

2006 ANNUAL REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Countries on the Commission's Watch List

Cuba

Religious belief and practice continue to be tightly controlled in Cuba. Religious freedom conditions have been affected in part by the ongoing government crackdown on democracy and free speech activists, resulting in a generally deteriorating situation for human rights. In the past year, a new law on religion meant to "legalize" house churches has also affected religious freedom and reinforced the government's efforts to increase its control over religious practice. The Commission continues to place Cuba on its Watch List, and will monitor conditions of freedom of religion or belief in Cuba to determine if they rise to a level warranting designation as a "country of particular concern," or CPC.

Cuba remains a hard-line authoritarian state, with a human rights record that, after deteriorating significantly in 2003, continued to be poor through 2005. Since seizing power in 1959, President Fidel Castro has maintained strong, centralized control of all facets of life in Cuba. While parliamentary, judicial, and executive institutions exist in name, all are under his control, and there is no legal or political avenue of dissent. Individuals who engage in dissent are harassed, jailed, and mistreated in prison. In February 2003, the Cuban government initiated an extensive crackdown on democracy activists, including those supporting the Varela Project and the Christian Liberation Movement. The Varela Project was a referendum calling for economic and political reforms submitted to the Cuban government in 2002 and 2003. Although allowed under the constitution, the petition resulted in a serious government crackdown on human rights activists, journalists, leaders of independent labor unions, and political opponents, many of whom were arrested and convicted on charges of violating national security and aiding a foreign power. Seventy-five human rights activists were arrested and sentenced in 2003; about 60 of the 75 were still in prison at the end of 2005. The crackdowns have continued, and several more human rights activists have been imprisoned in the past two years. In response to the Varela Project, the Cuban National Assembly unanimously passed an amendment making socialism the irrevocable basis of the constitution.

Since Castro came to power, the communist government has sought to suppress religious belief and practice because it was "counterrevolutionary." During the early years of the Castro regime, government and Communist Party officials forced priests, pastors, and other religious leaders into labor camps or exile and systematically discriminated against those who openly professed religious belief by excluding them from certain jobs or educational opportunities. In the past decade, however, the state instituted a limited rapprochement with religious believers, and it seemed as though conditions might improve. For example, the government abandoned its official policy of atheism in the early 1990s. Castro welcomed a visit from Pope John Paul II in 1998

and visited Havana's Jewish Community Center for its Hanukah celebration that same year. In 2000, religious holidays were reinstated and members of Cuba's Jewish community were allowed to emigrate to Israel. The Pope's visit, in particular, sparked great hopes within the religious communities in Cuba, as well as among democracy activists, who viewed these steps as a softening of past government policies.

Yet, despite optimism that religious freedom conditions would improve, violations have continued, as has the government's strong degree of control and generally hostile attitude toward religion. Although the Cuban government seeks to project the image that the right to religious freedom is respected, in fact, government authorities continue to view the influence of religion as a threat to the ideology of Castro's revolution. In early 2001, the Communist Party in Havana prepared a report that criticized inroads made by churches, particularly the Roman Catholic Church, into Cuban society, and asserted that the social work of the churches violated the law. Communist Party officials reportedly apologized to the Catholic Church hierarchy after the report was leaked. Nevertheless, Havana's Catholic Cardinal gave an interview in 2003 in which he asserted that "restrictions on religious freedom are returning" in Cuba, and that they represent a "return to the ideology of repression." After visiting Cuba in spring 2004, a British religious advocacy organization reported a marked shift in government propaganda towards a communist orthodoxy, including an assault on religious freedom and related human rights. The U.S. Conference of Catholic Bishops reported that despite international pressure and the Pope's visit, human rights and religious freedom conditions appeared to worsen in the past year.

The government's main interaction with, and control of, religious denominations is through the Office of Religious Affairs of the Cuban Communist Party. The Cuban government also requires churches and other religious groups to register with the relevant provincial office of the Registry of Associations within the Ministry of Justice. According to the State Department, the Cuban government is most tolerant of religious groups that maintain "close relations" with the state or those who "often supported government policies." Currently, there are approximately 50 state-recognized religious groups, primarily Christian denominations, half of which are members of the government-recognized Cuban Council of Churches. Reportedly, the government in recent years has not granted recognition to any relatively new denominations, although it has tolerated the presence of some new groups, such as the Baha'is and the Church of Jesus Christ of Latter-day Saints, though they are not officially registered. Conditions for Jehovah's Witnesses have improved substantially since 2004; however, there were sporadic reports of harassment and discrimination by local Communist Party and government officials. For example, in 2005, a member of the Jehovah's Witnesses reported being denied employment in a government-run factory due to her religious beliefs. Nevertheless, such reports continued to decline in number.

In recent years, the Cuban government has rarely permitted the construction of new places of worship, forcing religious groups that are not recognized, or those without adequate space, to meet in private homes or other similar accommodations, commonly known as "house churches." Permission for such meetings is frequently denied to those outside the recognized religious faiths and to those the government deems to be "an

independent religious movement” (i.e. not recognized or hostile to government policies). If a complaint is made against a house church meeting, it can be broken up and the attendees imprisoned. The Cuban government did permit the opening of Russian Orthodox and Greek Orthodox Churches in 2004, which the official media declared to be evidence of the Cuban government’s religious tolerance.

A new law went into effect in September 2005 requiring all house churches to register in order to legalize previously unauthorized groups. Put into effect as Directive 43 and Resolution 46, the new law has increased concerns primarily amongst Protestant religious groups, many of which hold unauthorized religious meetings in private homes several times per week. Once authorization is formally refused, the members of the house church are not permitted to meet at the same house. Reportedly, at least three Protestant house churches have been closed, confiscated, and/or demolished since the new law went into effect. However, there is no evidence that the new legislation has resulted in a wider crackdown on house churches thus far. In order to legalize a house church, the new law requires that there may be no more than three meetings at the house per week; the house church cannot be within two kilometers of another house church of the same denomination; and detailed information on the number of members, when services will be held, and the names and ages of the inhabitants of the house must be provided. The new requirements also prohibit the participation of non-Cubans without government permission and foreigners are prohibited altogether in the mountainous regions.

In the past year, both registered and unregistered religious groups continued to experience varying degrees of official interference, harassment, and repression. The State Department reports that Cuban Interior Ministry officials regularly engage in efforts to control and monitor the country’s religious institutions, including through surveillance, infiltration, and harassment of religious clerics and laypersons. Protestant house churches continued to be harassed and evangelical denominations reported evictions from houses used for worship (most of which were unauthorized and thus illegal). In March 2006, an evangelical pastor was jailed, allegedly for aiding emigrants who sought to leave the country illegally. However, sources inside the country contend he was targeted for openly challenging the government on religious freedom issues. In many churches, officials reportedly continue to monitor sermons and sit behind the wives of political prisoners in order to intimidate them. The U.S. Conference of Catholic Bishops reports that monitoring of church services and harassment of parishioners has continued in the last year. In January 2004, a Ministry of Interior official revealed in an interview that government infiltration of civil and religious organizations is widespread. Afro-Caribbean religious groups are reportedly more heavily targeted than political opposition organizations because some estimates indicate that 70 percent of the population engages in at least some religious practices associated with these groups, presenting a more grassroots threat to the government. According to the State Department, in the past year, independent Santeria priests have been threatened and pressured to assimilate into the government-sanctioned Yoruba Cultural Association.

Other means by which the government restricts religious practice include: enforcement of a regulation that prevents any Cuban or joint enterprise, except those with specific authorization, from selling computers, facsimile machines, photocopiers, or other equipment to any church other than at the official—i.e. exorbitant—retail prices; an almost total state monopoly on printing presses; a prohibition on private religious schools; limitations on the entry of foreign religious workers; denial of Internet access to religious organizations; restrictions on making repairs to church buildings; and the denial of religious literature such as Bibles to persons in prison. Additionally, there is a requirement that religious groups receive permission from local Communist Party officials before being allowed to hold processions or events outside of religious buildings. Refusal of such permission is often based on the decision of individual government officials rather than the law. In 2005, the Catholic Church decided to stop seeking permits for religious processions in some areas and one Catholic publication ceased printing, reportedly under government pressure. Cuban authorities also continue to deny or revoke visa authorization for religious workers whose activities are deemed too visible or whose opinions are viewed as contrary to government policy.

With regard to Cuba, the Commission recommends that the U.S. government should:

- continue to raise religious freedom and other human rights violations in multilateral fora, including the Organization of American States and the UN, and encourage the government of Cuba to respond to and initiate a dialogue with the UN Special Representative of the High Commissioner on Human Rights on the situation of human rights in Cuba; and
- use all diplomatic means to urge the Cuban government to undertake the following measures that would help bring Cuba into compliance with its international legal obligations with respect to freedom of thought, conscience, and religion or belief:
 - order, publicly and officially, the state security agencies to end the instigation of mob violence against religious persons and other human rights activists, including those recently released from prison; the mistreatment of indigenous religious communities; and the harassment of the spouses of imprisoned human rights activists during religious services;
 - revise government Directive 43 and Resolution 46 restricting religious services in homes or other personal property, as well as other national laws and regulations on religious activities, to bring them into conformance with international standards on freedom of religion or belief;

--cease interference in the internal affairs of religious communities, such as denials of visas to religious workers, limitations on freedom of movement of religious workers, infiltration and intimidation of religious communities, arbitrary prevention of religious ceremonies and processions, and attempted interference in the elections in religious bodies; and

--take immediate steps to end restrictions on religious activities protected by international treaties and covenants including:

- ending the practice of arbitrarily denying registration to religious groups, as well as detaining or harassing members of religious groups and interfering with religious activities because of that unregistered status;

- issuing permits for construction of new places of worship;

- ending the practice of evictions and requisition of personal property of religious individuals or communities without due process, restitution, or provision of alternative accommodation;

- providing the right to conduct religious education and distribute religious materials; and

- lifting restrictions on humanitarian, medical, charitable, or social service work provided by religious communities and protecting such activities in Cuban law.