information in some instances and the lack of progress in others, the Committee invites the Government to accept a direct contacts mission to gather further information, facilitate dialogue between the parties and encourage the implementation of its recommendations.