

# briefing

## Cuba

*Religious freedom profile*

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MAY 2006



CHRISTIAN  
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REGISTERED CHARITY NO. 281836

## Table of contents:

Religious freedom profile.....	1
1. Points of Concern.....	3
2. Religious Freedom Background.....	4
2.1. Directive 43 and Resolution 46.....	5
2.2. Fines and Harassment.....	6
2.3. Arrests and Beatings of Pastors.....	6
2.4. Demolitions.....	7
2.4.1. Yamanigüey, Moa, Holguín Province.....	7
2.4.2. Alamar, Havana.....	7
2.5. Confiscations.....	8
2.5.1. El Recreo.....	8
2.6. Denial of Right to Renovate or Repair Church Buildings.....	8
2.7. Denial of Right to Construct New Buildings for Religious Purposes.....	9
2.8. Legacies.....	10
2.9. Government Interference in Who Can Attend/Belong to a Church.....	10
2.10. Informants.....	11
2.11. Denial of Religious Rights for Political Prisoners.....	11
2.12. Discrimination Against Christians.....	12
3. Summary:.....	12
4. Recommendations.....	13
4.1. To the Cuban Government.....	13
4.2. To the European Union.....	14
4.3. To the United Nations.....	14

## I. Points of Concern

- In the autumn of 2005 Directive 43 and Resolution 46 “on the holding of religious services in personal property homes” were put into force by the Cuban government. This legislation contained a number of harsh restrictions to be applied to “*casacultos*,” or house churches, and appeared to be an attempt to control or even shut down the house church movement in Cuba. However, while there were some isolated cases of provisions of the law being applied, by May 2006 it did not appear to have been fully implemented and most house churches continued to operate, although not without problems.
- The legal situation for house churches continues to give cause for concern, particularly following the introduction of Directive 43 and Resolution 46. While many have applied to be legally recognised as places of worship, few have received authorisation, leading many to doubt the authorities’ will to legalize them. Without legal recognition, they are vulnerable to charges of illegal association and in theory could be shut down and/or demolished and the church leaders prosecuted.
- There were some reports of individual believers being cited by the police for meeting together for prayer and Bible study.
- There were reports that some churches had been fined or cited by Cuban Immigration officials because non-Cubans (tourists) had attended their services.
- There were reports of some house churches being shut down and/or confiscated after being told by local authorities that their buildings were “unsuitable”. This occurred after the churches attempted to register with the local governments. Alternative venues were not provided.
- At least one house church was demolished by the authorities and another was threatened with demolition because they were “illegal buildings”. In the second case, the demolition order was rescinded after the case received international attention, but the church has yet to receive official authorisation to exist.
- Some legally recognised churches that are not part of the Cuban Council of Churches (government sanctioned) continued to report difficulties in gaining government permission for repairs, renovation and/or new constructions. This refusal to grant permission for sometimes essential repair work led at least one historical church to be condemned and closed by the Ministry of Health because it was a hazard to its members.
- There were a number of reports of pastors being beaten or detained and imprisoned by the authorities. Some beatings were carried out in public by people who appeared to be civilians but who were actually members of the state security forces dressed in plain clothes in order to give the impression that these were acts of an “outraged citizenry.”
- Some pastors, particularly those leading house churches, reported being visited regularly in their homes and churches and harassed by local government officials. In some cases the officials regularly demanded payments, in the form of bribes and/or “fines,” in what the pastors perceived to be a tactic to force the pastor into an impossible financial situation and/or to obligate the churches to close.

- There were reports that a number of foreign Roman Catholic priests working on the island were informed that their religious visas would not be renewed because of their contact with human rights and pro-democracy activists.
- The Cuban government continues to plant informants in religious institutions including churches and seminaries.
- Some pastors reported that they were pressured by government officials to expel members of their churches involved in pro-democracy or human rights activism. This continues to be a particularly delicate subject for pastors of all denominations and has caused controversy within the churches themselves.
- Some Christians who refuse to join the Cuban Communist Party (PCC) for reasons of conscience continued to report discrimination, particularly within educational institutions and in their places of employment. In one case, a university professor who had converted to Christianity was transferred from the city to teach at a technical secondary school in a rural area and was encouraged to “retire.” Others reported being told they were “untrustworthy” and were excluded from staff meetings and other events.
- The Cuban government continued to use the denial of religious rights as a form of punishment or to exert pressure on political prisoners. Political prisoners were routinely denied the right to visits by a pastoral worker, the right to meet together with others of the same faith to worship, study or pray, and were denied the right to keep religious material such as Bibles, other religious literature and rosaries.

## **2. Religious Freedom Background**

Officially, for most of the past 40 years, Cuba has been an atheist state. The government strongly discourages its citizens from participating in religious activity and stigmatises those that choose to do so, although less so now than in the past.<sup>1</sup> While both Protestant and Catholic churches have been restricted in their activities, they were never outlawed altogether as under some other communist regimes. They have continued to operate within the limits of those restrictions over the past four decades and their numbers have risen substantially since the revolution.

The situation for churches of all denominations in Cuba underwent a striking change during the 1990's. This shift in government policy was illustrated by the transformation of Castro's approach to the Church and to religious freedom in general. In 1991 the Cuban government revised a law (at least on paper) that had previously prohibited Christians from belonging to the Communist Party. A year later, Cuba was changed from an atheist state to a secular state. Professions and areas of study that had previously been closed to Christians, including law and psychology, were now open.

When assessing religious freedom in Cuba, it is important to understand the division of churches and denominations in the country. A number of different religions are represented in Cuba, including Christianity, (Roman Catholic, Orthodox and Protestant), Islam, Judaism, and various Afro-Cuban religions. It is difficult to find accurate statistics demonstrating what percentage of the population considers itself to be religious; however, most observers

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<sup>1</sup> In 1962, the government of Fidel Castro seized and shut down more than 400 Catholic schools, claiming that they spread dangerous beliefs among the people. Many church leaders including pastors and priests were also sent to re-education through labour farms along with other “undesirables and deviants”. However, this policy as a general practice was not continued after the 1960s.

would agree that the Christian and Afro-Cuban religions claim the highest number of followers.

Among these, the Afro-Cuban syncretistic religions, which have some overlap with Catholicism but do not have a structured hierarchy of leaders, maintain a privileged position as the government has identified them as part of Cuba's "cultural heritage" and as such allows them to operate publicly and even grants access to television and radio. The government apparently views the Afro-Cuban religions as a potential tourist attraction and as a result it is common to see adherents putting on displays or rituals in the public squares of Havana and other major tourist cities. Members of other religions have complained that because of this, the Afro-Cuban religions have been given a de facto "official" status and enjoy privileges that no other religion has been granted.

Among the Christian denominations, and as in most Latin American countries, the Roman Catholic Church has a unique position as it maintains a bilateral relationship with the government. However, it faces many of the same issues as the Protestant denominations which are outlined below.

Unlike many Communist countries, there is no "official church", however, there is a tier system under which non-Catholic churches and denominations can join the government-sanctioned Cuban Council of Churches<sup>2</sup> or CCC. The CCC, which has 27 member denominations, including the Methodists and the Episcopalians, receives some privileges (such as receiving approval for renovations) from the government. However, the largest Protestant denominations in Cuba, the Assemblies of God and the combined Eastern and Western Baptist Conventions, do not belong to the CCC. While they are allowed to operate openly, they do face a number of restrictions which are outlined in this report.

In the 1990s, during the Special Period, the Cuban government began a practice of "tolerance" with respect to the mushrooming house church movement. Although the laws restricting the right to assemble are still in place, the government has, until recently, refrained from cracking down on the thousands of church groups that regularly meet in private homes across the country. This overall loosening of restrictions culminated in the 1998 visit of the Pope to Cuba, and the declaration of Christmas as an official holiday.<sup>3</sup> At the same time, throughout the 1990s, churches of all denominations experienced phenomenal growth. In light of these changes contradictory reports on the state of religious freedom continue to circulate outside Cuba in the human rights and religious media.

Since 2000, however, there has been a marked shift in government policy. Many analysts believe that the more intransigent communists in the central government are pushing for a return to an orthodox communist system. In addition to a sweeping crackdown on human rights and democracy activists in the spring of 2003, as well as continued arrests and detentions since then, the government has also implemented highly restrictive legislation regarding property rights and is also attempting to reverse economic reforms made in the mid-1990s as the country tried to attract outside investment. Some church leaders, both inside and outside Cuba, have expressed the concern that this overall increasingly intolerant approach may also be extended to an assault on religious freedom. This concern appeared justified with the issuance of Directive 43 and Resolution 46, targeting "the holding of religious services in private property homes," in autumn 2005.

### **2.1. Directive 43 and Resolution 46**

In autumn 2005 Directive 43 and Resolution 46 "on the holding of religious services in personal property homes" were put into force by the Cuban government, causing great

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<sup>2</sup> Formerly the Cuban Ecumenical Council

<sup>3</sup> This seems to have been somewhat short-lived as in 2005 Cubans reported that Christmas was not observed and most workers and schoolchildren were not permitted to take the day off.

concern among religious groups in Cuba. There were fears that this legislation, which contained a number of harsh restrictions to be applied to “*casacultos*,” or house churches, was an attempt to control or even shut down the house church movement in Cuba. However, while there were some isolated cases of provisions of the law being applied, it did not appear, by May 2006 that it had been fully implemented and most house churches continued to operate, although not without problems. Many Cuban church leaders believed that the government’s hesitation to implement the new legislation was a result of unexpected international attention to the issue.

Following the implementation of Directive 43 and Resolution 46, many house churches attempted to register with the government, in order to be legally recognised as places of worship. However, six months later, few, if any had actually received authorisation, and many expressed doubt that the government had any intention of legalizing them. Without government authorization, of course, churches continue to be vulnerable to closure, demolition, and confiscation and church leaders to prosecution, particularly under the new directive and resolution.

### **2.2. Fines and Harassment**

As is often the case in Cuba, implementation of this law appeared to differ, sometimes even within the same city. CSW received reports that some individual worshipers had received citations from the police for meeting together for prayer and Bible study in private homes. There were also reports of local officials making regular visits, which they considered to be harassment, to the homes of pastors and church leaders. In some cases, the officials repeatedly demanded payments for “fines” which pastors and churches found impossible to pay. Many believed that while this was clearly extortion, it was a scheme that was being unofficially encouraged by their superiors in order to put additional pressure on these religious groups and their leaders.

CSW also received reports that some churches had been fined or cited by the Cuban Immigration officials because non-Cuban tourists had attended their services. This ban on foreigners attending religious services was made clear in the new directive, but there was some ambiguity as to where it would apply. In these cases, the non-Cubans were not punished, rather citations and fines were applied to the local church leaders, again, putting additional pressure on them.

### **2.3. Arrests and Beatings of Pastors**

There were scattered reports of pastors being physically attacked and beaten, or detained by the security forces, usually in what was perceived to be retaliation, for opposing actions of the local government. Cases of beating and detentions of pastors were reported in Maisi, Holguin, Havana and Ciego de Avila among others. Sources reported that one pastor was beaten by the police when he attempted to support members of his congregation who were having problems regarding their property. Reportedly, the police later apologised but no action was taken to discipline those responsible. The pastor has since been transferred out of the region for his own safety. Other reports mentioned pastors being harassed or attacked by groups of people who appeared to be “enraged citizens” but were actually security officials in plain clothes in government-organised acts of violence.

According to a report issued by human rights activist Juan Carlos Gonzalez Leiva, in mid-2005 a Seventh Day Adventist pastor, Pastor Jesús Manuel Rosabarencibia from Matanzas, was reportedly detained by police for holding a religious gathering without official permission.

On February 20<sup>th</sup>, 2006 another protestant pastor, who was formally the national president of his denomination and is based in Havana, was detained and imprisoned. Reverend Carlos

Lamelas, the former national president of the Church of God denomination, (a member of the Cuban Council of Churches), was still being held in prison at the time this report was written and had not been formally charged or brought to trial. According to *Compass Direct News Service*, the authorities indicated that he was being detained for aiding people attempting to leave Cuba, charges he and his family deny. They believe that he has in fact been detained and imprisoned because of his resistance to government interference in church activities and because he is perceived to be a “political activist” because of his insistence on respect for religious liberty.<sup>4</sup>

In March 2006, a report out of Cuba indicated that eleven protestant pastors in Havana had also been detained by the state security forces. The report, written by Juan Carlos Linares Balmaseda from inside Cuba, stated that they were held in the Centro Especial de Investigación de 100 y Aldabó. No other details were given regarding their denomination or the reason for the arrests. CSW has been unable to confirm the veracity of this report.

#### **2.4. Demolitions**

Since Directive 43 and Resolution 46 went into force in 2006, at least one house church was demolished by the authorities and another was threatened with demolition because they were “illegal buildings”. In the second case, the demolition order was rescinded after the case received international attention, but like many other “house churches” it is still awaiting a response to its application for authorization.

##### **2.4.1. Yamanigüey, Moa, Holguín Province**

The Yamanigüey Baptist Church in Moa, Holguín Province, in Eastern Cuba, was told by government officials on 8 December that the church, which is the only Baptist church in the town and was originally established in 1948, would be shut down within 15 days. The original church building had been demolished by the authorities in 1996, however, no move was made to stop the members of the church from meeting and worshipping together as a “house church”, which they have done openly until the present.

The government officials advised the church representatives that the church building, where more than 120 local Christians regularly meet for worship, would be demolished. The pastor and his wife were told that they would have to vacate the pastoral residence and that all church meetings and services were to be suspended.

The case received international attention which apparently caused the authorities to review their decision. In early 2006, the authorities apologized to the pastor and told him that the church would not be demolished and in fact, the official responsible for the decision had been punished. While members of the Yamanigüey church were relieved to hear of this decision, they remain concerned that their application for formal recognition has still not received a response.

##### **2.4.2. Alamar, Havana**

In December 2005 the Pentecostal Church of Alamar, a suburb of Havana, was destroyed by Cuban authorities as members of the congregation looked on. The church was built a number of months ago in Zone 5 of Alamar, near the home of the pastor, Harold Ibáñez. The construction of the church had been completed two months before.

The church is part of the Worldwide Pentecostal Conference and does not belong to the CCC. Photos of the destruction were taken clandestinely and smuggled out of Cuba and

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<sup>4</sup> Reverend Lamelas was actually unanimously re-elected as president of his denomination, at its annual convention in 2005, but shortly thereafter was barred from the presidency and expelled from the church along with dozens of other pastors who also supported Lamelas, by the denomination’s national board of directors. Caridad Diego, the Cuban Minister for Religious Affairs, issued a statement supporting the directors’ decision, which seemed to indicate that the government was not neutral in what should have been an internal church decision.

clearly show government officials and police overseeing the demolition while members of the church look on.

## **2.5. Confiscations**

There were also reports of some house churches being shut down and/or confiscated after being told by local authorities that their buildings were “unsuitable”. This occurred even after the churches had attempted to register with the local governments. Alternative venues were not provided.

### **2.5.1. El Recreo**

Members of the Baptist Church of El Recreo, which met on a private farm of a church member (also called El Recreo), between the cities of Jaragua de Santa María and Nibujón, in the municipality of Baracoa, in Guantánamo Province were forcibly ejected from their church in August 2005 by the Political Police and the State Department of Housing. The contents of the church were thrown out into the street and members were told that they faced arrest and imprisonment if they complained or resisted.

The church building, which had been constructed by members of the church, was confiscated. According to reports, the authorities have converted it into a school, leading the local church leaders to believe that this was actually the true motive behind its confiscation.

The Baptist Church of El Recreo is part of the Guantánamo Provincial Baptist Convention, which is part of the Eastern Baptist Convention of Churches and is not part of the CCC.

## **2.6. Denial of Right to Renovate or Repair Church Buildings**

One of the major problems for non-CCC churches in Cuba is the issue of building, restoration, and the maintenance of religious premises and places of worship where they can hold services. Because of the growth of the Church in the last decade, most existing church buildings are incapable of accommodating all of their members. The alternative for many of these churches has been through the establishment of house churches, but this again leads to additional problems and restrictions also outlined in this report.

While house churches continue to find it virtually impossible to receive official authorization to exist as “church buildings”, recognised church buildings that existed prior to the Revolution have generally been allowed to operate (with notable exceptions like that of Yamanigüey). While some land and facilities belonging to various denominations were confiscated by the government after the Revolution, much still remains the property of the denomination to which it belonged previously. However, churches must still apply for official permission to carry out renovations or to add on to existing facilities, permission which is often given arbitrarily, if at all. Churches reported that they rarely receive an official denial to their requests, but that applications often go without response, sometimes for more than ten years.

Existing buildings, those built prior to the Revolution, are 50-100 years old and often desperately in need of renovation and repair. Many churches have encountered difficulties in seeking official permission for such activity. However, many churches have gone ahead without seeking permission, renovating and expanding the Church facilities as much as finances allow until they are explicitly prohibited from doing so by the government. This of course puts them in a precarious legal position and opens them up to the continuing threat of crippling fines, closure, or even demolition.<sup>5</sup>

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<sup>5</sup>All churches are vulnerable to arbitrary fines, closure, demolition, and even seizure if the Party decides they want the building for their own use. This also applies to vehicles – some churches have had their cars confiscated. It is important to understand, however, that this is not always targeted religious persecution as this is standard government procedure when it wants or needs to procure material goods and properties.



CSW visited the site of one historic church, built in 1901 in Eastern Cuba, which had requested permission to carry out vital repairs to the roof in 1996. The church never received an answer. In 2005, the Ministry of Health visited the site and rightly declared it to be unsafe, forcing the church to shut its doors. The church submitted a second emergency application to carry out even more extensive repairs, as over the ten year period they had waited the roof had deteriorated and was now infested with bats to the extent that much additional work, beyond what they had originally applied to do, was needed to make the church safe for worshipers. Within weeks of the closure the church received a response from the Religious Affairs Bureau, granting them permission to carry out the renovations in the original 1996 application – which clearly was no longer relevant. They have yet to receive an answer to the latest emergency application and have been forced to construct an alternative structure at the back of the church to accommodate worshipers which is, of course, illegal.

One notable exception to this is in the case of churches that are possible tourist attractions – these are for the most part Roman Catholic churches of historical interest. These actually not only receive government authorisation for repairs or renovations, but the projects are sometimes financed by the government itself. However, this should not be seen as government support for the Roman Catholic Church, but rather an understanding that well-renovated historical buildings attract tourists. Unfortunately, this policy is not even-handed as CSW visited a number of Roman Catholic churches, including some of historical importance, that were in such a state of disrepair that some non-churchgoing members of the community had submitted formal protests to the authorities.

### ***2.7. Denial of Right to Construct New Buildings for Religious Purposes***

For non-CCC churches, the construction of a new church, even on church property, also requires government authorisation, which is rarely granted. CSW visited the site of another church in Eastern Cuba, which is forced to meet outside in the open air, even though there is no other church of that denomination in the town, or even within twenty kilometres. This outside meeting, which takes place in the back garden of the pastor's home, is also considered illegal.

In some cases, like those mentioned above, where there are no other facilities for worshipers to meet, and where official authorisation has been slow in coming, church members have gone ahead and built facilities. However, even when these facilities are built on property that belongs to the church or the denomination and is recognised as such, these buildings are still considered to be illegal constructions and as such are vulnerable to demolition.

CSW visited the site of another church in the city of Santiago, which illustrates this predicament. The church was constructed on property that has belonged to the church since 1958. The nearest church of the same denomination is more than seven kilometres away, which legally means there should be no problem with its existence in this neighbourhood. Although the church leadership has requested permission to build, they have never received a response in the form of an authorisation or a denial. As more than 100 worshipers meet there on a regular basis, and after waiting years for an official response, they have constructed a rudimentary building which mostly consists of pillars and a roof to protect them from the sun. However, while the church members have had little other option, the building is considered to be illegal and the church leadership has been fined repeatedly and fears that the building may be demolished by the authorities at some point unless it is legalized.

## **2.8. Legacies**

The issue of legacies is of additional concern; in this area, the Roman Catholic Church holds a unique position as the only Christian denomination that is legally allowed to receive property willed to it upon the death of its members. All other denominations are legally prevented from inheriting property, even if it is the explicit wish of the property owner.<sup>6</sup> This again, limits the physical expansion of the churches. Some property owners surreptitiously sell or give their homes to churches, but legally keep the property under their own name. Problems arise when the government runs a state control exercise, checking the occupants of the homes against the names on the deeds – if there is a discrepancy, the occupants are evicted and the government repossesses the property.<sup>7</sup> According to Church leaders, the government is becoming increasingly strict regarding all property issues and the number of churches that have lost their facilities in this manner has risen significantly in the last two years.

## **2.9. Government Interference in Who Can Attend/Belong to a Church**

Some pastors reported that they were pressured by government officials to expel members of their churches involved in pro-democracy or human rights activism. At least one pastor in central Cuba was visited by local officials who warned him and his wife that they should bar certain members of their congregation because of their involvement in “counter-revolutionary” activities, even though these activities were in no way related to the activities of the church. Two non-Cuban Roman Catholic priests were reportedly told their visas would not be renewed after they ignored “advice” from local officials to cease contact with local Christian human rights activists. A number of pastors also reported that while they had not received explicit warnings from officials, they did feel pressured to ask members of their churches who were involved in pro-democracy or human rights activism to distance themselves from the congregation.

This continues to be a particularly delicate subject for pastors of all denominations and has caused controversy within the churches themselves. Ironically, many church leaders of all denominations would more readily welcome an active Communist Party member than a Cuban human rights or democracy activist. CSW has received reports that many Christian human rights or democracy activists and their family members have actually been asked by their church leaders (at the local and at the national levels) to distance themselves from, or even leave, the church and its congregation.

This is not a uniform policy of any denomination in Cuba but it does illustrate the extreme pressure that church leaders feel from the authorities to appear as apolitical as possible. A number of church leaders have expressed privately to CSW that they fear that their churches might suffer repercussions and increased government harassment if they allow political activists to be a part of their fellowship. While they, personally, might sympathise with these activists, they feel that they are forced to choose between supporting an individual by allowing them to participate in the church’s activities and protecting the right of their congregation to continue meeting together free from harassment. In most of these cases, they conclude that the “greater good” is for the church to continue meeting together free from harassment. This, unsurprisingly, has caused deep divisions within churches and denominations and within the human rights and democracy movements.

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<sup>6</sup> This is another legal issue rising from the Cuban Communist system. Most Cubans are allowed to “own” the homes they lived in prior to the revolution – that is they are allowed to live in them, as are their families and their descendents. They are unable however, to sell their property to anyone except the government, who can then sell it on (usually at a profit to itself). They cannot leave the property to anyone outside the family.

<sup>7</sup> This also causes difficulties for churches involved in mission work or “church planting” as finding legal housing for a missionary and his or her family is virtually impossible.

## **2.10. Informants**

The government also continues to exercise strict control over all facets of Cuban society, including religious groups, through the use of government informants. This strategy appears to have been reinforced in recent years and the number of informants increased with some estimates putting the number of informants at one in every four Cubans. Most Cubans assume that the people they interact with, including their own spouse and children could be government informants.

Government-planted informants within church bodies are taken for granted by church members. This appears to be a result of the government's desire for control over all aspects of society but there is rarely any follow-up action taken. However, it is clear that pastors must strike a delicate balance in their sermons and teaching, being careful not to say anything that might possibly be construed as anti-Castro or counter-revolutionary. More than one pastor has pointed out to CSW that religious leaders, as the only non-Communist Party members officially permitted to speak to groups of people in Cuba, are automatically viewed as a potential danger.

In the past there have been reports that some of the more charismatic churches have run into difficulties through their "prophetic" ministries, which by nature are often impromptu and extemporaneous, as some of the prophecies were construed by the government to be political in nature. There have been reports that church leaders were detained and questioned because of prophecies given in their church or even by religious leaders outside of Cuba.

## **2.11. Denial of Religious Rights for Political Prisoners**

The Cuban government continues to use the denial of religious rights as a punishment or a tool to put additional pressure on political prisoners. While many pastors stated that they have been able to freely visit with common prisoners, usually at the request of one particular prisoner, they confirmed that it was much more difficult, if not impossible to visit Cubans imprisoned for political reasons.

CSW has received reports that a number of prisoners in different facilities throughout Cuba, were denied the right to receive visits from a member of the clergy. This included both Catholics and Protestants, including Adventists. Family members of prisoners of different denominations also reported that religious materials, including Bibles or rosaries were often confiscated as a form of punishment. Political prisoners were prevented from meeting with other prisoners (including common prisoners) for religious services, prayer and worship.<sup>8</sup>

CSW received a report that Jose Luis Rojas Martinez, who is currently serving a sentence of seven years for "dangerousness" and is held in the 1580 Prison located in the Havana municipality of San Miguel del Padrón, was beaten by prison officials after sharing his faith with other prisoners. Rojas Martinez, a member of the Seventh Day Adventist Church, also found his family visits suspended and his Bible and other religious literature confiscated, as a punishment.

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<sup>8</sup> This is in contravention of the UN Standard Minimum Rules for the Treatment of Prisoners which state: 41. (1) If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis. (2) A qualified representative appointed or approved under paragraph (1) shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times. (3) Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected. 42. So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination.

## **2.12. Discrimination Against Christians**

One of the most pervasive, but by its nature most difficult to measure, violations of religious liberty in Cuba is a system of discrimination against those who identify themselves as Christians. Discrimination against individual Christians has taken on a subtler form over the past decade. While many careers that were previously closed to Christians are now open and people are ostensibly free to convert to Christianity and to participate in religious activities, it is not true that there are no repercussions for becoming a Christian. Success in Cuba depends principally on being a loyal Communist Party member; however, many Christians see an inherent contradiction in being true to their faith while belonging to a Marxist-Leninist and materialist political party.

The result is a more indirect form of religious discrimination. Cubans holding privileged and high-level positions often knowingly give up all hope of being promoted or receiving an increase in wages or housing allotments when they openly become Christians. Many are excluded from work functions and meetings on the basis that they are no longer considered “trustworthy”. This effectively ensures that they will not advance in their careers and can be a definite factor in whether or not someone believes that they can be open regarding their personal religious convictions.

CSW met a number of people who had been demoted or transferred, or given early “retirement” after publicly admitting they had converted to Christianity. In one case, a university professor who had converted to Christianity was transferred from the city to teach at a technical secondary school in a rural area and was then encouraged to “retire.” Others reported being told they were “untrustworthy” and then being excluded from staff meetings and other events. Christian artists, including musicians and writers found it difficult to publish and/or copyright their work. Anything with an overtly Christian theme was impossible to publish through official channels.

According to Church leaders the government now allows openly Christian children to join the Pioneers, a Communist youth organisation. Some parents however refuse to enrol them because of the aforementioned conflict between Marxist-Leninist atheism and Christianity and this sometimes results in the children suffering some discrimination. The government has reinforced the pressure on Cuban youth in recent years by stepping up its “Struggle of Ideas”. As far as the youth are concerned this often consists of a succession of government-sponsored activities, including sports competitions, music events, weekends away, etc, often scheduled on Sundays and during church meetings – with what some see as the clear intent of luring the youth away from Christian (both Protestant and Roman Catholic) activity.

Most Cubans agreed that discrimination against Christians was worse in the eastern part of the country. It is still not possible for members of the police, military or other security forces to openly convert to Christianity or to participate in religious activities. Some occupations are still closed, albeit unofficially, to Christians including diplomatic work and journalism.

## **3. Summary:**

Religious freedom in Cuba has significantly deteriorated over the last year. New, harsh restrictions on house churches, orders of demolition and confiscation, reported arrests and increased harassment of pastors, the abuse of the religious rights of political prisoners, and government interference in internal church issues give the most cause for concern. However, as in every walk of life in Cuba, there are exceptions to everything, including to restrictions on religious freedom. Many churches and denominations enjoy freedom to worship and meet together with others of the same faith. It is vital to keep in mind however, that while the Cuban government should be commended in these cases, we must

also ensure that serious violations, happening simultaneously in other parts of the country, are not overlooked.

Most experts inside and outside of Cuba, however, agree that an antagonistic approach towards the Cuban government by international groups on this issue would not be helpful. Many are fearful that an aggressive attack on Castro's government would be counterproductive. They emphasise that any advocacy action taken should be extremely careful to avoid exaggerating or over-dramatising the situation. At the same time, however, it has been clear from experiences over the past year that the Cuban government does sometimes respond positively when firmly confronted on specific abuses. It is crucial that the international community continues to consistently raise religious freedom, both in general terms and on specific cases, with the Cuban government.

#### **4. Recommendations**

##### **4.1. To the Cuban Government**

CSW calls upon the Cuban Government:

- To respect and uphold Article 18 of the Universal Declaration of Human Rights of the UN, of which it is a member;
- As a member of the new Human Rights Council, to comply fully with international human rights standards including those relating to religious freedom;
- To accede to and ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Cultural and Social Rights;
- To safeguard the freedom of all people resident in Cuba to assemble and worship according to their professed religion, and particularly the right of Cuban journalists, security agents and Cubans in the military to assemble and follow their faith of choice;
- To release immediately and without condition, all political prisoners and to allow them to return to their families and their occupations in Cuba;
- To grant access to human rights reporters from international and non-governmental organisations, in particular to extend an invitation to the UN Special Rapporteur to visit the country in order to examine and report on human rights within the country;
- To loosen state controls and to streamline procedures concerning the registration of churches, and the building and renovation of churches;
- To end discrimination based on denomination in reference to government benefits including permission for renovations and building projects, and to legacies and the right of individuals to leave their property to the church or denomination of their choice;
- To withdraw Directive 43 and Resolution 46, to legalise and provide legal protection for all house churches in Cuba and freedom for Cuban pastors to carry out their work without government harassment;
- To end the use of government informants in churches and seminaries;

- To bring to an end government support of one religious group (Afro-Cuban religions) over other religious groups, and ensure equal access for all groups to the media;
- To guarantee all prisoners, whether criminal or political, their basic human rights including religious rights;
- To guarantee protection from discrimination on the basis of one's religion in the workplace, school and all other social and political spheres.

#### **4.2. To the European Union**

- That the Common Position on Cuba be maintained and renewed until significant improvements are made;
- That the European Union raise religious freedom as regularly as possible in its dialogues with the Cuban authorities, including the Minister of Religious Affairs, and encourages the Cuban government to take the above recommendations seriously;
- That the EU representations in Havana, including the Commission Delegation and the embassies of member states, maintain an open dialogue with religious leaders from all denominations and religious groups, while taking into consideration the political sensitivities under which many religious leaders must work;
- That the EU continue to support the renewal of the mandate of the UN Special Rapporteur on human rights in Cuba;
- That the EU encourage the Cuban government to grant invitations to UN special thematic rapporteurs such as those focused on torture and freedom of expression and opinion;
- That the EU continue to seek ways of engaging with human rights and democracy organisations and activists inside Cuba, offering support when appropriate;
- That the EU continue to establish and maintain contact with the families of political prisoners and to raise their concerns regarding continued violation of the prisoners' rights, including denial of religious rights, with the Cuban authorities.

#### **4.3. To the United Nations**

- Now that Cuba has been elected to the new UN Human Rights Council, the UN must insist that Cuba accede to international human rights treaties, including the ICCPR, and extend an invitation to the UN investigator responsible for reporting on the situation of human rights in Cuba. In addition, Cuba should be urged to also extend invitations to the UN thematic mandates on human rights defenders, torture, independence of the judiciary, and arbitrary detention to visit Cuba.