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Allegations: The complainant alleges absence of recognition, as well as attacks, acts of harassment and persecution, attacks on and dismissals of independent unionists, including acts of discrimination and anti-union interference by the public authorities

125. The Committee last examined this case (submitted in December 2016) at its May 2025 meeting, when it presented an interim report to the Governing Body [see 411th Report, paras 214–251, approved by the Governing Body at its 354th Session (June 2025)].

126. The complainant sent new allegations in its communications of 28 July, 18 August, 17, 20 and 30 October, and 17 December 2025.

127. The Government sent its observations in communications dated 23 March and 13 April 2026.

128. Cuba has ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, No. 98 (1949), and the Workers' Representatives Convention, 1971 (No. 135).

A. Previous examination of the case

129. At its June 2025 meeting, the Committee made the following recommendations [see 411th Report, para. 251]:

(a) The Committee 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 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: Osvaldo Arcis Hernández, Bárbaro Tejeda Sánchez, Pavel Herrera Hernández, Daniel Perea García, Yisan Zamora Ricardo, Willian Cruz Delgado, Roque Iván Martínez Baldarraín, Jefferson Ismael Polo Mezerene, Anairis Dania Mezerene, Ulises Rafael Hernández López, as well as Leonardo Hernández Camejo and Rodolfo Aparicio Alemán.

(c) The Committee also requests the Government to provide information regarding the new allegations of repeated acts of persecution against the following ASIC members and leaders: Liván Monteagudo Rivero, Bárbaro de la Nuez Ramírez, Consuelo Rodríguez Hernández, Lázaro Roberto Aguiar Mendoza, Yunia Figueredo Cruz, Emilio Alberto Gottardi Gottardi, Iván Hernández Carrillo, Ulises Gonzáles Moreno, Yaquelin Dalis Caballero, Yoanys Olivera Vicente and Ibán Guerra Hernández. The Committee also requests the Government to provide its observations relating to the allegations contained in the communications from ASIC dated 16 April and 6 May 2025.

(d) The Committee urges the Government to send the court ruling handed down against Mr Humberto Bello Laffita without further delay. The Committee urges the Government to ensure that no workers are arrested for their trade union activities.

(e) The Committee urges the Government to ensure that Mr Hernández Carrillo is able to freely carry out his trade union activities without interference from the authorities.

(f) The Committee once again 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.

(g) The Committee once again 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.

(h) The Committee again requests the Government to provide a copy of the outcome of the investigations into the dismissals of Mr Ismael Valentín Castro and Ms Dania Noriega, as well as that of Mr Kelvin Vega Rizo and Mr Pavel Herrera.

(i) The Committee urges 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

130. In its new communications, the complainant submits new specific allegations of violations of the civil liberties of members and leaders of the Independent Trade Union Association of Cuba (ASIC), according to which: (i) ten trade unionists were harassed and threatened on 11 July 2025, mainly in the provinces of Havana, Matanzas and Cienfuegos (Emilio Alberto Gottardi Gottardi, Provincial Secretary of ASIC; Nora Noa; Luis Orlando León Randich; the union journalist Yunia Figueredo Cruz and her spouse, the writer Frank Correa; Yoani Olivera Vicente; José Manuel Barreiro Rouco; Bárbaro de la Nuez Ramírez; the General Secretary, Iván Hernández Carrillo; and Sonia Álvarez Campello, spouse of the political prisoner, Félix Navarro Rodríguez), and (ii) in October 2025, various cases of harassment and threats occurred, within a few days of each other, against the journalist and human rights defender, Julio Aleaga Pesant, Emilio Alberto Gottardi Gottardi, and the health worker and union activist, Lázaro Roberto Aguiar Mendoza. For the organization, these three incidents (Aleaga, Gottardi and Aguiar) demonstrate a coordinated campaign of intimidation led by the State against the main collaborators and representatives of ASIC in different provinces in the country, and (iii) the General Secretary, Iván Hernández Carrillo, in the municipality of Colón, Matanzas province was again the victim of arbitrary detention and an intimidatory interrogation.

131. The complainant continues to denounce in general terms the State's trade union monopoly and repression of ASIC unionists and representatives. It demands democratic reforms, requests real freedom of association, and public support from the ILO, as well as an observation mission and international monitoring of the situation in Cuba.

C. The reply from the Government

132. In its communications of 23 March and 13 April 2026, the Government reiterates that the complainant does not qualify as a trade union organization under Convention No. 87. Its officials and members are neither workers nor employers; they have no employment relationship in Cuba nor legitimate trade union representation; they act with funding and support from foreign organizations; their actions pursue political objectives; and their allegations lack proof and seek to discredit the Cuban State. The Government recalls that the case has been open since 2016, rejects the new allegations in the case, and states that in Cuba freedom of association, due process and social dialogue are guaranteed, and requests the Committee to act with objectivity and without political motives. The Government maintains that it has sent, over a ten-year period, full and documented responses, that the allegations have been repeatedly denied and that sufficient information exists to close the case. It considers that keeping it open would involve misusing the ILO supervisory mechanisms, affecting their credibility. The Government also refers to the complex situation which the country is facing owing to the unprecedented embargo imposed by the United States of America. The Government states that this situation seriously affects national institutions and that, in this context, despite everything, it has made considerable efforts to respond to the new allegations.

D. The Committee's conclusions

133. 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 repeatedly denounces its non-recognition by the Government.

134. The Committee recalls, once again, 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 is bound to recall that the right to recognition through legal registration is an essential facet of the right to organize since that 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 that a long registration procedure constitutes a serious obstacle to the establishment of organizations.

135. In addition, the Committee recalls once again 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]. 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.

136. The Committee profoundly regrets that no progress has been made since it last examined the case and notes that the complainant has submitted new specific allegations relating to violations of the civil liberties of ASIC members and officials. In particular, the Committee notes the allegations relating to acts of harassment and threats suffered by ten trade unionists and, in some cases, their relatives, in July 2025 in various provinces in the country (Emilio Alberto Gottardi Gottardi; Nora Noa; Luis Orlando León Randich; Yunia Figueredo Cruz and her spouse; Yoani Olivera Vicente; José Manuel Barreiro Rouco; Bárbaro de la Nuez Ramírez; Iván Hernández Carrillo; and Sonia Álvarez Campello, spouse of the political prisoner, Félix Navarro Rodríguez). The Committee also notes new episodes of harassment and threats which occurred in October 2025 against key collaborators and representatives of ASIC (Julio Aleaga Pesant, Emilio Gottardi Gottardi and Lázaro Roberto Aguiar Mendoza), as well as a new arbitrary arrest together with an intimidatory interrogation of the organization's General Secretary, Iván Hernández Carrillo.

137. The Committee notes that, for its part, the Government does not provide any information relating to its previous recommendations and simply states in general terms that the complainant does not satisfy the requirements to be considered a trade union organization under Convention No. 87. Its officials and members are neither workers nor employers; they have no employment relationship in Cuba nor legitimate trade union representation; they act with the funding and support of foreign

organizations; their actions pursue political objectives; and their allegations lack proof and seek to discredit the Cuban State. The Committee notes that the Government rejects the new allegations submitted by ASIC, stating that in the country, freedom of association, due process and social dialogue are guaranteed, and requests the Committee to act with objectivity and without political motives. The Committee notes that the Government maintains that it has sent, over a ten-year period, full and documented responses, that the allegations have been repeatedly denied, and that sufficient information exists to close the case. The Committee also notes that the Government states that it has made considerable efforts to respond to the new allegations despite the complex situation which the country is facing owing to the unprecedented blockade to which it is subject, which seriously affects national institutions.

138. The Committee is bound to recall once again the persistent nature of the different versions between the Government and the complainant. It deeply regrets the complete absence of progress and notes once again that the Government has not provided specific information on the investigation of the alleged facts, nor has it provided relevant documentation, such as copies of investigations or court rulings, as it has repeatedly requested in previous conclusions, while the complainant continues to submit new allegations of a similar nature. While it takes due account of the difficulties which the country is facing, the Committee urges the Government to continue providing additional information, in order to allow, in accordance with the Committee's procedures, the objective and exhaustive examination of the allegations submitted to it.

139. In these circumstances, noting that it does not possess new information allowing it to amend its previous assessment, the Committee refers to its previous conclusions and recommendations. In this context, the Committee wishes to highlight the relevance and importance of carrying out the direct contacts mission which it has requested since 2022 to gather more information, facilitate dialogue between the parties and promote the application of its recommendations.

The Committee's recommendations

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

(a) The Committee firmly urges the Government to guarantee the recognition of the Independent Trade Union Association of Cuba (ASIC), as well as its free operation and exercise of trade union activities.

(b) The Committee again urges the Government to provide the results of the investigations carried out and, as appropriate, the court rulings corresponding to the members or officials concerned, whom the Government indicates have engaged in inappropriate social conduct and/or have committed offences including infringement of public order, in particular: Osvaldo Arcis Hernández, Bárbaro Tejeda Sánchez, Pavel Herrera Hernández, Daniel Perea García, Yisan Zamora Ricardo, Willian Cruz Delgado, Roque Iván Martínez Baldarraín, Jefferson Ismael Polo Mezerene, Anairis Dania Mezerene, Ulises Rafael Hernández López, Rodolfo Aparicio Alemán and Leonardo Hernández Camejo.

(c) The Committee again requests the Government to provide information as regards the new allegations of repeated acts of persecution against the following ASIC members and officials: Liván Monteagudo Rivero, Bárbaro de la Nuez Ramírez, Consuelo Rodríguez Hernández, Lázaro Roberto Aguiar Mendoza, Yunia Figueredo Cruz, Emilio Alberto Gottardi Gottardi, Iván Hernández Carrillo, Ulises Gonzáles Moreno, Yaquelin Dalis Caballero, Yoanys Olivera Vicente and Ibán Guerra Hernández. In addition, the Committee requests the Government to provide its observations concerning the allegations contained in the ASIC communications of 16 April and 6 May 2025.

(d) The Committee again urges the Government to send without further delay the sentence handed down against Mr Humberto Bello Laffita. The Committee urges the Government to guarantee that no worker is arrested owing to their trade union activity.

(e) The Committee again urges the Government to ensure that Mr Hernández Carrillo can carry out freely his trade union activities without intervention by the authorities.

(f) The Committee again urges the Government to guarantee that the right of ASIC officials and members to organize and carry out freely their trade union activities, including when these are performed outside the country or where they involve participation in virtual international forums, is not unduly restricted.

(g) The Committee firmly urges the Government, once again, to guarantee fully to ASIC officials freedom of movement in the national territory to be able to carry out their trade union activities, including participation in events to defend the interests of their members, without the intervention of the authorities.

(h) The Committee again requests the Government to provide a copy of the results of the investigations relating to the dismissals of Mr Ismael Valentín Castro and Ms Dania Noriega, as well as Mr Kelvin Vega Rizo and Mr Pavel Herrera.

(i) The Committee again urges the Government to agree to a direct contacts mission to gather more information, facilitate dialogue between the parties and promote the application of its recommendations.