

2008 Annual Report of the U.S. 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, including religious freedom. A 2005 law on religion meant to “legalize” house churches has reinforced the government’s efforts to increase control over some 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’s human rights record, which deteriorated significantly in 2003, continued to be poor in 2007. Cuba remains a Communist Party-dominated dictatorship. After seizing power in 1959, President Fidel Castro maintained a strong, centralized control of all facets of life in Cuba. In July 2006, Fidel Castro became ill and turned power over to his brother Raul Castro. In February 2008, Fidel resigned as head of state and five days later, on February 24, the National Assembly voted Raul officially as the next head of state of the Cuban government. Accepting the position, Raul stated that he would continue to consult with his brother on issues important to the future of Cuba. However, since becoming president, Raul Castro has lifted several restrictions, allowing for more private business transactions, greater freedom of movement inside the country, and more communication with the West. Cubans can now legally own cell phones, stay at luxury hotels, visit beach resorts previously reserved only for tourists, rent cars, buy DVD players, and cultivate coffee and tobacco on unused state land. The government has also announced plans to allow Cubans to purchase computers, freely travel throughout the country, and start their own small businesses. These changes, however, while potentially positive steps, have not addressed restrictions on freedom of religion or belief, freedom of assembly, or freedom of speech.

Parliamentary, judicial, and executive institutions continue to exist in name only in Cuba 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, a referendum calling for economic and political reforms submitted to the Cuban government in 2002 and 2003, and the Christian Liberation Movement. Since that time, the crackdowns have continued and several more human rights activists have been imprisoned since Fidel transferred power to Raul in 2006. In response to the Varela Project, the Cuban National Assembly unanimously passed an amendment making socialism the irrevocable basis of the constitution.

Since 1959, 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 Hanukkah celebration that same year. In 2000, official recognition of religious holidays was 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 and restrictions 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 became public. Nevertheless, Havana's Catholic Cardinal, Jaime Ortega y Alamino, 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." The crackdowns on the freedoms of speech, assembly, and association in Cuba since 2003 have affected religious freedom conditions also. In 2004 there were reports that a marked shift in government propaganda had taken place favoring strict interpretations of communist orthodoxy, including an assault on religious freedom and related human rights, a policy that reportedly continues.

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 those religious groups that maintain "close relations" with the state or those who "often [support] 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 (CCC). In recent years, the government had not granted recognition to any relatively new denominations; however, in March 2007, several denominations were granted full legal recognition, including some Yoruba and other Santeria, Greek and Russian Orthodox, Baptist, Buddhist, and Islamic religious groups. There are also small Jewish communities. The government has not prevented activities of the Baha'is and the Church of Jesus Christ of Latter-day Saints (Mormons), groups that are not officially registered, and has registered groups that do not belong to the CCC, including the Jehovah's Witnesses. In the past, there were reports that conditions for Jehovah's Witnesses had improved substantially; however, in the past year, there has been harassment of and discrimination against members of this group by local Communist Party and government officials. In 2007, Ray Luciano Lopez Morence, a Jehovah's Witness, was detained for three days for refusing to fulfill the compulsory military service before being sanctioned and fined.

In recent years, the Cuban government has rarely permitted the construction of new places of worship, and the government did not grant permission for the construction of any new

worship buildings in 2007. However, according to the CCC, many churches expanded in 2007 without government permission. Many religious groups, registered and unregistered, hold services in private homes or similar accommodations, commonly known as “house churches.” There are reports that at least 10,000 house churches exist nationwide, the majority of which are technically illegal. Permission for meetings in house churches 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. Since 2005, several house churches from registered and unregistered denominations have reportedly been confiscated or destroyed. In many of these cases, local authorities told house church leaders and members that their buildings were “unsuitable” and then appropriated the buildings. One non-governmental organization reports that some of the churches were bulldozed, some remain vacant, and at least one was turned into a school.

A September 2005 law requires all house churches to register. In order to receive legal registration, the law requires that there be no more than three meetings per week; that a house church cannot be within two kilometers of another house church of the same denomination; and that detailed information on the number of members, when services will be held, and the names and ages of the inhabitants of the house be provided. The requirements also prohibit the participation of foreign citizens without government permission and the presence of such individuals in the mountainous regions. Put into effect as Directive 43 and Resolution 46, these requirements have increased concerns primarily among Protestant and Santeria religious groups, many of which hold unauthorized religious meetings in private homes several times per week. If the registration application is refused, the members of the house church are not permitted to meet. There are reports that at least one house church was demolished, several threatened with demolition, and several were shut down or confiscated since Direction 43 and Resolution 46 were promulgated. There are also reports of individual worshippers receiving citations and some churches repeatedly being forced to pay large fines. However, there is no evidence that the new legislation has resulted in a systematic crackdown on house churches.

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 monitor and control the country’s religious institutions, including through surveillance, infiltration, and harassment of religious clerics and laypersons. In January 2004, a Ministry of Interior official revealed in an interview that government infiltration of civil and religious organizations remains widespread.

There have been reports of religious leaders being attacked, beaten, or detained for opposing certain actions of the local or state government. Priests who use sermons to criticize the government’s human rights record have been put under surveillance, threatened, and beaten. Religious leaders who refuse to express support for government programs or act as informants are reportedly harassed in ways that have included mob protests. Some pastors from denominations registered with the CCC who call for increased separation of church and state report harassment and threats by the government. In February 2006, Church of God Reverend Carlos Lamelas, an advocate for religious freedom and a critic of the state’s interference in the

church, was arrested and held for four months, although he was never formally charged. He was not brought to trial until December, and then on human trafficking charges. However, a new prosecutor dropped the charges days later due to lack of evidence. Since his release, Lamelas has not been permitted to resume his leadership position of his church, a CCC member, despite his congregation's support.

Some 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). Because an estimated 70 percent of the Afro-Caribbean population engages in at least some religious practice, which is viewed as presenting a potential grassroots threat to the government, religious groups in these communities are more heavily targeted than political opposition organizations. 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.

Political prisoners and human rights and pro-democracy activists are increasingly being limited in their right to practice their religion. Religious leaders report pressure, sometimes blatant, by the government to expel pro-democracy or human rights activists from their church and some activists have, in response, been asked by church leaders to distance themselves from the congregation. On Dec. 6, 2007, security officers forcefully entered the Santa Teresita de Nino Jesus Roman Catholic Church in Santiago and beat several human rights activists attending mass. Additionally, political prisoners report being denied the right to receive visits from clergy members, having Bibles and rosaries confiscated, and being prevented from attending religious services with other prisoners. The State Department reports that human rights activist Diosdado Gonzalez Marrero submitted 67 requests to allow a Catholic priest to visit him in prison, but was never granted a visit.

Family members of these prisoners are also affected. In many churches, security officials reportedly continue to monitor sermons and sit behind the wives of political prisoners in order to intimidate them. March 18 marks the anniversary of "Black Spring," the day in 2003 when 75 human rights activists, independent journalists, and opposition political figures were arrested on various charges. Every Sunday since 2003, wives of those arrested, known as the Ladies in White because they wear only white, attend mass at Santa Rita Church in Havana and then walk down Havana's embassy row, protesting their husbands' imprisonments. The Ladies in White organization was the joint winner of the European Parliament's 2006 Sakharov Prize for Freedom of Thought. In March 2007, government-directed mobs physically prevented wives of human rights activists, many from the "Ladies in White" organization, from traveling to Havana for mass at Santa Rita Catholic Church. The State Department also reports that several other political prisoners' wives were warned they would be arrested if they attempted to join the other wives at mass.

All publications are required to be registered with the Ministry of Culture. However, the Cuban Conference of Catholic Bishops has refused to register its publications, arguing that such registration would mean a loss of content and format control. Although the government has not blocked the printing or publication of Catholic publications, increased government pressure in recent years, sometimes in the form of blocking the distribution of supplies, has led to the

shutting down of several publications. In April 2007, *Vitral* magazine, an independent Catholic magazine that in the past has published articles critical of the Cuban government, announced that due to a lack of paper, ink, and Internet access, it would shut down. However, the magazine resumed publication in June 2007 under new management.

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 prior to holding 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. According to the State Department, in 2005, the Catholic Church decided to stop seeking permits for religious processions in some areas. The State Department reports, however, that small, local processions occurred in provinces in 2007. For Easter, large processions were permitted in Camaguey and Santa Clara, and 800 youth participated in a special Easter observance outside Havana.

On the tenth anniversary of Pope John Paul II's trip to Cuba, Vatican envoy Cardinal Tarcisio Bertone traveled to Cuba in February 2008 and met with newly appointed Cuban President Raul Castro. Cardinal Bertone called for improved relations between the government and the Church and for increased openness in the state-controlled media, where the Catholic Church would like to have more religious services and events shown on government TV and radio. Unlike Pope John Paul, Cardinal Bertone did not call for the release of political prisoners.

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

- use all diplomatic means to urge the Cuban government to undertake the following measures aimed at bringing 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 and hold those involved in any further incidents accountable for their conduct;
 - revise government Directive 43 and Resolution 46 restricting religious services in homes or on other personal property, as well as other national laws and regulations on religious activities, to bring them into conformity with international standards on freedom of religion or belief;
 - cease, in accordance with international standards, interference with religious activities and 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, the arbitrary prevention of religious ceremonies and processions, and the 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;
- securing 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 persons who conduct such activities under Cuban law.