

CUBA

Over the course of 2011 relations between the Cuban Government and religious groups continued to shift within the larger context of change on the island, as the government began the implementation of significant economic reforms. Unfortunately, there was no indication of plans to pursue any parallel social reforms; rather the authorities cracked down harshly on increasingly active civil society groups, which include pro-democracy and human rights activists, across the island. These more repressive tactics had a direct impact on religious freedom, as the government ratcheted up pressure on religious leaders and groups to bar those involved in independent civil society, including those linked only by family ties, from participation in religious activities.

The government seems particularly concerned by the relationship between human rights and pro-democracy activists and their communities of faith. Multiple members of the Ladies in White in different parts of the country repeatedly reported being prevented by force from attending mass. A number of members of other independent civil society groups, the majority Catholic, also reported similar violations of their right to worship. Catholic priests and lay leaders reported consistent pressure from the authorities to marginalise these individuals as much as possible.

Protestant churches in Santa Clara, where there is a concentration of high-profile human rights and pro-democracy activists, have come under particular scrutiny. Pastor Homero Carbonell, who has worked as a Baptist pastor since the early days of the Revolution and has held high level leadership positions within the denomination, resigned in early 2011. He released a twelve page open letter, outlining the reasons for his resignation, citing unacceptable state interference and pressure particularly related to the attendance of pro-democracy and human rights activists at church activities. In mid 2011, a Methodist pastor in Santa Clara, Yordi Toranzo, was removed from his position as pastor by denominational leadership. Confidential sources told CSW that the reason behind the controversial removal, which led to unprecedented large scale public demonstrations by members of the Santa Clara Methodist Church in support of Pastor Torranzo, was his acceptance of members of the pro-democracy and human rights community in his congregation. Tellingly, Cuban State Security officers were openly involved in the installation of the new pastor. Finally, a second Baptist pastor, Mario Felix Leonart Barroso, who oversees a church in Taguayabon and also works as a theological instructor at the Baptist seminary in Santa Clara, came under heavy pressure because of his ministerial relationship with members of the pro-democracy and human rights groups. Members of Pastor Leonart Barroso's congregation reported being approached by state security agents and pressured to act as informants or leave the church. Pastor Leonart Barroso was regularly followed and harassed by intelligence agents. He was also arbitrarily put under "house arrest" on a few occasions preventing him from leaving his home to attend a religious seminar organised by the Western Baptist Convention and to teach courses at the seminary. While the relationship between religious organisations and the authorities in Santa Clara is especially tense, religious leaders in other parts of the country report similar pressure.

Of continuing concern is the authority held by the Office of Religious Affairs (ORA), an arm of the Central Committee of the Cuban Communist Party (CCP), over all religious groups and associations. Through the ORA, the CCP, rather than a government body, wields direct control over all religious activities and business. Many religious leaders continue to call for specific legislation to protect religious freedom and to establish governmental mechanisms for legal recourse, something which does not currently exist.

The consistently antagonistic relationship between the director of the ORA, Caridad Diego, and the leadership of the various denominations has left many religious leaders with the impression that the office exists solely to monitor, hinder and restrict the activities of religious groups. In 2011, the office

refused authorisation for a number of religious activities and also played a role in the authorities' failure to grant exit visas to a significant number of church leaders who had received invitations to religious events abroad. There were continued threats by authorities made to church leaders of all denominations that their churches would be forcibly shut down. In one case, a historic, legally recognised church in a major city in the eastern part of the country was threatened with confiscation. Authorities backed down after international attention to the case, however, church leaders report that the situation remains tense.

While the Cuban Government maintained a highly publicised dialogue with the hierarchy of the Roman Catholic Church, religious leaders from all denominations, including both Catholic and Protestant churches across the island, consistently reported heavy surveillance on their congregations and the consistent use of intimidation tactics. Church leaders from all denominations continued to report frequent visits from and citations to meet with State Security agents and CCP officials. Those who reported these visits and meetings to CSW expressed the belief that their aim was to intimidate the church leaders and making them aware that they are under close surveillance.

In 2011, two pastors received asylum in the United States. Pastor Carlos Lamelas, who spent four months in prison in 2006, was evicted along with his wife and two young daughters from their home, and was subsequently barred from any legal employment including pastoral work, and his family left Cuba and resettled in the United States in mid 2011. The second case, however, remains unresolved. Pastor Omar Gude Perez, who spent three years in prison and was released on conditional liberty in early 2011, and his wife and two children were granted asylum in July. The Cuban authorities however, have effectively blocked the family from leaving the country by refusing to issue Pastor Gude Perez an exit visa. Like Pastor Lamelas, Pastor Gude Perez is prohibited from preaching.

There were some improvements in the area of religious freedom within prisons as Protestant churches were granted increased access to hold services in penal institutions in different parts of the country. Catholic leaders also reported some improvements in this area. However, CSW continues to be concerned that the policy has not been applied uniformly in prisons across Cuba and not all prisoners are allowed to participate. There is no provision for non-Christian religious groups, including Afro-Cuban groups, to provide or participate in their own services. Religious rights are often withheld as a form of punishment; religious literature is confiscated or prisoners are denied religious visits, particularly in the cases of prisoners of conscience.

In early 2008, Cuba signed both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). However, the government has yet to make any move to ratify either. This failure to ratify or implement the provisions of the two treaties is symptomatic of a reluctance to begin any significant social reforms.

The government's approach to communities of faith indicates that it continues to view religious groups, the only officially tolerated independent civil society on the island, with deep suspicion, to be controlled as much as possible. This, unfortunately, has manifested itself in ongoing violations of religious freedom, most egregiously in the failure to recognise the independence of religious organisations and their right to maintain an open door policy to all Cubans irrespective of their political views. At the same time, CSW welcomes the improved relations between the Roman Catholic Church hierarchy and the government. This should serve as a model to reach out to other religious groups, including Protestant denominations outside of the Cuban Council of Churches, and with non-Christian groups not affiliated with officially sanctioned bodies.

2. CSW recommends

That the Cuban Government which as a current Member State of the United Nations Human Rights Council is obligated to “uphold the highest standards in the promotion and protection of human rights”:

- Respect the independence of religious institutions and the right of all Cubans, regardless of political affiliation, to participate freely in religious activities;
- Cease the monitoring, surveillance and use of pressure tactics on religious leaders and religious groups;
- Remove authority over religious bodies and activities from the CCP and establish mechanisms for recourse within existing legal structures;
- Put in place legislation that explicitly protects religious freedom and establishes a legal framework, independent of the Office for Religious Affairs of the CCP, for obtaining necessary permits including for repairs, construction, activities, vehicles, the import of religious materials, travel abroad and the use of buildings for religious activity;
- Ratify the ICCPR and ICESCR and train officials on the local, regional and national levels in the implementation of these treaties at every level;
- Issue a “Standing Invitation” to the Special Procedures of the United Nations Human Rights Council;
- Afford religious rights to all prisoners, regardless of their category, and end the practice of withdrawing or granting religious rights depending on behaviour;
- Grant an exit visa to Pastor Omar Gude Perez.

That the United States:

- Urge the Cuban government to comply with all of the above recommendations;
- Continue to closely monitor the religious freedom situation in Cuba through the United States Commission for International Religious Freedom and the State Department Office for International Religious Freedom and to ensure that this is a key element to any assessment of the overall human rights situation;
- To instruct its representatives in Havana at the Special Interests Section to maintain an open dialogue with religious leaders representing all denominations and religious groups, while taking into consideration the political sensitivities under which many religious leaders must work;
- To increase opportunities for visits and joint activities by religious groups in Cuba and their counterparts in the United States, and to facilitate the export of religious materials, taking care to ensure that these opportunities are extended to all denominations and religious groups.

That the European Union:

- Urge the Cuban government to comply with all of the above recommendations;
- Define ‘measurable progress’ by establishing specific criteria for the Cuban authorities to meet, including ratification of the ICCPR and ICESCR, and to maintain and renew the Common Position on Cuba until these criteria are met;
- 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;

- Instruct its representations in Havana, including the EU Delegation and the embassies of member states, to maintain an open dialogue with religious leaders representing all denominations and religious groups, while taking into consideration the political sensitivities under which many religious leaders must work;
- Continue to seek ways of engaging with members of Cuban civil society, in line with the Guidelines on Human Rights Defenders, offering support when appropriate and establish and maintain contact with the families of political prisoners, raising its concerns regarding continued violation of the prisoners' rights, including denial of religious rights, with the Cuban authorities.