

briefing

Cuba

Religious freedom in Cuba

FOR PUBLIC USE

APRIL 2013

*produced with
the support of*



CHRISTIAN
SOLIDARITY
WORLDWIDE
VOICE FOR THE VOICELESS

PO Box 99, New Malden,
Surrey KT3 3YF

T: 0845 456 5464

E: admin@csww.org.uk

W: www.csww.org.uk

REGISTERED CHARITY NO. 281836

Table of contents:

1.	Executive summary	3
2.	Recommendations.....	4
2.1.	To the Cuban Government.....	4
2.2.	To the United States.....	5
2.3.	To the European Union and member states.....	5
2.4.	To the United Nations.....	6
3.	The Office of Religious Affairs	7
4.	Government interference with and denial of the right to worship	9
5.	Penalties for “non-collaboration”	11
6.	Pressure to silence critical voices	12
7.	Government informants	13
8.	Harassment of and attacks on church leaders	14
9.	Refusal to register new or independent religious groups	15
10.	Restrictions on movement within Cuba	16
11.	Refusal of exit visas and government permits	17
12.	House churches	18
13.	General discrimination on the basis of religion.....	20
14.	Building restrictions	22
15.	Destruction of church properties	23
16.	Public and social ministry.....	24
17.	Distribution of religious materials.....	26
18.	Access to the media.....	27
19.	Religious rights of political prisoners.....	28
20.	Background on religious freedom and Cuban law.....	29
21.	Conclusion	30
	APPENDIX I – Index of acronyms and translations	31
	APPENDIX II – Cuban religious panorama.....	32
	APPENDIX III – Background on house churches.....	34

I. Executive summary

The extremely high profile visit of Pope Benedict XVI in March 2012 along with some concessions on the part of the government to a very limited group of religious organisations, led many to express hope that this heralded a new and more positive era for religious freedom in Cuba. Unfortunately, while the international media coverage focused for the most part on these major events, their cameras missed the reality on the ground for most religious believers in Cuba. Reported violations of religious liberty, many involving dozens of people at a time, tripled in 2012: up to 120 from 40 in 2011. These numbers do not include the hundreds of devout Catholics who were arrested, sometimes violently, and arbitrarily imprisoned during the week of the Pope's visit in order to prevent them from attending any of the scheduled Masses or other events. Unfortunately, events in the first quarter of 2013 seem to indicate that the trend of a broader political crackdown on religious freedom in Cuba is continuing.

After a period in which it appeared that the government was moving towards more subtle and refined pressure on church leaders, 2012 saw a return of the use of more brutal and public tactics. For the first time in years, CSW received multiple reports of violent beatings of Protestant pastors in different parts of the country. Additionally, week after week, scores of men, women and sometimes children were physically and violently dragged away by state security agents from Sunday morning services. Many were imprisoned only to be released each week after the conclusion of religious services. There were also increased reports of threats of forced closure, confiscation and demolition of church buildings, including historic, registered churches; some of these threats were carried out. The government has in general moved away from issuing lengthy prison sentences to political dissidents, and now employs a strategy of frequent, temporary arbitrary detention without charge. This change in tactic has also been applied to religious leaders who are viewed, for whatever reason, as problematic by the authorities – and many reported being temporarily detained and imprisoned multiple times over the course of the past year.

Church leaders continue to complain in particular about the authority granted to the Office of Religious Affairs (ORA), an arm of the Central Committee of the Cuban Communist Party (CCP), over all religious groups and associations. They object, virtually unanimously, to the Communist Party being given direct authority over all religious activities and business, rather than officially bringing these issues under government oversight when such oversight is needed. The consistently antagonistic relationship between the director of the Office of Religious Affairs, Caridad del Rosario Diego Bello, and the leadership of the various denominations gives the impression that the office exists solely to monitor, hinder and restrict the activities of religious groups. Over the past year the office has refused authorisation for a number of religious activities and has, in cooperation with other government agencies, issued fines and threats of confiscation to dozens of churches and religious organisations.

Cuba signed both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in early 2008. Five years later Cuba has yet to make any move to ratify either. According to church leaders representing the full spectrum of denominations in Cuba, the reforms that have taken place have been mostly cosmetic – in reality, privileges granted to a few religious groups with the aim of improving Cuba's image in the outside world. All of this indicates that rather than moving towards a more open society, the government under the leadership of Raúl Castro still views religious organisations, and in particular their leaders, as potentially dangerous; and as a result continues to exert as much control as possible over their activities.

2. Recommendations

2.1. To the Cuban Government

- To respect and uphold Article 18 of the Universal Declaration of Human Rights of the UN, and to ratify and implement fully all provisions of the ICCPR and the ICECSR;
- To ensure that local authorities, including Cuban Communist Party (CCP) leaders, are aware of the provisions included in the ICCPR and the ICECSR, and that they are implemented at the local level;
- To allow human rights rapporteurs from international organisations and representatives of non-governmental organisations to visit the country in order to examine and report on human rights;
- To safeguard the freedom of all Cubans to assemble and worship according to their professed religion;
- To allow churches, religious denominations, and denominational groupings to operate freely without pressure or interference from government or CCP officials;
- To remove official responsibility for religious groups and associations from the Office of Religious Affairs of the CCP;
- To loosen state controls and to streamline procedures concerning the registration of churches, and the building and renovation of church buildings;
- To withdraw Directive 43 and Resolution 46, which impose severe restrictions on all house churches; to legalise and provide legal protection for all house churches in Cuba; and to re-open those churches which have been closed under the legislation;
- To guarantee freedom for Cuban pastors to carry out their work without harassment, threats or government pressure;
- To end discrimination based on denomination in reference to government benefits including permission for renovations and building projects, exit and entry visas, vehicle licences, and to legacies and the right of individuals to leave their property to the church or denomination of their choice;
- To guarantee protection from discrimination on the basis of one's religion in the workplace, school, and all other social and political spheres;
- To bring an end to government support of any religious group over other religious groups, and to 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 allow all prisoners, regardless of the crime for which they have been imprisoned, the right to participate in religious services;
- To end the use of government informants in churches and seminaries;

2.2. To the United States

- To establish specific criteria for the Cuban authorities to meet (e.g. ratification of the ICCPR and ICESCR) in order to measure progress more effectively in regard to human rights and democratic reform, as the United States (US) regularly reviews its policy toward Cuba;
- To ensure that the US Interest Section in Havana continues to closely monitor religious freedom in Cuba, and makes an effort to engage with religious leaders of all faiths and denominations while taking into consideration the political sensitivities under which many religious leaders must work;
- To increase opportunities for religious exchanges and educational visits between the two countries, and facilitate when possible the transfer of aid and religious materials from religious groups in the US to their associate religious organisations in Cuba;
- To encourage, whenever possible, the Cuban Government to grant invitations to UN thematic special rapporteurs such as those with mandates on freedom of religion or belief, torture, and freedom of expression and opinion; taking into account the lack of any official political dialogue between the US and Cuban governments;
- To continue to seek ways of engaging with members of Cuban civil society, offering support when appropriate;
- To continue to establish and maintain contact with the families of political prisoners, and to raise its concerns regarding continued violation of the prisoners' rights, including denial of religious rights, with the Cuban authorities.

2.3. To the European Union and member states

- To define 'measurable progress' by establishing specific criteria for the Cuban authorities to meet (e.g. ratification of the ICCPR and ICESCR) and to maintain and renew the Common Position on Cuba until these criteria are met;
- To raise religious freedom as regularly as possible in its dialogues with the Cuban authorities, including the head of the Office of Religious Affairs, and encourage the Cuban Government to take seriously the recommendations listed above;
- To ensure that EU representations in Havana, including the EU Delegation to Cuba 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;
- To encourage the Cuban Government to grant invitations to UN thematic special rapporteurs such as those with mandates on freedom of religion or belief, torture, and freedom of expression and opinion;
- To continue to seek ways of engaging with members of Cuban civil society, offering support when appropriate;
- To continue to establish and maintain contact with the families of political prisoners, and to raise its concerns regarding continued violation of the prisoners' rights, including denial of religious rights, with the Cuban authorities.

2.4. To the United Nations

- To insist that Cuba ratify and fully implement the treaties which it has signed, including the ICCPR and ICESCR, as Cuba continues to play a role in the UN Human Rights Council. In addition, Cuba should be urged to extend invitations to the UN thematic special rapporteurs with mandates on freedom of religion or belief, human rights defenders, torture, independence of the judiciary, and arbitrary detention.

3. The Office of Religious Affairs

Religious groups and associations in Cuba are not regulated by any government body, but instead come under the authority of the Office of Religious Affairs (ORA) of the Central Committee of the Cuban Communist Party. This puts them in the peculiar position of having to submit all requests for authorisation to a non-government entity without any recourse for appeal. The ORA, for its part, is focused almost entirely on controlling and restricting the public and private manifestation of religious faith, not on upholding and protecting the religious freedom of Cuban citizens.

The ORA, under the long time direction of Caridad del Rosario Diego Bello, a member of the Central Committee of the Cuban Communist Party, maintains a consistently antagonistic relationship with religious groups. Its representatives at the provincial and municipal levels interface with local religious groups, but all decisions and permits are issued from the main office in Havana. The ORA does not operate within any official set of guidelines or legal framework, giving its officials immense power over religious groups and associations and individuals associated with those groups. The office habitually refuses or fails to respond to¹ the requests of pastors to build additions to or make repairs to their church buildings, fails to grant authorisation for large church activities, and in the past has regularly and arbitrarily denied church leaders the right to travel out of the country.

While religious activity comes under the purview of the ORA, government agencies, including the Ministry of Housing and the Ministry of Public Planning, frequently work with the ORA to target religious groups. In one example, the Second Baptist Church in Alamar, Havana, affiliated with the Western Baptist Convention, has been unsuccessful in attempting to register its building since 2009. The church was told by both the Ministry of Public Planning and the ORA that registration would not be granted unless the other agency did so first. The church went back and forth between the two, in repeated and futile attempts to resolve the situation.

In December 2011, the Ministry of Public Planning issued a warning to all churches in Alamar that they were not permitted to change “even the colour of the walls” without strict written permission from the agency. A few weeks later the Second Baptist Church received a notice that they had to return the church building to its “original” state within fifteen days or it would be destroyed. After denominational leaders approached the government officials, the threat of destruction was rescinded. The church remained unregistered, however, and in January 2012, it was fined 500 pesos (approximately one month’s average wage). When the pastor and deacons approached the Ministry of Housing, which had issued the fine, they were told that the punishment was a result of a complaint received from the Ministry of Public Planning. Officials told the church leaders that they could pay the fine or try to appeal, adding “...but there is no point in appealing as there is no law of worship guaranteeing your right to exist.”

There is some internal debate within religious circles on whether or not legislation which lays out the parameters for legal religious activity would be helpful or not. Most church leaders agree, however, that authority over religious activities should be removed from the ORA. Many have called for the government to establish legal structures with provisions for appealing negative decisions, or for dealing with issues related to religious buildings, through already existing bodies like the Ministry of Public Planning. These would ideally allow for any

¹ The ORA much more frequently simply fails to respond to requests rather than refuse them outright. This happens on such a regular basis that it seems a clear strategy to restrict and discourage religious activity, particularly when linked to church growth, without leaving a paper trail that would show evidence of violations of religious freedom.

issues pertaining to religious groups and associations to be dealt with through regular legal channels.

4. Government interference with and denial of the right to worship

The majority of religious freedom violations documented by CSW in 2012 and in the first quarter of 2013 consisted of the government preventing Cubans from exercising their right to worship. The total number of individual cases of this kind for 2012 numbered in the thousands, and similar violations continued to take place on a weekly basis in the first quarter of 2013. In most of these cases the victims were Cuban men and women considered by the government to be political dissidents. Each Sunday in 2012, CSW received reports that state security agents across the island had physically prevented dozens of men and women, and sometimes children, from attending Sunday morning services. This was done by blocking the targeted individuals in their home (by surrounding the home with police, state security agents and government-organised mobs) or by detaining them without charge, sometimes violently, and imprisoning them for the duration of the religious services.

While government officials seemed primarily focused on the Sunday morning activities, victims reported that they were also banned from attending other events including Bible studies and prayer groups. Caridad Caballero, a member of the Ladies in White movement, who was imprisoned almost every weekend from January 2012 until June of that year when she and her family went into exile, reported that she was also physically prevented from attending weekday catechism and confirmation classes at the Jesus Christ Redeemer Catholic Church in the Pueblo Nuevo neighbourhood of Holguín City, Holguín Province. She was also imprisoned to prevent her participation in her confirmation ceremony on Palm Sunday. In a similar case, high profile dissident Jorge Luis García Pérez, also known as Antúnez, his wife and other activists were blocked in their home to stop them from attending Good Friday services at their church in Placetas, Villa Clara Province. The group was only able to get to the service when the local priest came to the home where they were trapped and personally escorted them through the security cordon to the church.

The majority of those affected in this type of case received by CSW involved Roman Catholics. However, other denominations reported similar incidents. Two families reported consistent harassment each Sunday over the course of the year by state security agents and police officers as they attempted to attend church services at the Central Methodist Church in Holguín Province. They are Ania Isabel Martínez Perdomo, her husband Alexis Aguilera Ramos, their two children Yazmín and Alcibiades Aguilera Martínez, and Yuri Miguel Carralero Vázquez, his wife Yuliet Pernas Oropesa, their daughter Melissa Carralero Pernas, his mother-in-law Carmen Oropesa Ramírez, and his brother-in-law Eugenio Molina Oropesa. On Sunday 9 December 2012, they reported being followed by a state security agent on a motorcycle as they made their way to church. The agent then proceeded to enter the church, making his presence known to those present and openly watching the two families until the end of the service. The actions of the agent seemed aimed at intimidating not only the families, but also the other congregants and church leaders. Like many others, the church has come under official pressure to expel the two families and to bar them from participating in any church activities.

The most egregious case of government interference in the right to worship took place during the visit of Pope Benedict XVI to Cuba in March 2012. The extremely high profile event was carefully stage managed by the authorities in the hope of avoiding any incidents damaging to the image of religious freedom the government wanted to promote outside the country. Ironically, in order to create the image of religious freedom, the government rounded up hundreds of practising Catholics across the country, all considered to be political dissidents, days before the Pope's arrival. They were imprisoned in deplorable conditions for the duration of his visit, effectively preventing them from participating in any of the open air Masses or other religious events that took place. The majority were released after his departure from the country, though there were some cases of more lengthy

detentions, notably the case of Jorge Vázquez Chaviano who was detained in Santa Clara prior to the Pope's visit and was only released seven months later, in October.

5. Penalties for “non-collaboration”

The strategy of attempting to enforce the social isolation of those who fall afoul of the authorities, especially by excluding and separating them from their communities of faith, has been utilised by the Cuban government since the earliest days of the Revolution. As exemplified in section 4 by the situation of the Central Methodist Church in Holguín, pastors of all Protestant denominations, as well as Catholic priests, continue to report heavy pressure from government officials to expel certain members of their congregations designated by the authorities. Those targeted include those involved in independent journalism, running an independent library, and human rights or pro-democracy activism – all considered by the government to be counter-revolutionary activities. Violations associated with this issue increased over the past year partly due to this strategy apparently becoming a higher priority for the government, but also because more and more religious groups actively defied government attempts to dictate who might or might not participate in religious activities. This in turn led to more frequent confrontations.

The growing numbers of churches which resist government threats and allow targeted individuals or their families to participate in church activities report that they are under constant and intrusive government surveillance. Protestant pastors have confirmed to CSW that they have been threatened with the closure of their churches if they do not comply with these demands. Many also report that members of their congregation have been approached and pressured, sometimes under threat, to file a complaint against the church leader. In cases where a church or church leader proved resistant to government pressure or threats, the government targeted denominational leadership to deal with the “problem”.

The government also used other pressure tactics in an attempt to force compliance. The Trinidad Baptist Church in Santa Clara, attended by a number of high profile dissidents including Sakharov Prize winner Guillermo Fariñas, complained in early 2013 that the government continues to refuse to release its bank accounts, frozen since 2010. The church has for many years had a difficult relationship with the authorities, especially Caridad del Rosario Diego Bello, because of the leaders’ refusal to comply with government demands to bar certain individuals including Fariñas, and their families, from church activities. Long-time pastor and denominational leader, Reverend Homero Carbonell, stepped down in 2010. He issued an open letter expressing his hope that by removing himself from a leadership position, the government would restore the church’s access to the funds in its bank account: around US\$25,000 donated for essential repairs to the historic church building. Unfortunately, three years on, the accounts remain frozen, the building continues to deteriorate and the government appears intent on making the church an example to other religious groups of the consequences of defying its demands.

Family members of dissidents are also regularly targeted. In September, Sara Marta Fonseca Vázquez, the mother of well-known Havana-based dissident Sara Marta Fonseca Quevado, was expelled from the Baptist Church of which she was a long time member. The church, located in the Santo Domingo Municipality of Villa Clara Province, had long been under pressure to bar her from attending; however, the previous pastor had resisted government attempts to force compliance. After the transfer of the pastor to another parish, a young seminarian was sent to oversee the church and apparently was unable to withstand the pressure from the authorities despite support from the denominational leadership.

Local and national church leaders across the island also report that local authorities and/or CCP officials continue to approach them to seek their public support for government and CCP initiatives. Church leaders who have refused, on the grounds that the church should not be used for political purposes, have found themselves the target of campaigns of harassment.

6. Pressure to silence critical voices

Church leaders continue to complain of severe pressure on denominational leaders to silence critical voices within their religious groups. Over the past year, the authorities took aggressive action against those groups that failed to comply with official demands. In the past, the government seemed most concerned with church leaders in denominations belonging to the CCC, which has historically played an important role in promoting an image abroad that the government respects religious freedom. However, in 2012 non-CCC denominations also reported coming under very heavy pressure to silence or expel leaders who are vocal critics of the government and government policies.

One emblematic case is that of Reverend Mario Félix Leonart Barroso, pastor of the Taguayabon Ebenezer Baptist Church and a theology instructor at the Santa Clara seminary associated with the Western Baptist Convention. Reverend Leonart Barroso initially fell foul of the government when he provided spiritual support, specifically prayer and Bible study, to Guillermo Fariñas during his 2010 hunger strike. Later that year, Reverend Leonart Barroso established the blog *Cubano Confesante* with support from the internationally recognised Cuban blogger Yoani Sánchez (with whom he and his wife had maintained a friendship since university). In the blog, he publicly discusses and denounces violations of religious freedom in Cuba. As part of his pastoral duties, Reverend Leonart Barroso also gives spiritual support to a number of local human rights and pro-democracy activists, and publicly denounced on his blog and on Twitter the death in May 2011 of Juan Wilfredo Soto, one of his parishioners, after he was brutally beaten by the police. All these activities, although carried out as part of his ministry, have made him a target of the government. Over the past year he has been temporarily arbitrarily detained on a number of occasions, openly followed, and threatened by state security agents on a regular basis.

After government attempts to force the Western Baptist Convention to expel Reverend Leonart Barroso failed, the authorities approached several members of Ebenezer Baptist Church congregation and pushed them, through threat (including loss of employment) and coercion, to file a complaint against the pastor. When this tactic did not bear fruit, the denominational leadership was approached by the ORA and pushed to change its leadership and decision-making structures, making them significantly less democratic and presumably more susceptible to government pressure. In late March 2012 this initiative was presented to and roundly rejected by the General Assembly of the Western Baptist Convention. Within days, the government announced its retroactive nationalisation (in 1980) of a historic church property belonging to the Western Baptist Convention in Yaguajay, and moved heavy equipment in to initiate demolition. A vehicle belonging to the Convention was also confiscated. CSW sources within the denomination have expressed certainty that these actions are punishment for the Convention's defiance and their protection of Reverend Leonart Barroso.

7. Government informants

The use of government informants in churches and seminaries continues to be widespread and persistent. Since 1959 the government has systematically planted informants in all religious congregations and institutions. The main responsibility of the informants appears to be to monitor the activities of the church, including the content of sermons, talks and comments, and to report anything perceived as counter-revolutionary or at all critical of the authorities. As a result, many church leaders practise a form of self-censorship, being careful not to say anything that might possibly be construed as anti-Castro or counter-revolutionary in their sermons and teaching.

It has been pointed out repeatedly by church leaders in Cuba that the government is very much aware of the role religious groups have played in past overthrows of repressive regimes and is anxious to eliminate the possibility of any such scenario on the island. Religious leaders, as some of the only non-Communist Party members officially permitted to speak more or less publicly to groups of people in Cuba on a regular basis, are automatically viewed as a potential danger. The open and clandestine use of spies and informants in religious institutions aims to control that danger, and results in an intimidating atmosphere that in turn restricts the right of Cubans to worship freely, without hindrance, free from fear of the possible consequences should their sermons or prayers displease the authorities.

8. Harassment of and attacks on church leaders

Church leaders of all denominations are in agreement that, over the past few years, the government has increasingly focused on pressuring and intimidating individual church leaders. While these tactics have grown more and more overt in the past year, this type of repression is, by its nature, very difficult to monitor and report. Threats, which most often consist of negative consequences like limited educational opportunities for the target's children (e.g. being barred from attending university), loss of job, vehicle or housing, if the target fails to cooperate with the authorities, are almost always made verbally and without witnesses. Based on information received from our sources in the country, however, CSW believes that pressure on church leaders from government officials continued to increase significantly in 2012 and the first quarter of 2013.

Religious leaders report regular visits from state security agents, who usually arrive in pairs unannounced at the leader's home, with the sole intent of intimidating them and making them aware that the government has all their activities under close surveillance. In some cities, meetings with church leaders of all denominations have been convened repeatedly by high level officials. Once again, the only purpose of these meetings appears to be to remind them that they are being monitored.

Severe harassment, including acts of violence, seems to have been reserved for church leaders who have been publicly outspoken on issues related to religious freedom or who have stood up to the authorities in other ways. A Catholic church leader in the eastern part of the country told CSW of what he believed to be multiple attempts on his life, through a series of suspicious accidents. In one accident the leader, who was on foot, was hit by an individual riding a motorcycle who subsequently left the scene. The leader suffered severe and permanent injuries, yet no investigation was ever carried out.

One emblematic case in 2012 involved Pastor Reutilio Columbie of the Shalom Christian Centre, a Pentecostal church in Moa, Holguín Province. Pastor Columbie attempted to take legal action against local Communist Party officials after they illegally confiscated a vehicle owned by and licensed to the church. As he left his home in the early hours of 6 February, to travel to the capital of the province in order to file a legal complaint, he was set upon by unknown assailants who brutally beat him and left him unconscious on the street. His attackers took only the papers proving ownership of the vehicle, leaving behind Pastor Columbie's mobile phone, money and wallet. Pastor Columbie survived the attack thanks to passersby who sought emergency medical attention, but suffered permanent brain damage, including memory loss, permanent nausea and problems with speech. Local police refused to carry out an investigation, telling the family that it was "impossible". The vehicle was not returned.

Leaders of fast-growing independent churches and church groups have also been targeted. Many told CSW of different forms of harassment including loud music played constantly at maximum volume with speakers aimed at the home of the church leader or at the church itself. This type of harassment is often organised and carried out by local Committees for the Defense of the Revolution (CDR). Both Protestant and Catholic church leaders across the island have reported acts of vandalism committed against their homes. Catholic church leaders, a significant number of whom are foreign-born, are particularly vulnerable to threats of deportation or non-renewal of their visas.

9. Refusal to register new or independent religious groups

The government requires that churches and other religious groups register at their provincial office of the Registry of Associations, which is part of the Ministry of Justice. However, church groups and other societies, like the Freemasons, also fall under the authority of the ORA, directed by Caridad Diego; which, as explained previously, is part of the Central Committee of the CCP, not technically a government institution.

There are approximately 54 state-registered denominations or church groups. More than half³ of these are members of the Cuban Council of Churches (CCC), which has historically received some privileges in return for its support of the government. In theory, registration allows churches and religious leaders to receive foreign visitors, buy religious materials and meet in approved houses of worship. However, church leaders report that the registration process is often made extremely difficult, and is at times impossible.

The Apostolic Movement, a very large and fast growing network of independent Charismatic churches, has repeatedly had its attempts to register denied, forcing its churches to operate without legal status. Problems are usually encountered when permits are sought from the Office of Religious Affairs. Other groups like the Jehovah's Witnesses have been excluded from the list of officially registered religious groups. Even when registered, churches still report encountering legal difficulties.

³ Although CCC denominations make up more than half of those registered, as far as membership numbers, the CCC churches account for only a small percentage of the total number of Protestants in Cuba.

10. Restrictions on movement within Cuba

Government agencies regularly refuse to recognise a change in residence for pastors and other church leaders who have been assigned to a new church or parish and have had to relocate. Under a Ministry of Housing regulation, it can be difficult, if not impossible, for pastors and their families to register their new place of residence, if transferred to a church which has lost its pastor due to death or retirement, for example. There are far more churches than there are pastors or priests in Cuba and the nature of their work means that most pastors and other church leaders in Cuba can expect to work in multiple locations over the course of their ministry.

The inability to reregister has implications for almost every aspect of life, including the receipt of government rations, participation in elections, and applications for travel and exit visas. In order to do any of these things, pastors who have been refused the right to reregister must travel to wherever they are officially registered and submit the paperwork there. This is made particularly challenging as non-tourist transport infrastructure in Cuba continues to be virtually non-existent in many parts of the country, particularly from city to city.

Most denominations continue the practice of assigning and transferring pastors to new locations, in some cases as often as every few years, because of frequent vacancies as older pastors retire, leave the country or pass away. A daily struggle with the bureaucracy, paperwork, and difficulties in travel is now considered to be part of the job description of a pastor because of their inability to reregister their place of residence.

According to Ministry of Housing officials, the law was originally put in place to prohibit the movement of Cubans from rural areas to the cities, where there are often more opportunities in terms of housing and employment. The regulation bars most state institutions from permanently transferring staff from city to city. Its application to civil society, in this case religious groups who have valid reasons for relocating pastors and priests, appears to be part of the general pattern of government attempts to control the activities and growth of religious groups as much as possible.

11. Refusal of exit visas and government permits

On 14 January 2013, the Cuban government eliminated the requirement of a 'white card' or exit visa to leave the country. Some restrictions still remain and the government has reserved the right to deny permission to individuals to travel abroad if there is a perceived, but undefined, threat to national security. CSW received a report of one church leader, Mario Jorge Mayim Travieso, affiliated with the Apostolic Movement, who was denied a passport and refused permission to leave the country in February. He was not given a reason for the refusal.

Prior to 14 January, in 2012, church leaders from all denominations reported an increase in government refusals to issue exit visas for travel abroad. In most cases permission was not denied outright, but the Office of Religious Affairs failed to respond before the date of planned travel. In some cases the government imposed onerous requirements, including guarantees that the person would return in the form of excessive fees which were impossible for the applicant to meet. The vast majority of church leaders who reported being refused exit visas had travelled outside of the country in the past. Exit visas were often denied because of concerns the traveller would not return, but the pastors in question had always returned to Cuba within the authorised timeframe.

One extreme case is that of a national leader in the Apostolic Movement. Pastor Omar Gude Pérez and his family were denied permission to leave Cuba after the US offered them asylum in July 2011. Initially state security agents told the family that they would not be allowed to leave the island, but following international media coverage of their situation, over the next few months his wife and adolescent daughter were given white cards. The authorities continued to refuse permission to leave the country to Pastor Gude Pérez and his teenage son, so the family, unwilling to be separated, remained in Cuba. In late 2011, the government issued an exit permit to their son but not to Pastor Gude Pérez. After his wife carried out a high profile visit to Washington, DC in November 2012 and made a public call to the government to let her family leave the country, officials made assurances that they would do so. Pastor Gude Pérez was finally granted permission to leave Cuba in late January 2013, and the entire family left the country at the end of the month.

Church leaders continue to complain that the authorisation of permits, for example to own and operate vehicles, continues to be linked to cooperation with government officials in other areas. Churches and church leaders perceived as uncooperative or resistant to government interference say they are punished by the denial of these permits. They also say that the arbitrary denial of these permissions is extremely difficult, if not at times impossible to appeal.

12. House churches

There were ongoing violations in regard to house churches⁴ over the past year. Over the past decade CSW has been told of different government initiatives to force denominations and churches to register all affiliated house churches; however these attempts rarely seem to be carried out uniformly⁵. At the same time, many churches which have attempted to register have been refused or have received no reply to their application. While it is difficult to obtain accurate numbers, CSW believes the majority of house churches, the number of which continues to grow, remain unregistered.

While most house churches are affiliated with a historic, recognised denomination, the number of independent house churches or house churches linked to unrecognised religious groups has grown in recent years. As these newer groups did not exist prior to 1959, they lack registered buildings designated for religious use; as such their entire physical infrastructure consists of house churches. These are a particular target of the government and are especially vulnerable as they lack a recognised religious covering. In one example, a Latter Days Saints (Mormon) Church in Havana was targeted in the second half of 2012. The church made numerous attempts to register with the ORA, all of which were denied or ignored. In mid-October, agents from Department 3 (responsible for cultural affairs) of the Ministry of the Interior (MININT) shut down and sealed the building. The involvement of MININT, which oversees and carries out domestic intelligence and is responsible for internal security, is notable and indicates that the order to close the church came from the highest levels.

In 2010 Caridad del Rosario Diego Bello spoke to CCC leaders in Havana and stated clearly that the ORA, presumably with the backing of the government, was working to shut down all new religious groups, singling out the Apostolic Movement and the Growing in Grace religious group. In her speech, a recording of which was passed to CSW⁷, she specified that this would be done through the confiscation and destruction of homes where religious activities are held. This policy has not changed over the past three years and in 2012 churches affiliated with these groups regularly reported receiving threats from local officials that their buildings would be shut down, confiscated or destroyed.

Even religious groups lacking physical buildings have come under attack. In one example, a large church with around 1,000 regular attendees, affiliated with the Apostolic Movement and led by Pastor Tony Ortiz, reported ongoing problems in 2012. The church, located in San José de las Lajas, Havana Province, meets in the open air on land purchased legally by its members. Repeated attempts to register have been denied. Throughout 2012 Pastor Ortiz reported regular threats by local officials that they would confiscate the property if religious activity did not cease.

Historic registered denominations reported mixed experiences. While all were able to register some house churches in 2012, the same groups said many other applications were refused or received no reply. The inconsistencies were reported within the same denominations, across the island and even within the same cities. In June, Pastor Abel Pérez Hernández reported that his church, the Alcance Victoria Baptist Church in Havana, affiliated with the Western Baptist Convention, had been the target of repeated threats. After

⁴ In Cuba the term 'house church' is used to refer to any building that is not registered but is used for religious activities. This can include houses that are used for both residential and religious purposes, houses that are used only for religious purposes, non-residential buildings, and relatively new buildings that were constructed in order to provide a locale for religious activities. House churches are characteristic of all Christian denominations, though Catholics also refer to them as Houses of Prayer or Houses of Reflection.

⁵ Many church leaders express concern that these registration drives always involve handing over lengthy and detailed lists with personal information on all active members to government officials, a requirement with which many feel uncomfortable.

⁷ Video available here: <http://www.youtube.com/watch?v=l8QmvquACBM>

numerous attempts to register their building for religious use were denied, the church, which numbers in the hundreds, was forced to meet outside in the open air. State security agents then threatened to “close” the church through force, implying that this could involve violence. The pastor pointed out that the church had made every attempt to operate legally but had been blocked by the government, despite their affiliation with a historic, registered denomination.

CSW remains concerned that Directive 43 and Resolution 46, which were issued in April 2005 and imposed complicated and repressive restrictions on house churches, are still in force. There are valid concerns that the government will enforce this legislation on any church that attempts to register. This, they believe, could have the effect of closing down a large percentage of those churches.

The directive states that two house churches of the same denomination will not be allowed to exist within two kilometres of one another. It further stipulates that detailed information – including the number of worshippers, dates and times of services, and the names and ages of all inhabitants of the house in which services are held – must be provided to the authorities.

Once authorisation is granted, the legislation plainly states that the authorities will supervise the operation of meetings. The directive then goes on to explain that if the authorities, in the course of their observation, find that the requirements for the functioning of a house church are not being met, they can suspend meetings in the house for one year or more. If a complaint is registered against a church, it can be shut down permanently and attendees may be subject to imprisonment.

The legislation also explicitly prohibits non-Cubans from participating in a religious service, including simply being present, without first seeking official permission. Foreigners are prohibited altogether from involvement with house churches in mountainous regions. Any violation of this clause will result in fines of 1,000 CUC (US\$1,000), a huge sum for Cubans, who earn on average less than US\$20 per month. The fine will be applied both to the foreigner in question and to the church leader responsible, and the house church will be shut down.

Lastly, even if a house church receives authorisation to operate, it must stay within the limits imposed by the authorities. Rooms within the house that have not been approved may not be used by the house church, nor may the church members meet on the roof, a common practice in Cuba both because of the heat and because of a general lack of space. The law gives the authorities the right to dictate how many people may meet in any given house church, which effectively puts a stop to any church growth. Finally, if the house is legally registered to someone who is not an active member of the church, even if they have given their permission and are happy for the church to meet there, it will be shut down.

13. General discrimination on the basis of religion

Christians in Cuba continue to report varying levels of discrimination in educational institutions and in their places of employment. Levels of discrimination, however, tend to vary from region to region and seem to be strongly linked to the attitude of local and regional authorities. Most church leaders do not believe that there is a central government policy to discriminate actively against Christians. At the same time, they point out that the government openly tolerates such discrimination, and employers and officials responsible for discriminating against religious believers are unlikely to face any consequences for their actions.

In one disturbing example of officially sanctioned discrimination, Alejandro Francisco Amador, an evangelical Christian, reported being visited at his home in Old Havana by police and CDR officers who told him that the Bible verse (John 8:32⁹) he had posted on his door was “dangerous” and “counter-revolutionary”. He was advised to remove it. The visit to his home took place as the police and the CDR were in the process of making home visits to everyone on a police list aimed at monitoring criminals and the unemployed in the area. The list, however, also included the names of all the Protestant Christians living in the neighbourhood. When Amador asked why Christians were included in the list, the officials replied that they “are all persons of interest for State Security”.

Religious leaders of all denominations tend to agree that Seventh Day Adventists and Jehovah’s Witnesses face particular problems, as both refuse to take part in patriotic activities on the Sabbath. Students from these two religious groups are often singled out for ridicule and harassment by teachers and other students, for their refusal to take part in compulsory patriotic activities. Many have reportedly been denied entrance to university, and some who were admitted reported being suspended from the institutions later on. Adventists also face particular difficulties in academic institutions and at work because of their refusal to work on a Saturday, which they consider to be a holy day.

In August 2012 in Granma Province, a ten-year old student who is a Jehovah’s Witness was targeted by local Communist Party officials after she refused to take part in a school ‘prayer’ exalting Che Guevara and the ‘Cuban Five’¹⁰. The child had previously run into difficulties with school officials because of her refusal to sign the national hymn and salute the Cuban flag. As punishment, she was demoted back to third grade instead of being promoted to fifth. Her family was called in for various meetings with school directors and Communist Party officials, and accused of being counter-revolutionaries. They were then told they had been found to be illegally resident in the town and would have to move to Havana (the opposite end of the island), where the mother was legally registered.

Another case of religious discrimination involved a member of the Seventh Day Adventist Church in Santa Clara, and resulted in her expulsion from school. Claudia Amélia García Jorge, a 17-year-old dance student, was expelled from The Samuel Feijo Provincial Professional School of the Arts in Villa Clara after requesting exemption on religious grounds from participating in a dance programme which incorporated dances associated with Afro-Cuban religious rituals. She and the local denominational leader of the Seventh Day Adventist met with school and government officials to request that she be exempted or provided with an alternative. Instead, school officials expelled Claudia Amélia, with the support of high level Communist Party officials and members of the Office for Religious Affairs, including Alexander Rodríguez Rosada, President of Villa Clara; and a member of the National Assembly, Julio Ramiro Lima Corzo, First Secretary of the Villa Clara Communist

⁹ “Then you will know the truth, and the truth will set you free.”

¹⁰ Cuban nationals convicted of espionage and serving prison sentences in Florida.

Party. The expulsion, in effect, terminated her incipient career as a professional dancer and left her with extremely limited options for post-secondary education.

Despite a 1991 reform which permitted Christians to join the CCP and which outlawed discrimination on the basis of religion, systematic discrimination persists. Much of the discrimination experienced by Christians is rooted in the reluctance of many to join the CCP which they still consider to promote an anti-religious ideology. It should also be noted that some churches will not allow members of the CCP to become full church members. There are often only very limited opportunities for non-CCP members, including Christians, as CCP membership continues to be key to professional and academic advancement in Cuba. Church leaders report that it is common for Christians to be passed over for promotion, excluded from important meetings and activities, demoted and/or transferred to undesirable locations because, as Christians and as non-members of the CCP, they are considered 'untrustworthy'.

Cubans who take steps officially to leave the CCP after converting to Christianity face particular discrimination. Christians who have chosen to leave the CCP have reported being visited at home by party officials who threatened them with potential repercussions for them and/or for family members. The most commonly reported threat is that their children will not be accepted into university.

Restrictions on members of the Cuban security agencies including the military and the police have reportedly been somewhat relaxed in some parts of the country. In the past, members of the Cuban security agencies were banned from participation in any religious activity and were not allowed to have Bibles in their possession. However, some churches report that they now have members of the police force in their congregations, something which would have been unheard of just a few years ago. While church leaders also report that retired members of the military are joining their churches, apparently without problem, they did not believe that active personnel would be permitted to do so. CSW continues to receive reports of young Christians carrying out their compulsory military service being singled out for intense harassment, or being forced to undergo particularly gruelling exercises.

14. Building restrictions

With a few exceptions, the government, through the ORA and the Ministry of Housing, continues to restrict severely the construction of new church buildings. The government has permitted the construction of a very limited number of new churches across the country since 1959. This, together with the fact that it is technically illegal to organise religious activities in buildings not officially registered for religious use, means that many Christian communities do not have a legal place to meet for church services. This particularly affects those in more remote rural areas. In light of the rapid increase in the number of practising Christians in Cuba over the past twenty years, this constitutes a serious religious liberty violation in that it prohibits many Cuban Christians from freely exercising their right to come together for worship.

Most of the churches that were built prior to the Revolution have been allowed to continue to function as places of religious activity. However, any changes to the structure, including expansions and/or repairs and renovations, may be carried out only with the permission of the Office of Religious Affairs. Church leaders reported that in recent years authorisation is being granted more frequently; however, repairs and renovations are difficult to carry out because of a lack of affordable building materials. In some cases, the government has refused to allow Cuban churches to receive donations in the form of materials from abroad and in other cases has confiscated such materials upon arrival. In some cases, like that of the Trinidad Baptist Church outlined in section 5, donated funds and goods for repairs have been frozen or have disappeared, preventing their use. In practice, this means that many church buildings are far too small to accommodate their congregations or are now structurally unsound.

In recent years, notably in 2012 in the wake of the Pope's visit to the island, the government announced that the Catholic Church would be given permission to construct a limited number of new buildings. In Eastern Cuba, government officials returned two churches and a parish building confiscated by the government in the 1960s. Two additional pieces of property were also given to the Catholic Church to build two new churches.

While some media reported this as indicative of increased respect for religious freedom, CSW views this development as problematic, as the right to build new churches is not being extended to any other denominations or religious group. This creates a situation of religious inequality, not religious freedom; reinforces the government's control over the construction of any building for religious use; and avoids addressing the root cause of the problem which is that the ORA and the Ministry of Housing consistently block legitimate and legal requests for building or renovation permits. Non-Catholic religious groups in Cuba have expressed deep concern at this development and continue to ask that the government establish legal mechanisms to simplify and regularise the application process for such permits for all religious groups.

15. Destruction of church properties

CSW continued to receive news of threats to destroy and the actual destruction of church property. These cases occurred in many parts of the island, but were particularly frequent in rural areas. Churches affiliated with the Apostolic Movement reported the highest number of these cases. In one example, on 29 December 2012, Dámaris Marín, the wife of Pastor Bernardo de Quesada, was informed by the director of the Housing Authority, Leonel Risco de Franco, that an outdoor terrace (essentially a concrete floor) used for religious activities on their property had to be demolished. This contradicted an earlier statement by city authorities to Dámaris, when they told her clearly that permission for such a construction was “unnecessary”. Dámaris noted that when she visited the Provincial Property Registry Office on 29 December to obtain the legal documents she had received from that office in October, she was informed that they had no record of her submission and that papers pertaining to their house had disappeared.

The most egregious case of destruction of church property, mentioned in section 6, involved the Baptist Church in Yaguajay. This church, housed in a registered, historic, pre-1959 building, that prior to the Revolution housed the Baptist High School, was informed in April 2012 that the church property had supposedly been nationalised in October 1980. Denominational leaders believe the church was actually targeted because of the failure of the Western Baptist Convention to comply with government demands. Pastor Yuri Castellanos was told by local authorities that the Ministry of Education had “donated” the property to two Cuban government businesses, ESPROT and GEOCUBA. Demolition and construction on the land began within days of the church being notified.

16. Public and social ministry

Virtually all church groups consider public and social ministry to be fundamental to their identity. This is perhaps where government control is most rigid. When permission is given, it is only to specific groups for specific events; the right to public manifestation is not extended to all. Church leaders have long complained that requests to carry out public events, for example religious processions and evangelistic work, are rarely granted. There have been some recent exceptions, the majority of which involve the Roman Catholic Church, the huge public Masses held during Pope Benedict XVI's visit being one example. In addition, last August, the Methodist Church was granted permission to hold a revival in the central square of the relatively remote, tourist resort town of Santa Lucia. Thousands¹¹ of people are said to have attended.

However, other church groups and associations report that the government is as restrictive as ever and in some cases more so when it comes to granting authorisation for public events. In addition, Freemasons, who also come under the authority of the Office of Religious Affairs, reported that they have been repeatedly denied permission to hold public parades. Most groups reported that official requests for permission to hold public events regularly did not receive a response.

In cases where groups carried out public activities without permission they were met with severe consequences. A group of pastors and church leaders from various denominations in the city of Bayamo in eastern Cuba were fined, beaten and arrested by state security agents on a monthly basis as they attempted to pass out gospel tracts at the bus station and to carry out public evangelism in the streets of the city. In one incident in February 2012, Pastor Juan Moreno was beaten so badly that he required hospitalisation. When six more local pastors gathered at the local police station to call for the release of the other church leaders who had been passing out tracts with Pastor Moreno, they were also detained and forced to sign 'pre-arrest' documents, also called 'acts of notice', that essentially allow for them to be legally detained without cause in the future. In December, local and regional leaders of the CCC member churches in Bayamo were summoned to a meeting with Caridad del Rosario Diego Bello and other ORA and CCP officials. They were warned to distance themselves from the interdenominational group of pastors engaged in public evangelism, and were told that they should expel any pastors or other leaders in their own denomination who might be linked to the "counter-revolutionary" group.

Most religious groups in Cuba engage in some kind of social ministry but this too has been hampered by government restrictions. This may include the distribution of food, medicine and clothing to those in need, and homes for the elderly. Church leaders report that the government officials often perceive this as competition for their own services. This is aggravated when, as is often the case, the local government agencies do not have the materials necessary to provide the services and the churches do.

The devastation caused by Hurricane Sandy in late 2012 resulted in some loosening of these restrictions. Some denominations reported that they were allowed to receive and distribute, under strict government supervision, donations received from their counterparts abroad. This seems to have been more of a temporary strategy to address a desperate situation rather than signifying any change in government attitude. Some church groups reported that

¹¹ CSW has been unable to definitively confirm this number, which seems very high given the location of the event. Some international reports, sourced from a Canadian church organisation which supported the event, put the number at 10,000. CSW contacts in the country said that "no fewer than 7,000" was most likely more accurate but that there was no reliable way to verify or corroborate the total number in attendance.

significant portions of their aid went missing only to be seen later being sold at marked up prices in government stores.

Other groups were blocked from helping. Around ten church leaders from the interdenominational group in Bayamo mentioned above were arrested as they attempted to board a bus with bags of rice and other aid donated by members of their churches (not from abroad) to be given to victims of Hurricane Sandy. They were informed by state security agents that they would have to turn over the aid to the Communist Party and the CDR. When they refused to do so they were arrested and imprisoned for two days. The aid was confiscated.

17. Distribution of religious materials

Christian leaders continue to complain of a scarcity of Bibles and other religious literature. The lack of Bibles is most acute in rural areas but also appears to be a significant problem in the cities. Based on reports received by CSW, it appears to be a major problem for all denominations, including Catholics and Protestants both within and outside the CCC.

The shortage is apparently a result of severe government restrictions on the import of Bibles and other religious materials, and a lack of access to printing infrastructure on the island. For example, the restrictions stipulate that within Protestant denominations, all religious literature including Bibles must be imported into the country under the auspices of the CCC, despite the fact that it represents only a minority of Protestant Christians. Catholics also report difficulties in importing Bibles and have, on occasion, also been obliged to work with the CCC to bring Bibles into the country.

18. Access to the media

Unless they receive specific authorisation, Cuban and joint enterprises may not sell computers, facsimile machines, photocopiers, or other equipment to any church except at official, artificially high, retail prices. In addition, many religious organisations are denied internet access. This establishes a virtual state monopoly on printed media – those church organisations and other independent organisations which do have access to a printing press are heavily monitored.

Many observers speculate that the closure of the Centre for Religious and Civic Formation in Pinar del Rio and the shutting down of the publications *Vitral* (Pinar del Rio) and *Bifronte* (Holguín) were the result of intense pressure from the government on the church hierarchy. There continues to be heavy government pressure on the editing of Catholic publications. At the same time, however, it is worth noting that Catholic publications still in circulation, *Palabra Nueva* in Havana for example, have run articles and commentary critical of government policy over the past year. They are considered one of the only examples of independent press and are read by Catholic and non-Catholic readers alike.

Church leaders of all denominations also continue to express discontent at the continued lack of access to the media by religious groups. This is exacerbated by a widely held perception that the state media gives ready access to Afro-Cuban religions under the pretext that their activities are cultural rather than religious. There were some notable exceptions to the general lack of access to the media over the past year, including the televised events linked to the visit of Pope Benedict XVI and the granting of periodic broadcasts to the CCC and some of their member denominations. Again, however, CSW views the granting of media rights to some groups and not to others on a seemingly arbitrary basis to be deeply problematic and promoting religious inequality, not religious freedom.

19. Religious rights of political prisoners

In September 2009, the government announced that it would allow Protestant and Catholic religious services to be held in Cuban prisons. CSW is unaware of any provision for non-Christian faiths. Church leaders in Cuba greeted the news with caution. Protestants were initially critical of the fact that the responsibility for Protestant services and prison ministry was given to a pastor from the CCC, which represents only a small minority of Protestant Christians on the island. However, according to CSW sources, Reverend Francisco Rodés took great care to include church leaders from all denominations, in and outside of the CCC, in the training required to receive government approval to carry out prison ministry.

Unfortunately, despite these positive developments, it appears that many concerns of church leaders about how this reform would be implemented were valid. As alluded to above, the government still reserves the right to override denominational and church designations and arbitrarily bar specific pastors, who graduated from the training course, from involvement in prison ministry. Implementation has not been uniform in prisons across the country. In some cases the right to hold religious services has been denied outright. In other cases services were allowed, only to be interrupted and cancelled midway.

Importantly, political prisoners have for the most part continued to be prevented from taking part in these services. In some cases authorities claimed that only prisoners who had exhibited 'good behaviour' could attend, and arbitrarily claimed that political prisoners did not qualify. In other cases, political prisoners were told that participation in religious services was contingent on wearing the prison uniform. Most political prisoners refuse to wear the prison uniform for reasons of conscience. In many cases, however, no reason was given. Early in 2013, Ulises Lacaba and Jeikel Peña Díaz, both practising Protestant Christians and held in the 'El Pre' Prison for Youth in Santa Clara, were arbitrarily denied the right to participate in the official religious services offered at the prison. In late February, after Lacaba attempted to file a complaint, he was beaten, sent to a punishment cell, and held in isolation for an extended period of time. Disturbingly, other prisoners report that he was treated so badly that he attempted suicide.

Prisoners still report being arbitrarily denied the right to pastoral visits and the right to meet with other prisoners for worship, prayer and study. Many also report the repeated confiscation of their Bibles and other religious literature, sometimes as punishment and at other times for no apparent reason at all. This is a particular problem for political prisoners.

20. Background on religious freedom and Cuban law

The Cuban Constitution sets out specific and basic guarantees regarding religious liberty. However, these freedoms are limited by the qualification that the maintenance of socialism and communism takes precedence over all other rights. This is reflected in the government's fixation on controlling every aspect of Cuban society through a myriad of laws and past regulations covering everything from housing, movement within the country, building and renovation permits, registration requirements and exit permits, to permissible activities for foreign visitors.

Article 8 of the Cuban Constitution states that “the State recognises, respects, and guarantees religious liberty” and Article 55 goes even further, saying:

“The State, which recognises, respects, and guarantees freedom of conscience and religion, also recognises, respects, and guarantees the freedom of every citizen to change religious beliefs or not to have any, and to profess, within the confines of the law, the religious worship of his/her preference. The law regulates the relationship of the State with religious institutions.”

This is very much in line with international standards on religious liberty. However, the rights guaranteed in Articles 8 and 55 are later qualified in Article 62, which states that “no recognised liberty may be exercised against the existence and aims of the socialist State and the nation's determination to build socialism and communism...” This places the protection of the existence and aims, as well as the construction, of a socialist and communist state above fundamental human rights, including those related to religious liberty.

A clause in the Cuban Penal Code (Chapter IV, Article 206) further limits the rights laid out in Article 55 of the Constitution. The clause, called ‘Abuse of Liberty of Worship’, allows for the imprisonment of anywhere from three months to one year of anyone who “having abused the freedom of creed guaranteed to all by the Constitution, places religious beliefs in conflict with the aims of education, the duties of labour, defending the nation in arms, the reverence of its symbols or any other stipulations whatsoever contained in the Constitution...” Human Rights Watch has noted that “[t]his provision, which is defined as a crime against public order, allows the state to penalize a broad range of religious activities that would not endanger public order.”¹²

In regard to international law, Cuba is not party to the Inter-American Convention on Human Rights which provides strong protections for freedom of religion and conscience. Cuba has signed but not ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both of which also contain provisions to protect religious freedom.

¹² Human Rights Watch. *Cuba's Repressive Machinery – Chapter III, Impediments to Human Rights in Cuban Law*, 1999. <http://www.hrw.org/legacy/reports/1999/cuba>

21. Conclusion

The serious deterioration in respect for religious freedom in Cuba over the past year is troubling. The negative trend seems to be part of a more general attempt by the government to eliminate the potential for any social upheaval by cracking down on any and all groups that are calling or could call for social and political reforms alongside the economic reforms the government has enacted. Many observers were quick to interpret the Pope's visit in March 2012 and subsequent promises by the government to concede a few privileges to the Catholic Church as evidence of a new commitment to religious freedom, but this unfortunately was not borne out by the reality on the ground. CSW received reports, ranging in severity, of serious violations of religious freedom on a weekly basis – coming from both Catholic and Protestant churches of all denominations. Based on incoming data for the first quarter of 2013 it does not seem that the government has any intention of improving the situation.

Over the past few decades the Castro regime has proved adept at sleight of hand tricks to convince the international community that it is committed to improvements in the human rights situation. If the situation for religious groups in Cuba is to improve, it is imperative that the European Union, United States and other governments around the world do not allow the Cuban Government to pretend that granting limited privileges to one or two religious groups over others constitutes an improvement in religious freedom. This is especially the case when these privileges have no basis in any legal reforms but are only one-off handouts given by a government which retains the right to rescind them at any time. Progress in religious freedom should be measured in terms of how all religious groups benefit and should also be grounded in legal systems and protections that will uphold these rights for all without discrimination or favouritism.

APPENDIX I – Index of acronyms and translations

- CCC – Cuban Council of Churches (*Consejo de Iglesias de Cuba*)
- CCP – Cuban Communist Party (*Partido Comunista de Cuba*)
- CDR – Committees for Defence of the Revolution (*Comités para la Defensa de la Revolución*)
- CIMPEC – Interdenominational Fellowship of Ministers and Pastors in Cuba (*Confraternidad Interdenominacional de Ministros y Pastores en Cuba*)
- CUC – Convertible Cuban Pesos
- ICCPR – International Covenant on Civil and Political Rights
- ICECSR – International Covenant on Economic, Cultural and Social Rights
- ORA – Office of Religious Affairs

APPENDIX II – Cuban religious panorama

Precise numbers of religious practitioners in Cuba are difficult to obtain. Based on numbers self-reported by Cuban denominations and provided to CSW, CSW believes that approximately 6.5% of the population is actively involved in a Catholic congregation and 13% in Protestant churches. Around 80% of the population is thought to be involved to some degree in Afro-Cuban religious practices, of which there are numerous sects. There are very small Jewish, Christian Orthodox and Muslim communities, and some Eastern and New Age religions are represented. Jehovah's Witnesses and Mormons are also present.

Excluding Orthodox Christians who are not widely distributed on the island, Cuban Christians can essentially be divided into four categories: Roman Catholics, registered Protestant denominations and church groups within the Cuban Council of Churches (CCC), registered Protestant denominations outside the CCC, and non-registered, unrecognised denominations and church groups. The majority of Protestant Cubans belong to the third category, registered Protestant denominations outside the CCC, a group that includes the Western and Eastern Baptist Conventions and the Assemblies of God churches, the three largest Protestant groups on the island.

Member denominations, churches and associations of the Cuban Council of Churches are as follows:

Member Denominations and Churches

Methodist Church in Cuba
Presbyterian-Reformed Church in Cuba
Apostolic Church of Jesus Christ
Christian Pentecostal Church
Christian Reformed Church
Church of Christ
Church of God in Cuba
Church of the Friends (Quakers)
Church of the Nazarene
Congregational Pentecostal Church
Episcopal Church (Anglican)
Evangelical Church of Gethsemane
Evangelical Church of the Lutheran Confession
Fraternity of Baptist Churches of Cuba
Free Baptist Convention
Free Evangelical Church
Global Mission Church
Light of God Pentecostal Church
Methodist Church
Missionary Church of God
Pentecostal Holiness Church
Presbyterian-Reformed Church
Rural Brotherhood Church
Salvation Army

CCC Member Ecumenical Groups and Centres

Baptist Workers 'Student Coordination'
Christian Centre for Reflection and Dialogue
Christian Peace Conference
Evangelical Theological Seminary
Augusto Cottoâ Information and Study Centre
Interdenominational Fellowship of Evangelical Ministers and Pastors of Cuba (CIMPEC)

Koinonia Movement
Latin-American Ecumenical Social Action (ASEL)
Dr Martin Luther King Memorial Centre
Student Christian Movement
Study Commission on the History of the Church in Latin America (CEHILA)
Union of Latin-American Ecumenical Youth (ULAJE)

Observers

Open Bible Church
World-wide Missions (Misiones Amplias Mundial)
Greek Orthodox Church

Fraternal Associates

Autonomous Bethel Church
Church of the Moravian Brethren in Cuba
Hebrew Community of Cuba
International Christian Community
Pentecostal Church of Sovereign Grace in Cuba
United Church
Yoga Association of Cuba

APPENDIX III – Background on house churches

During the 1990s the shortage of space designated for religious activity, coupled with the rapid growth of all denominations, led to the widespread use of 'house churches'. The term 'house church' is fairly broad; while it can refer to structures that are still primarily used as family homes but are also used on certain days for church services, it can also be applied to homes that are no longer lived in and are solely dedicated to religious activities. In addition, in Cuba the term includes buildings that were constructed without specific permission to be used for religious activities.

The size of individual house churches varies greatly. Some have only a handful of regular attendees while others have congregations which number in the hundreds. It is impossible to know for certain the exact number of house churches on the island; however, church leaders inside Cuba put the number at anywhere between 10,000 and 15,000.

Few house churches have been granted formal authorisation to carry out religious activity. In Cuba, where freedom of assembly and association are still severely restricted, this carries obvious risks. Meetings of more than fifteen people at a time are technically illegal. Some churches have attempted to get around this by establishing multiple house churches and limiting the maximum number of attendees at each to fourteen. Others keep no written records of addresses and names of house church hosts, and change their locations frequently.