



Cuba

- Population: 11.3 million
- GDP per capita (in US dollars): unknown in 2014 – 6,789 (2013)
- Socialist government with a single party
- Human development index (HDI) : 0.769 (67th rank among 187 countries)
- Gender inequality index (GII): 0.356 (68th rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 47 on a scale from 0 (highly corrupt) to 100 (very clean)

- No official national statistics on prostitution. There are around 20,000 prostituted women on the streets of Havana
- Prostitution and procuring have been illegal since 1959, punished by up to 20 years in prison. Sexual exploitation of minors of less than 14 years of age carries a punishment of up to 30 years in prison or even death penalty. Ambiguous legal standing on human trafficking.
- In 2014 there were 13 sentences related to sexual exploitation, with an average sentence of 7 years in prison imposed
- Legal majority is 16 years of age, meaning people from age 16 to 18 are rarely identified as victims of human trafficking
- A country of destination for sex tourism. The tourists are mainly Canadian, European or Mexican.
- Country of origin and destination for trafficked people
- Domestic trafficking: Cuban nationals are victims

The richest and most attractive of Caribbean countries, Cuba eradicated legal prostitution in 1959 after the revolution, criminalized procuring and initiated a campaign of “re-education and rehabilitation” of prostituted persons. Thereafter prostitution was considered non-existent, until the collapse of the Soviet Union in 1991, Cuba’s biggest economic partner and the source of billions of dollars’ worth of annual subsidies. Without compensation from the former USSR to make up for the impact of American-led commercial embargos, Cuba became dependent on tourism and foreign currency to survive. With the subsequent opening of Cuba’s borders and the return of mass tourism, prostitution and sex tourism have surreptitiously reappeared. The Cubans call them “*jineteras*” or “*pingueros*”: young Cuban

men and women roam the streets searching for rich tourists. The sexual satisfaction of Canadian, German, or even Spanish tourists attracted by the sunny beaches, rum and salsa dancing appears to these Cubans to be the only way out of poverty. The most necessary productions such as medicine, construction materials, oil or coffee are difficult to find through official channels. Thus Cubans frequently have two jobs: an official day job and a hidden night job.

In deciding to open their borders to foreign visitors, Cuba has become one of the biggest destinations for sex tourism.

1999 was not the first time Cuba encountered mass prostitution on the streets of Havana. This late recognition has further complicated the battle against this type of tourism. Furthermore, in the 2014 U.S. Department of State Report on Trafficking in Persons has once again put Cuba on the list of countries most concerned by and implicated in human trafficking. It is estimated that the Cuban government no longer fills the minimum standards required to eliminate human trafficking, and is not producing the necessary efforts to achieve reduction. Nevertheless, Washington recognizes the lack of reliability of its sources and that its report is contradicted by a number of international institutions.

Cuban Prostitution: a Secret Sex Market

An Insignificant Legal Framework

The absence of a global legal framework that criminalizes all forms of human trafficking is a problem that has been raised by the 2014 U.S. Department of State Report on Trafficking in Persons. Essentially, the definition of human trafficking for purposes of sexual exploitation seems to confuse trafficking with prostitution and procuring: article 302 of the Cuban Penal Code criminalizes procuring and trafficking. The legislation criminalizes the trafficking of adults for prostitution by force, coercion, the abuse of power or of a vulnerable situation, although the use of these means is considered an aggravating situation and not as constituting a crime itself. The law also does not provide explicitly the criminalization of recruiting, transporting and hosting people towards the end of human trafficking.

However, the Cuban government has affirmed its intention to amend the Penal Code to conform to the requirements of the additional UN Protocol of the Palermo Convention, aimed at preventing and punishing the acts of human trafficking, in particular trafficking concerning women and children, which Cuba adhered to on 20 June 2013, which it signed on June 20th in 2013. For the first time, the government announced concrete measures aimed at fighting sexual trafficking and to put in place services to aid victims. Moreover, it launched a media campaign aimed at making the Cuban public aware of the problem of trafficking.

The Jineteras: Prostituted Women in Secret

While the authorities might officially condemn prostitution, it is omnipresent on the streets of Havana. Cuban monthly salaries are on average just 8,66 US\$ (8 €), and the possibility of earning this several times over continues to attract enough Cubans, so much so that it has become common practice. It is difficult to quantify the problem, due to a lack of official statistics for the reason that prostitution is still officially not recognized. However, according to a ten-year long independent study, authored by the journalist Amir Valle, there

are 20,000 *jineteras* in Havana alone (Valle, 2010). Today, prostituted persons are often considered successful because they can afford a decent lifestyle in the midst of the economic catastrophe gripping the country. In general, Cubans don't condemn prostituted persons outright, as they are simply seen as people fighting for survival.

Many types of *jineteras* exist. Some survive solely through full time sex work. Most of the full time workers have a procurer who protects them from the police, find them clients and give them use of a private space in which to work. The prostituted person is answerable to her procurer, who is often her husband. Other prostituted persons are more integrated into normal society, they could be doctors, teachers or nurses - they don't live exclusively on their earnings from sex work but use this type of activity from time to time to supplement their income.

For example: Julietta is a doctor by day, but from time to time she resorts to sex work during the night to make her end-of-month bill payments. She doesn't earn enough at the hospital (19 CUC/19 US\$/17,4 €) per month, which barely covers her monthly rent payments) even though her position comes with a high level of responsibility. She would prefer to work more hours at the hospital, doing night-shift hours for example, but is unable to as she has to look after her son who is 8 years old and was born with a heart defect. Julietta doesn't see herself leaving Cuba, because the medical care for her son is free. Like her, at least 70% of Cubans are sex workers for reasons of economic necessity.

Besides, there is a type of hierarchy within the world of prostitution. At the bottom of the ladder are the "scavengers" – prostituted persons with little education, poor and neglected looking. To present an attractive image to potential clients, these sex workers offer their services for extremely low costs. Just above the scavengers are the *jineteras* "in trainers" then those "in sandals," who are prostituted by small procurers and generally possess at least a secondary level of education. Next are the "street walkers in high heels": refined, beautiful, generally with degree level education, sometimes multi-lingual who work in close partnership with procurers. They have contacts in places frequented by diplomats and foreign businessmen whom they often aim to marry in order to get a ticket out of Cuba. Finally, at the top, there are the "queens" and "courtesans" who become procurers in their turn when the constraints of age force them to give up being prostituted persons.

Today, prostitution in Cuba is taking on new forms: ads placed on Facebook are more and more common, thus moving away from the exclusive role of the foreign client and opening up the human trafficking to local clients. Because of their high numbers, *jineteras* have drastically lowered their prices and include locals in their clientele. The new *jineteras* acts like a real girlfriend or during dinners and parties with friends. She performs this service around 10 -12 times a month, and sometimes with the same clients. For these *jineteras*, being frequented by the same clients is the ideal situation – as there is often a relation of empathy that is created. Not all of them are considered to be prostituted persons, but rather women who are simply with different men at the same time.

However, a pretty young girl can't walk in the street in Havana holding hands with a foreign man without the police stopping them and asking for the man's papers and for further information. Negotiations between sex workers and clients, and even procurers, are done everywhere but discretely. Elsewhere, taxi drivers and hotel workers are bribed to allow entry

with no questions asked. To respond to client's demands, clandestine establishments entitled "casa particular" rent out rooms to tourists for around 10 US\$ (9,23 €) a night.

The Clients

Foreign clients of Cuban prostituted persons are mostly of European origin, with the most common nationalities being Spanish and Canadian. They come to Cuba specifically to use prostituted persons' services, and not only with adult prostituted persons. Closer and less expensive than other sex-consumer destinations like Thailand or Cambodia, Cuba remains popular with sex tourists because of the relatively low infection rates of HIV/AIDS compared to most other countries (the infection rate is 3% - the lowest in the world).

Cuban Children: Victims of Their Vulnerability

The legal framework: the corruption of minors

While Cuban law does criminalize the corruption of minors, the definition of minors is only for those under the age of 16 and does not correspond to the United Nation's definition of minor as anyone under the age of 18. This means that minors from 16 – 18 who are being prostituted for the profit of a third party (i.e. a procurer) are not necessarily identified as victims of trafficking. At the same time, this third party cannot be prosecuted for human trafficking under Cuban law.

Nevertheless, forced prostitution is still illegal no matter what the age of the victim and Cuban law stipulates very severe punishments for those who sexually exploit children under the age of 14 years old. However, the government has to decide to pursue charges. The accused then faces up to 30 years imprisonment or even the death penalty by firing squad if aggravating circumstance exists, such as the use of drugs or violence. In recent years children under the age of 18 have been generally identified as victims of human trafficking by the government, and traffickers have been sentenced more severely when the victims are less than 16 years old. Havana has also been working closely with Interpol to deny entry into Cuba to pedophiles that are on the sexual offenders register.

However, minors who are engaging in prostitution are sometimes treated as criminals themselves and sent into youth camps aimed at rehabilitation, detention centers for minors or to labor camps. Foreigners found in their company are rarely arrested. It has also been alleged that some police officers accept bribes from prostituted persons and procurers to turn a blind eye to their activities.

Alarming Levels of Child Prostitution

The 2014 U.S. Department of State Report on Trafficking in Persons noted the existence of child prostitution and sex tourism involving children in Cuba. The reality of Cuban child prostitution is cruel: it has been known to affect children as young as four years old. Due to the normalization of the phenomenon in Cuba, many high school students aged 11 – 15 have no problems with the concept of prostituting themselves to tourists. Many of them are children of second or third generation prostituted persons who followed in the footsteps of their parents to earn money for their families, who were complicit in this exploitation by agreeing to allow their children to do this act. Parents who introduce their children into the

sex trafficking are not motivated only by money, food, or gifts. The real goal is the possibility of marriage with a rich foreigner. This dream ends, in the huge majority of cases, with exploitation and tragedy.

Hotels refuse entry to prostituted children, who operate instead from their parent's houses or in *casas particulares*. The average price for a night with a prostituted child is around 30 US\$ (27,7 €). The sex tourists, who come to Cuba specifically to take advantage of the available prostituted children, are typically of Canadian origin.

In July 2013, one case of child prostitution in particular shook public opinion. Jame McTurk committed many sexual crimes against children on multiple children during his many trips to Cuba (30 in 4 years). A 78 year old Canadian had already been convicted twice in Canada for possessing child pornography. He was the first Canadian to be convicted in Canada for sexual crimes involving children in Cuba. All of his victims were young, and some were as young as 4. Despite being registered on the Canadian sexual offence register, he was able to travel freely to a destination where it was possible to buy sexual services, even from children.

In Canada, sex offenders do not need to notify the authorities when they leave Canada for under a week. When they are obliged to alert the authorities that they are leaving the country, they don't need to tell them the destination. This oversight of the Canadian authorities poses serious problems. Boarder control authorities do not have access to the Canadian sex offender register and have limited access to the database containing Canadian criminal records. As for the Cuban government, it conceals the number of Canadians in Cuba who have been prosecuted for sex crimes.

The Cuban authorities deny the problem, and it seems almost impossible to cooperate with the police or other authorities without provoking fears of reprisals against the families of the victims, or the victims themselves. The number of arrests and prosecutions for child sexual exploitation is not made publicly available, and Cuba restricts the numbers of national or international NGOs present in the country. The death of a prostituted 12 year old girl in 2010 resulted in no national media coverage and only local media outlets reported the sentences of 20 – 25 years imprisonment that were given to three Italians for murder and the corruption of four minors during a sex party.

On several occasions, the 2015 U.S. Department of State Report on Trafficking in Persons has raised the issue of the lack of protection and assistance to child victims of prostitutions in Cuba, who are sometimes treated like criminals and sent to juvenile detention centers for their rehabilitation. The Committee for the Elimination of Discrimination against Women (CEDAW) has also expressed concern at the measures of “re-education” aimed at women who are engaged in prostitution, which have been established without transparency, clear objectives, or procedural processes.

UNICEF does not agree completely with the 2014 U.S. Department of State Report on Trafficking in Persons strong condemnation concerning Cuba's policy towards child prostitution. Instead the UN agency welcomes the relative progress that has been made in Cuba in improving children protection. According to their report, “*Cuba should be seen as an example of good child protection policy*” (Granma, April 12th, 2008). According to José Juan Ortiz, UNICEF representative in Havana, “*In Cuba, children are always a priority and that's why they do not suffer like the millions of children in Latin America who are exploited into*

child labor or prostitution" (BBC, January 26th, 2010). The UNICEF report in fact highlights Cuba as a model of the defense and promotion of children's rights, where children and adolescents are privileged compared to the rest of the world.

Government Denial and Corruption Allegations

The Cuban government officially denies the problem of prostitution and sex tourism, which essentially puts them in the position of indirect complicity with the development of sex trafficking. The CEDAW is deeply troubled by the fact that Cuba refuses to recognize the problem. It is also concerned by the lack of official Cuban statistics on trafficking and sexual exploitation. Nothing has been done to put in place a policy to prevent widespread sexual exploitation and address its root causes. Finally, the organization has also raised the problem of the lack of protective measures and services for victims of sexual exploitation.

While there are strict punishments for those convicted of sexually exploiting others, there is not the political will to eradicate the conditions that foster the widespread sexual exploitation, or to end prostitution. So far the occasionally implemented governmental measures have had very little impact. In major Cuban cities, police corruption is such that even the Ministry of the Interior has had to acknowledge the problem. The entire hierarchy of Cuban authorities is affected by corruption: the police turn a blind eye to sexual exploitation in return for money given to senior officers, some of which themselves control large prostitution networks and are procurers themselves; immigration officers are in a position, in turn, to authorize or not the marriage of Cubans with foreign nationals.

Male Prostitution: *Les Pingueros*

Malecón rosa (an 8 kilometer long promenade in the north of Havana) has been the largest gay market in Havana since the 1990's, when the high numbers of prostituted male drove out *jineteras*. Considered to be a disturbing reality for Cuban society, males prostitution was the subject of a recent well-selling book by Gonzáles Pagés. Fifteen years of investigation allowed him to collect a mass of information from his subjects, and he presented the results of his investigations to the general public. The book has not been received well in Cuba; its themes certainly make people uncomfortable, and it portrays prostituted male as being adherent to the social norm of the macho Cuban – a portrait that undermines cultural norms.

Contrary to female prostitution, male prostitution is a hidden phenomenon, barely acknowledged and surrounded by prejudice. This is mainly due to the fact that even though male prostitution is practiced in highly visible areas, the police have trouble identifying prostituted male: they rarely question groups of three or four young men on the streets. Male prostitution is caused by much the same set of circumstances that causes its female counterpart: poverty and educative failure. A prostituted male can earn up to 1,000 US\$ (923 €) a month – not even government ministers earn this much. However, another cause seems to have as much of an impact: sexual abuse. According to Gonzáles Pagés 40% of prostituted males were abused as boys by people they knew.

Contrary to popular belief, prostituted males are much in demand, not only from tourists, but also from male Cuban customers, normally over 50 and looking for a young muscular

companion. The most numerous foreign tourists who present as clients are from Spain, Mexico, Russian Federation or Italy.

Unlike prostituted females, prostituted males accept both male and female clients. Many prostituted males consider themselves to be firmly heterosexual and see homosexual behavior as foreign to their deepest desires and feelings. They see homosexuality more as a question of general identity and not as an exclusively sexual question. However, homosexuality is fundamental to their financial survival and usually affects a change in their thinking. Prostituted males are often from middle class families and frequently have a university degree.

An example: Alberto, a heterosexual, engages in prostitution with the support of his wife. At first she was very much against the idea, but the couple wanted a child and did not have enough money to raise the child in a decent environment. Alberto does not intend to work as a prostituted person for his whole life, just for a few more years – long enough to save enough money to allow him and his family to live decently.

Washington's trade embargo against Cuba and the severity of US visa laws have limited the number of US sex tourists coming to the Island. Despite this, American citizens represent 25% of sex tourists involved in using prostituted children in Cuba. The recent thaw in US – Cuban diplomatic relations and the easing of the embargo will most likely cause an influx of American sex tourists – and Cuba could easily become America's brothel.

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