

ASGHARI KOSAR / RIGBY MIRANDA

SECURITY



1. Ethiopian President Lieutenant Colonel Mengistu Haile Mariam with Fidel Raul Castro on April 15, 1975/ AFP 2016, Mail Online



2. Cuban and Angolan soldiers from the regular and Soviet-backed Marxist MPLA armies in southern Angola, 1988/ AFP 2016, Mail Online

Military History

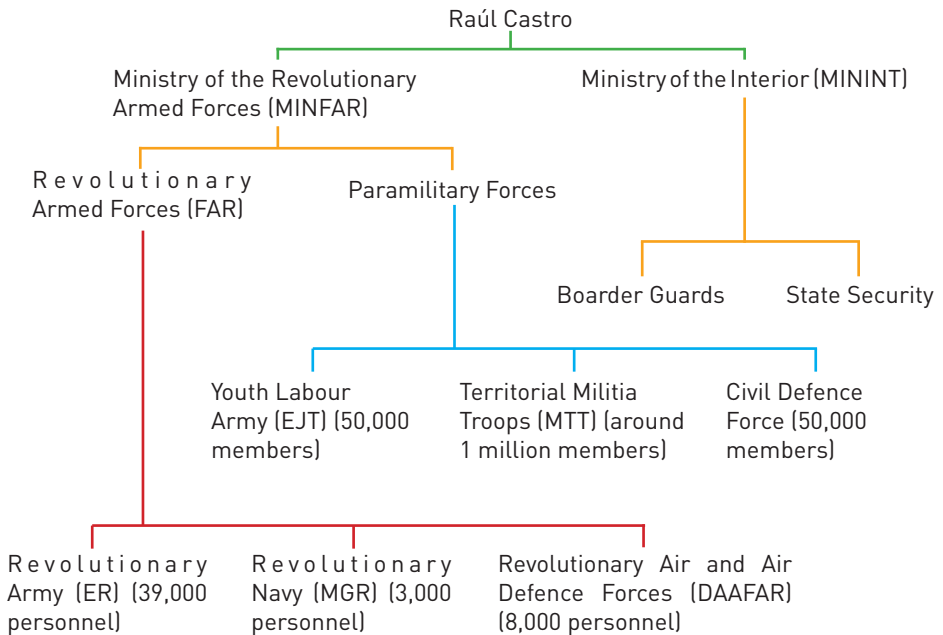
In 1959 Fidel Castro's rebel army 'assumed power', replacing Batista's defeated government. Due to shared communist ideologies Castro immediately received support and money from the Soviet Union and swiftly began armed intervention overseas. Over the following three years invasion attempts began in neighbouring Latin American countries such as the Dominican Republic, Nicaragua and Panama but were largely unsuccessful. In the beginning of the 1960s Cuba also began sending money and arms to resurgent groups with communist sympathies in Venezuela, Guatemala and Colombia. This is a trend that would continue over the next 25 years and also expand to sending troops to 'assist and coordinate' support of Soviet aims abroad.

From the mid 1960s the focus shifted away from Latin America towards Africa and the Middle East. Throughout the 1970s and 80s Cuban military presence and fighting reached its peak, most notably in the Ogaden War of 1977/78 and the Angolan Civil War. Spending was increased and millions of dollars were sent to support revolutions, causing the military budget to rise to 13% in 1985. The size of the military also increased to become the 'largest force in the Caribbean Basin'

and include 20% of its population in various branches. This enabled Cuba to send 17,000 troops to Ethiopia by 1978 and 50,000 to Angola by 1987. In both instances the Cuban supported rebels were successful but this was only made possible due to the assistance of Soviet forces and finance.

The dependence on support from the Soviet Union can be seen by the change in military tactics after the fall of the USSR. In the late 1980s Cuba began to withdraw its military from its occupied countries and 'abandoned' its support of revolutionary movements. Since the last forces were removed from Angola in 1991 there has been no active fighting abroad by the Cuban military and they have instead adopted a 'war of the people' to shift the emphasis to defensive capabilities. Currently the greatest fear is an attack from the USA, possibly through Guantanamo Bay.

Publishers comment: The author of this article did not work with quote notes. The last pages provide the reader with a list of sources on which this article refers.



3. Diagram explaining the structure of the military and current estimated members / Author's own 2020

The Organisation of the Military

The Cuban Military is made up of two main groups; the Ministry of the Revolutionary Armed Forces (MINFAR) and the Ministry of the Interior (MININT). Both of these organisations are under the control of Raúl Castro and include the infamous Revolutionary Armed Forces (FAR). There are around 50,000 active personnel in the FAR and a similar number in the Civil Defence contributing to the total 2 million citizens who are involved with the military in some form.

The structure of the military has adapted and grown since its concep-

tion in 1959 after Castro secured power. Unlike most other communist revolutions, the political party emerged from the armed forces and the FAR was incorporated with the party to ensure 'civil-military cohesiveness'. This unity between military and civilians was strengthened in 1963 with the introduction of three years of compulsory military service for all men between 16 and 44. The training heavily emphasised ideological teachings and stressed a Cuban's sense of duty to his country. The Civil Defence Force and founding of the Youth Labour Army in 1973 added to the ever growing mili-

tary and increased the domestic presence, performing agricultural work and construction of infrastructure.

By the end of the 1970s the military had reached its peak and Cuba had the largest military force in the world for a country of its size. However, in the 1980s military tactics changed with the fall of the Soviet Union and the lack of 'major economic and logistic support' that they provided. Troops were withdrawn from abroad and the Territorial Troop Militia was created to assist the 'War of All the People'. This force still exists today and focusses on defending the country against guerrilla attacks.

Today the military is less than a sixth of what it used to be. Compulsory mil-

itary service has been reduced to two years for men and is optional for women, although men are expected to remain as reserves and continue to train until they are 50. The various military institutions are still highly regarded and well trained but their primary influence has shifted away from active fighting into other areas of society.





5. A TRD Caribe shop owned by the GASEA / Américatevé 2016



6. Hotel Playa Cayo Santa María, a Gaviota Hotel, owned by the GASEA / Transat

The Role of the Military

Since Castro took power in 1959 the military has been the 'most powerful, influential, and competent official institution' in the country. The Revolutionary Armed Forces (FAR) have guaranteed the regime success throughout history and remain the 'most powerful' organisation in Cuba as both the Communist Party and security personnel are under 'military supervision'. The 'highly militarised society' of the 1970s and 80s and continued conscription means that large percentages of the population have been part of the military at some point in their lives. This means the FAR is 'more representative of the populace' than any other element of national governance. The military are seen to be the 'guardian(s) of the revolution' who ensure the values of socialism are upheld to protect national interests. This role, and the pride of those who fought in past battles, guarantees the military maintains its respected role and continues to carry great influence and 'centrality' in aspects of governance and society. More recently this respect and glittering opinion of the military has been tarnished after clashes with civilians such as the 14 people that were killed at opposition protests in 1994. However, the central and all-encompassing influence of the Cuban military ensures that their power extends far beyond the limits of the conventional army.

The FAR began to extend its influence into the economy, particularly the tourist trade and agriculture, in order to generate their own revenue and substitute tight budgets. This has propelled them to become the 'leading force in the economy' and arguably control more than 60% of all businesses. This figure has been highlighted in recent years and is one that has shocked parts of the world. It is disputed, and some estimates have put the control much lower at 21% after discarding companies owned by former military members, but regardless it is substantial, growing figure. This omnipresence of the MINFAR and MININT, and their influence through holding companies such as the Armed Forces Business Enterprises Group (GASEA), means that while military expenditure is decreasing,* even in peacetime the wealth and power of the military continues to encompass all elements of life, from running tourist shops and banks to manufacturing cigars.

*3.5% of GDP in 2015 down to 2.9% in 2018

Conscription

Constitution in Cuba supports the conscription or military service in article 65: "The defence of the socialist motherland is the greatest honour and the supreme duty of every Cubano. The law regulates the military service required by every Cubano. Treason of the motherland is the most serious crime; he who commits said crime is subject to the most severe sanctions."

The national defence law 75 defines the general military service (SMG) in Cuba. From 17 years old, both Cubano males and females, can voluntarily enlist into military service, the militias of territorial troops, or the brigades of production and defence. The men who enlist in either of the two last organisations

are not excused from military service. Military service is divided into two sectors: active military service and the reserves. Active service may or may not be remunerated. The recruitment process begins in secondary school (inscription is obligatory between the ages of 16 and 28), however military training is included in all levels of the education system. Once declared fit for service, the young people are put through 45 days of intense military preparation known as 'the preview', in which they are shaved, given uniforms, armed and trained in personal defence, weaponry among other forms of combat. They are taught political-ideological preparation. Females who must be 'revolutionary'



7. Cuban woman soldiers / EastYangtse 2012

(according to government standards means supporting the power dominant political system), also have the possibility to join the military service voluntarily (with a minimum commitment of 14 months). Young women who wish to enter military service can neither be pregnant in the moment of inscription nor become pregnant during their service. The armed forces offer these women easier access to university courses. Normally the duration of the SMG is 2 years, but the possibility to reduce the duration to 1 years, for deferred people (those who have already been accepted to university courses before being recruited), exists. There also exists the so-called order 18 of the FAR, which allows one to enter the university even if they were not accepted before being recruited.

The military service is defined in military units of the army, the Ministry of Interior (police), Youth Army of Work. In the Youth Army of Work the duration of SMG is two and a half years, and the recruits are used as cheap labour, generally for agricultural work, as labourers for any productive activity deemed necessary by the government.

Conscripts are not allowed to select the sectors and the decision is made by military bodies.

Postponement and Exemption

Postponement can be granted until the age of 27. A man who has not completed military service at this age is given basic training and then assigned to the reserve force. There are a number of causes for which deferrals are specified. When the pre-recruit is the sole breadwinner of the family, or when he has other financial or family problems, he is exceptionally granted a postponement. The National Defence Law declares those who are officially declared as physically or mentally disabled exempt from the fulfillment of military service. However, many people with significant pathological restrictions are allocated to posts that require less physical force. Many families try to get young people discharged for medical reasons during the recruitment process and many times they resort to bribery. Although not reflected in the Civil Defence Law 75, in practice homosexuals and bisexuals are exempt from military service.

UMAP camp

From 1965 until 1968, there existed the Military Support Units for Production (UMAP) in Cuba, which acted as a kind of forced labour camp where the Revolutionary Government sent young recruits from the SMG who assumed 'improper behaviour and conduct'. In these camps the young men were subjected to forced labour and torture in order to 'make them



8. Homosexuals and dissidents in a Military Unit to Aid Production (UMAP camp) in 1967 / María Elena Solé 1967

men'. These units were sent homosexuals, religious, rock lovers, intellectuals, and every young person who did not enter into the classifications of the "new man" of the Revolution. UMAP is supported by the Law 1129 formed on November 26, 1963.

Conscientious Objection

According to the law 75 of the Civil Defence, there is no right for conscientious objection. As young people are not interested to attend the SMG, and there is no legal way to deny the SMG openly, many of them attempted to harm themselves in order to

be excused from military service. Although the Military Offences Act sanction such behaviours. According to this same law, "Any person who commits an act or omission that is obviously unseemly or that seriously undermines military honour is punishable by deprivation of liberty from three months to three years".

Draft Evasion and Desertion

Evading the call to the service and desertion are punishable by law as deprivation or fine (responsibility age of 16).

Political System

Cuba is a democratic-centralist state organized according to a Marxist-Leninist model. The Communist Party of Cuba is the only official political party. The Cuban federal government is not strictly organized into three branches, but various organs can be characterized as possessing executive, legislative, or judicial powers. The executive branch consists of a Council of State and a Council of Ministers. The president of the Council of State serves as the President of Cuba. The national legislative branch consists of an elected, unicameral body known as the National Assembly of People's Power (Asamblea Nacional del Poder Popular) (ANPP). The Supreme Court of Cuba serves as the nation's highest judicial branch of government. It is also the court of last resort for all appeals from convictions in provincial courts. The National Assembly and provincial assembly delegates serve for five years, while municipal assembly representatives are elected every two and a half years.

Below the national level, Cuba is divided into 15 provinces and the territory of the Isle of Youth (Isla de la Juventud), and these are subdivided into 168 municipalities. Each province and municipality has both an elected Assembly of People's Power, and a system of courts. Provincial courts handle felony-equivalent crimes, many forms of civil conflict matters such as divorce,

and appeals from municipal courts. Municipal courts, in turn, are courts of first instance for lesser crimes and minor civil matters. In addition to these formal components, Cuba's political system incorporates a number of "mass organizations" into its processes, such as the Communist Party, the Young Communist League, the Cuban Federation of Women, the Association of Cuban Workers, and the National Association of Small Farmers.

Legal System

The Cuban legal system is a composite of the three major stages of Cuban history. Reflecting its past as a Spanish colony (until 1898, when Spain lost Cuba, Puerto Rico, Guam, and the Philippines in the Spanish-American War), Cuba is a civil law state that emphasizes written codes rather than precedent as the source of law, and the utilization of an inquisitorial system of criminal procedure similar to that of Spain and France. Intermingled with this are elements of Anglo-American law such as habeas corpus, and a greater separation of courts and prosecutors than is normally characteristic of Marxist-Leninist states. The system also exhibits socialist law influences, although it is not generally categorized as a socialist legal system. Cubans, however, consider the current Constitution (1976, as amended to June 26, 2002) to be socialist, and refer to it as such "The Socialist Constitution".



9. Plaza de la Revolución, Havana / Martin Abegglen 2018

Finally, thirty years of development guided by Marxist legal theory, and shaped by close ties to the former Soviet Union have added a clearly socialist character to the Cuban legal system. Key elements of Cuba's "socialist legality" are: (1) an emphasis on substantive rather than juridical measures of justice, (2) the use of law as a pro-active tool for socialist development, (3) limited use of formal legal mechanisms for the resolution of private disputes, (4) the use of informal "social courts" to resolve conflicts such as housing and labor disputes, (5) direct citizen involvement in the judicial and crime control procedures, and (6) a system of state-organized law collectives to provide low-cost legal services nationwide.

The Socialist Constitution

The current Constitution was adopted by referendum on February 15, 1976, and was formally enacted on February 24, 1976. The document was modeled largely on Soviet and Eastern European models, but it retains a uniquely Cuban character. The 1976 Constitution has been amended three times—in 1978, 1992, and 2002. The document has a Preamble, 137 Articles (divided into 15 Chapters), and a "Special Provisions" section. Article 5 establishes that the Communist Party of Cuba (PCC) is the "superior leading force of the society and the State." There are broad rights provisions articulated in the Constitution, however they are constrained; Article 62 specifies that no conferred right can be "contrary

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ORGANISATION OF THE GOVERNMENT

to the existence and objectives of the socialist State, or contrary to the decision of the Cuban people to build socialism and communism.” Article 137 describes the procedure for amending the Constitution. In terms of a legal hierarchy, the Constitution sits at the top.

Executive Powers

The Councils of State and Ministers are the executive bodies of the Cuban government. The 31-member Council of State (Consejo de Estado) is the executive body of the ANPP and represents it between sessions. Members of the Council of State are ANPP members and are elected by ANPP delegates before the beginning of each new five-year Legislatura (currently no. VIII, 2013-2018). The Council’s powers are articulated in Article 90 of the Constitution, but its internal procedures and workings are generally unknown. Although the Constitution mandates that the ANPP is the “supreme organ of State power” (per Article 69), the Council of State is considered to be the “real decision-making institution in the Cuban government.”¹⁷ The Constitution empowers the Council to promulgate decree-laws (decretosleyes) (Article 90) and agreements (acuerdos) (Article 93(j)), the latter being regulatory in nature. The Council of Ministers is essentially a Cabinet, and it is the highest executive and administrative body in the Cuban government. The Constitution (Articles 95 to 100) and Decreto-Ley No. 272, De la Organización y

Funcionamiento del Consejo de Ministros provide the legal framework for the Council. There are no numerical requirements or specified term lengths for members. The Council implements the ANPP’s laws, and the decree-laws of the Council of State, through decrees (decretos) and other administrative provisions. The Council of Ministers has an Executive Committee per Article 97 of the Constitution.

Legislative Powers

People’s Assemblies convene at the municipal, provincial, and national levels, but only the ANPP has legislative power. The ANPP meets in Havana twice per year for about a week each session. Most of the 614 delegates retain their regular employment and are not compensated for ANPP membership. Elections for the ANPP take place every five years.

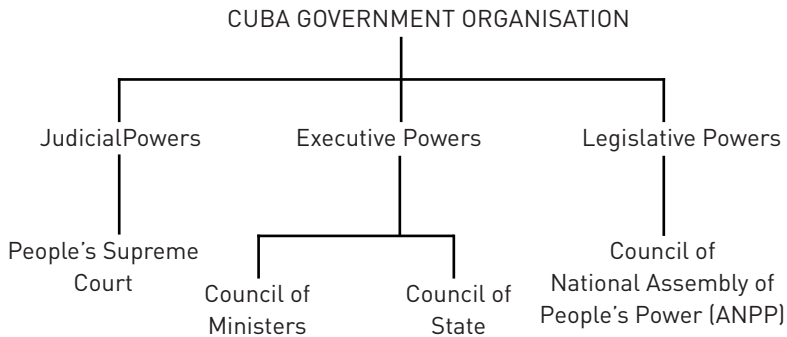
History of the Criminal Justice System
The modern history of Cuba began when Christopher Columbus claimed the island for the King of Spain in 1492. For the next 400 years Cuba remained a Spanish colony. In the mid-19th century, Cuban nationalists began a series of armed struggles for Cuban independence, which eventually led to the defeat of the Spaniards in 1899. The United States became involved in the Cuban war of independence during its last days. Consequently, through the settlement of the Spanish-American war, the United States

obtained a peace treaty that effectively transferred sovereignty over Cuba from Spain to the United States.

For the next 60 years U.S. business and financial interests dominated the Cuban economy. Several U.S. military incursions in the early part of the 20th century insured governments hospitable to these interests, as well as U.S. security interests. On January 1, 1959, a revolutionary movement led by Fidel Castro toppled the former U.S.-supported government of Fulencio Batista, beginning a process that led to the transformation of Cuba into a socialist, planned-economy state. The post revolutionary era in Cuba can be divided into four periods. The first period, extending from 1959 to the early 1970s, was characterized by revolutionary experimentation in all areas of social organization, including government management and control of production and distribution. The most notable experiment within the justice system during this time was the creation of Peoples' Courts (tribunales de base). These courts emphasized informal procedures, and utilized ordinary citizens as lay prosecutors, lay advocates, and lay judges rather than filling these positions with formally trained jurists.

The second major period of the revolution began in the ear-

ly 1970s, and was characterized by institutionalization of the new economic and political order. This included the passage of a new Cuban constitution, reorganization of most administrative structures, and replacing the pre-revolutionary legal system with one more suited to the ideology and practice of a socialist political economy. In 1973, the Cuban government promulgated a new Law of Judicial Organization. This law established a hierarchical and more formal court system, replaced the private practice of law with law collectives known as bufetes colectivos, and strengthened the emphasis on "socialist legality." This period was also marked by increasingly close relations with the Soviet Union, and increased economic dependence on COMECON - the trading bloc of socialist nations. The mid-1980s initiated a period focused on "rectification" of earlier errors. One component of this era was passage of a new penal code that decriminalized a number of political offenses, reduced penalties for crimes overall, and instituted a broader range of alternatives to incarceration. In the early 1990s Cuba's socialist trading partners disappeared with the collapse of the Soviet bloc, ushering in an era of economic contraction termed the "special period" by the nation's leaders. In an effort to find alternative routes to continued socialist development, the Cuban gov-



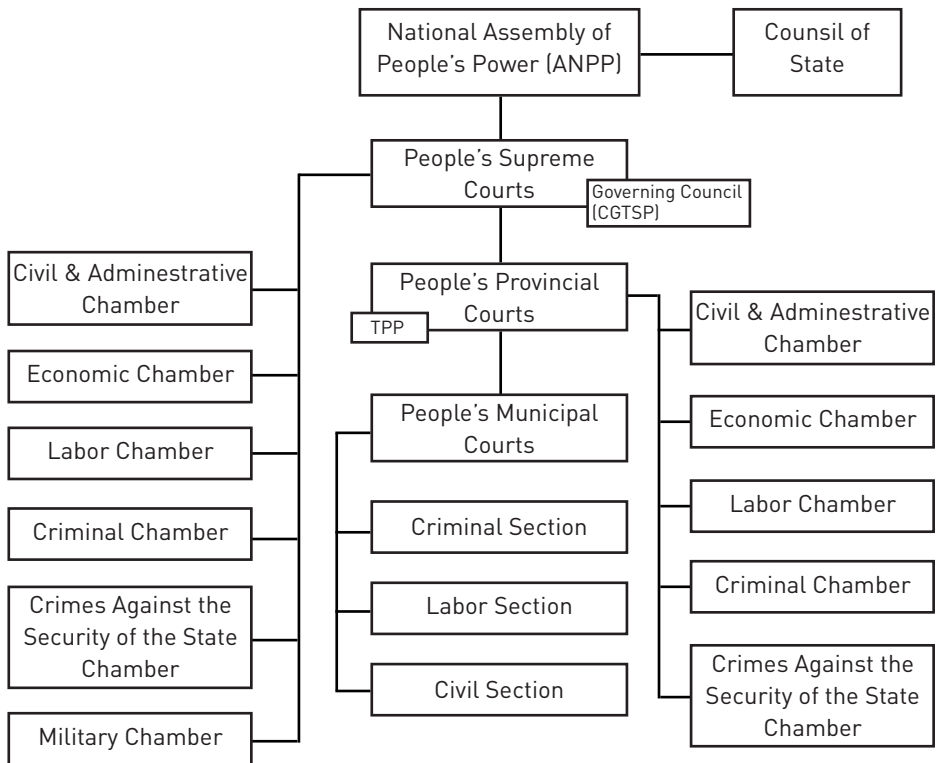
10. Diagram explaining the structure of the Government / Author's own 2020

ernment legalized the use of foreign currency by citizens and liberalized laws governing foreign investment.

Judiciary System

Article 3 of the 1976 Cuban Constitution (as amended to June 26, 2002) establishes a three-tier court system, plus a system of military courts. The People's Supreme Court (Tribunal Supremo Popular) (TSP) is the court of last resort. There are 16 People's Provincial Courts, including the territory of the Isle of Youth. These courts exercise appellate jurisdiction over the rulings of the municipal courts. The People's Municipal Courts are courts of first instance and the lowest courts within the system. All courts operate in a collegiate form with professional and lay judges (per Article 124 of the Constitution). The Supreme Court comprises a Governing Council (Consejo de Gobierno del Tribunal Supremo Popular) (CGTSP) and six judicial chambers (salas) that hear civil and administra-

tive matters; criminal, labor, economic, and military matters; and a special chamber for crimes against the security of the State. With the purpose of establishing a uniform interpretation and application of the law, the Cuban Constitution empowers the CGTSP to issue instructions (instrucciones), agreements (acuerdos), and opinions (dictámenes) that are binding on all courts (Article 121). The main function of the Office of the Attorney General of the Republic (Fiscalía General de la República) (FGR) is to control and preserve legality, based on monitoring strict compliance with the Constitution, the laws, and other legal norms per Article 127 of the Constitution. There are provincial, municipal, and military offices of the state prosecutor. The system of courts and the FGR are subordinate to the ANPP and the Council of State (Articles 121 and 128).



11. Diagram explaining the structure of the Judiciary System / Author's own 2020

Main Source of Law

The ANPP enacts, modifies, or repeals laws per Article 75(b) of the Constitution. The Council of State has the authority to issue decree-laws, ratify international treaties, and issue instructions to the courts and the Office of the Attorney General per Article 90 (c),(h), and (i). The Council of Ministers issues decrees, regulations, and provisions of a general char-

acter per Article 98(k). Cuba's nomenclature of regulatory instruments is found in the Constitution, primary legislation, and regulatory directives. The Constitution is the highest legal norm, but there is disagreement among scholars whether there is a clear hierarchy of laws below the apex of the Constitution.

Legal Classification of Crime

Crimes in Cuba are divided into felony

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and misdemeanor offenses. Felony crimes are those with a potential sentence exceeding one year imprisonment or a fine of more than 300 cuotas. (Cuotas are units of a fine that have variable value. Thus, one person may be subject to a fine of 100 cuotas at one peso each while another may be subject to the same fine but at a rate of two pesos per cuota.) Offenses that meet this standard are prosecuted in provincial courts. Less serious misdemeanor offenses are adjudicated in municipal courts and carry maximum penalties below the one-year/300-cuota level.

In addition to standard crimes against persons, property and social order, the Cuban penal code enumerates various offenses against socialist organization. Central among these are misuse of employment in a state enterprise for illegal personal gain (malversacion), obtaining money or property illegally channeled from some state economic venture (receptacion), trading in foreign currency (trafico de divisas), slaughter and distribution of livestock outside the socialist distribution system (sacrificio ilegal), and attempting to leave the country without complying with formal emigration requirements (salida ilegal). Rather than being occasional crimes, these offenses constitute a regular part of the criminal case load in Cuba.

Bellow, there is a list of facts that we should know about crime and victims:

- * The age of criminal responsibility in both municipal and provincial courts is 16, which corresponds to the Cuban voting age.

- * Cuba's drug prohibition is broad and nonspecific. Under Cuban law it is a felony to produce, sell, or possess with intent to sell any "toxic drug, or hallucinogenic, hypnotic, or narcotic substance, or any other substance with a similar effect." The penalty for this offense is 3 to 8 years of imprisonment. Simple possession of illegal drugs is punishable by 6 months to 2 years imprisonment.

- * As both Government and Police do not report the data about the number and rate for serious crimes, there is no clear crime statistics in Cuba.

- * Crime rates in Cuba are higher in Havana and Santiago, than elsewhere.

- * There are some primary institutions like CDR for assisting the victims of crimes

- * There are no special roles for victims during prosecution or sentencing, other than providing evidence and testimony during adjudication.

- * There is no specific victims' rights legislation in Cuba.

Police Administration

Policing in Cuba is organized under the auspices of the Ministry of the Interior (MINIT), which is directly responsible to the Council of State. The MINIT is divided into three directorates: Security, Technical Operations, and Internal Order and Crime Prevention. The Internal Order and Crime Prevention Section is subdivided into subdirectorates for corrections, fire protection, and policing. The subdirectorate for policing is responsible for the National Revolutionary Police (PNR). The PNR encompasses uniform policing, criminal investigation, crime prevention, juvenile delinquency, and traffic control.

The Security division of MINIT is responsible for policing crimes such as espionage, sabotage and other offenses against the state security. The Ministry of the Interior and the National Revolutionary Police have been closely integrated with the Revolutionary Armed Forces (FAR) since the revolutionary victory of 1959. In addition to formal policing by the PNR, the Cuban system of control utilizes the Committees for the Defense of the Revolution (CDR) as auxiliary eyes and ears of the police. The CDR maintains nightly neighborhood watches known as *la guardia* to prevent crime. They deal with juvenile deviance and assist crime victims. Active CDR members (*cederistas*) may also provide the police or MI-

NIT with information about activities they consider suspicious or deviant.

Judicial Process

Accused persons have the right to a trial by a judicial panel. For felony-equivalent cases heard in provincial courts, these panels consist of five judges, three of whom are trained jurists with law degrees, and two of whom are citizens chosen to serve as lay judges. Less serious criminal offenses are adjudicated by municipal court panels consisting of one jurist and two lay judges.

Assistance to the accused

Cuban defendants have the right to a defense counsel. A nationwide system of law collectives (*bufetes colectivos*) are designed to provide public access to legal counsel at state-set fees.

Penalties & Sentencing

Sentences are determined by the same judicial panel that heard testimony and determined guilt.

Types of Penalties

In 1988, the Cuban Penal Code delineated the following range of sentences: execution, incarceration, correctional labor with confinement to the work site, correctional labor without confinement, probation, fines, and public chastisement (*la amonestacion*).

Prison sentences for serious crimes range from 15 to 20 years for first degree murder to 2



12. A Provincial People's Court in Havana / Carlos Serpa 2017

to 5 years for offenses such as trafficking in foreign currency and burglary of an uninhabited dwelling. The sentences for some misdemeanor crimes can extend beyond the maximum one year incarceration that distinguishes them from felony offenses. For instance, simple possession of illegal drugs or second degree theft can carry a penalty of 6 months to 2 years of incarceration. The jurisdictional level in these cases is determined by the level of the penalty sought by the prosecutor.

The death penalty is reserved for "heinous" crimes such as multiple murders, murder of a child, murder associated with torture, or for treason. Execution is by firing squad.

Persons who were under the age of 20 or pregnant at the time of the offense or at the time of sentencing cannot be subject to the death penalty.



13. View of a Cuban prison / Rainsford 2013a

Prisons and their Inmates

Official Cuban figures put the national prison population at 57,337 or 510 per 100,000 citizens in 2012 but more recent figures from other institutions, such as European NGO Cuban Prisoners Defenders, put this number much higher at around 90,000 inmates or 794 per 100,000. If this figure were true it would mean Cuba has the 'largest prison population in the world' housed in it's 500 plus prisons and correctional facilities. Prisoners can be held on a multitude of charges and detained indefinitely without trial meaning many are in a state of limbo and have no certainty as to when they will be released. Not only are the charges and subsequent rulings dubious but during their long waits for trial detainees are often 'not separated from convict-

ed prisoners' and all inmates, both young and old, are confined together.

The most concerning statistic is the number of political prisoners, which, while decreasing from 306 to 137 over the last five years, is a clear sign of a controlled dictatorship. Political prisoners are reportedly forced to undergo 'doctrinal re-education' and punished if they refuse to do so. According to the Cuban Commission for Human Rights and National Reconciliation thousands of Cubans have also been charged with "peligrosidad predelectiva" or "pre-delinquent social dangerousness".

Prison Conditions

As with many aspects of Cuban life it is not only difficult to achieve accurate, reliable figures on the number of inmates, but it is also impossible to have an accurate, objective picture of prison conditions as independent organisations such as Human Rights Watch and Amnesty International are currently banned from the island. Cuba is one of a very few number of countries that has denied The Red Cross access to its prisons and the last inspection was carried out in 1989. This worries many humanitarian groups as it suggests there is something to hide and that prison conditions really are as bad as some first-hand accounts suggest.

In an attempt to quash speculation and negative reports, Cuba invited selected members of the foreign press to tour its prisons and report back to the rest of the world. These visits in 2013 presented well maintained prisons with well-fed, well-dressed inmates who were invited to partake in work/study programmes to earn money and reduce their sentences. However, these visits were highly controlled and access was limited to certain areas within certain prisons suggesting to many that they were merely a propaganda display to the rest of the world.

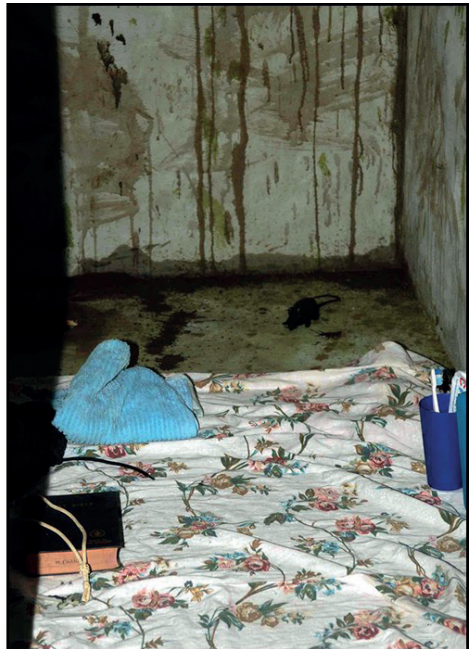
The reality described by ex-prisoners is often a stark contrast to what was seen on the tours. The UN has described food and hygiene as



14. One of the prisons from a media tour / Santiesteban 2018



15. Prisoners taking part in one of the study programmes / Rainsford 2013b



16. A replica solitary confinement prison based on accounts cell at U.S. diplomat James Cason house in Havana/ NBC News

'sub-standard' with little or no access to medical care. Contrary to the photos shown by journalists prisons are overcrowded and prisoners 'are forced to work 12-hour days' with punishments if they 'do not meet production quotas'. These punishments include solitary confinement, beatings and denial of medical care and are also inflicted upon anyone who criticises the state in any way. Luis Enrique Ferrer, a representative for the Cuban Patriotic Union, stated these factors are only 'part of the hell' that inmates are subjected to while incarcerated in Cuba. Even in 1999 Human Rights Watch declared that Cuban prisons failed to meet many requirements in the Standard Minimum Rules for the Treatment of Prisoners, which sets standards on the basis of international law. There is also speculation that the conditions will get worse after Cuban jailers received training from Russia's Federal Penitentiary Service in November 2019.

Regardless of first-hand accounts, there are reports that maintain that the state displayed image is accurate. Of her multiple visits in the 80s Jill Soffiyah Elijah recounts favourable conditions where inmates are relatively free, allowed, but not forced to work for money, and given frequent access to family visits and stays away from the prison. She argues that the negative accounts are merely images painted by the United States as part of their political disagreement with Cuba. Her account and opin-

ion is in a minority and is based on observations from 30 years ago but it does highlight the difficulty in obtaining an accurate and independent view of the prison conditions in Cuba.

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