



Streets of Camagüey. Photo: CSW

CUBA

FREEDOM OF RELIGION OR BELIEF: ANNUAL REPORT

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INTRODUCTION

Article 18 (Universal Declaration of Human Rights): 'Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.'

From January to December 2017 Christian Solidarity Worldwide (CSW) recorded 325 separate violations of freedom of religion or belief (FoRB) in Cuba. Christians across a wide range of denominations were affected. Many of these cases involved large numbers of victims. By comparison, CSW reported 220 FoRB violations in Cuba in 2014, 180 in 2013, 120 in 2012 and 40 in 2011.¹

The violations occurred across the island and were predominantly committed by the Office of Religious Affairs (ORA).² The ORA's consistent hostility, at both national and provincial levels, directed at the leadership of many religious groups is evidence to many Cuban religious leaders that this government body exists solely to monitor and restrict the activities of religious groups. Although, 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, both of which contain strong protections for religious freedom, almost a decade later, Cuba has yet

to make any move to ratify either. The high number of FoRB violations documented in this report suggest that there have been no steps taken by the government to uphold and defend freedom of religion or belief.

LEGALrecognition

One issue affecting a wide variety of religious groups is the right to be legally recognised. All religious groups must be registered with the Ministry of Justice in order to operate legally. Most religious groups that existed prior to the 1959 Revolution are registered and as such have legal recognition. However, some groups such as the Jehovah's Witnesses and the Berean Baptists had their registration arbitrarily rescinded in the 1970s and have not been able to re-register, thus making them technically illegal. Other groups, such as the Afro-Cuban Free Yoruba Association, are not registered because they wish to remain independent of government influence or control. Groups which were not present prior to 1959 but have a growing presence on the island, most notably the Apostolic Movement, have been refused the right to register. While all religious groups experience FoRB violations, unregistered groups are most vulnerable and suffer some of the most egregious violations, as their unregistered status means that their very existence is illegal.

¹ In 2015 and 2016 the numbers rose significantly due to the government declaring around 2,000 Assemblies of God churches to be illegal and designating 100 of them for confiscation or demolition. This declaration was verbally rescinded in spring 2017.

² The ORA operates out of the Central Committee of the Cuban Communist Party, and is directed by Caridad del Rosario Diego Bello. The ORA does not operate within any other official guidelines or legal framework, giving its officials sweeping and arbitrary power over religious groups and associations, and individuals associated with those groups.



CHRISTIAN
SOLIDARITY
WORLDWIDE
VOICE FOR THE VOICELESS

Lack of registration has a broad impact on FoRB. Berean Baptist pastor, Daniel Josué Pérez Naranjo, who is based in the province of Las Tunas, has been waiting for his denomination to be re-registered and legalised since a request was submitted in 1997. Their status as unregistered has put the pastor and his family and churches associated with the denomination in a vulnerable position. In 2000, Reverend Pérez Naranjo requested the right to start new churches in the province despite the lack of response to their request to register. In apparent retaliation, his house was confiscated by the state and he has since been forced to pay rent to the government in order to live there. The building is in poor condition and is a hazard to those who live there, but despite promises from government officials, no action has been taken to allow Reverend Pérez Naranjo to make repairs.

In another example, the Old Catholic Church, based in Santa Clara, Villa Clara has been requesting legal status since July 2007. Over a decade later, the religious group is still waiting for a response from the government.

PROPERTY RIGHTS

In 2017 the government continued to target church buildings affiliated with both registered and unregistered religious groups. The government requires that churches register their buildings in order for them to gain legal status, but church leaders told CSW that when they make these requests, they are either denied or receive no answer. Many churches have been waiting for around 25 years for legal permission to exist. This means that many churches are forced to meet illegally, making them vulnerable to confiscation or demolition.

In one example, a registered Protestant denomination in Santiago has been waiting 22 years for a response to their request to legalise a church building.³ Despite the fact that the church has followed all the correct legal procedures, the state has ignored numerous requests for a definitive response. Another Protestant church associated with a registered denomination has been threatened with loss of property since early 2016, and reported continued threats of confiscation in 2017. Government officials visited the property, located in western Cuba, and took the property deeds, which have not been returned. The officials told the pastor that the documents are being held by the Supreme Court. Without property deeds the pastor cannot demonstrate his ownership of the property and the church is unable to apply for permission to function legally as a church. Additionally, as the pastor and his family cannot prove their permanent residence status without the property deeds, they are unable to receive the state rations that most Cubans rely on to survive.

³ Specific details from this case and others have omitted to protect the identity of those involved, at the request of the victims.

A particularly egregious example involves the Western Baptist Convention (WBC), a registered religious organisation, which has maintained an office for their World Missions Council (WMC) in Havana for decades.⁴ In the 1980s a group of people ‘invaded’ and illegally occupied some of this property. Despite the protests of the WBC, the government never took action to ensure the return of the property to its rightful owners. The denomination still maintained control of a small portion of the property where they located the WMC office. On 6 July 2017 the same individuals who had previously seized the other parts of the property broke through a wall and seized the WMC office. They took possession of all the contents including computers, hard drives, telephones, fax machines, and the safe in which significant cash funds were held. Despite complaints to the police, the ORA and housing officials, no action has been taken by the government to remove the illegal squatters from the property. Because of this, and because of the lack of response to the previous illegal seizure in the 1980s, the WBC leadership believes that the seizure of the property has the support and backing of the government, which they say has been unhappy with the WBC’s domestic and international missions activity.

In what CSW tentatively considers to be a positive development, the 2015 decree which declared 2,000 Assemblies of God (AoG) churches to be illegal no longer appears to be in effect. In May 2017 the head of the denomination met government officials, who gave verbal assurances that they were no longer going to proceed with the confiscation of the churches. One AoG leader in Santiago whose church was designated for demolition received an official stamped document rescinding the order.

HARASSMENT OF RELIGIOUS LEADERS

Religious leaders regularly report harassment which appears to be aimed at intimidating them and interfering with church activities. At times the harassment is carried out directly by government officials, in other cases it is perpetrated by apparent civilians or by unknown persons. In the latter instances, the failure of the government to investigate or punish those responsible points to the authorities’ tacit approval of, or even involvement in, these cases. In one example, the Majagua Baptist Church, a registered church from the Eastern Baptist Convention, reported that dead, rotting animals were thrown onto the pastor’s property on numerous occasions over the past 18 months. Despite the filing of a formal complaint, the government has not responded or carried out any kind of investigation. In another case, leaders of the Old Catholic Church in Santa Clara reported that a man living in the house opposite, who is also the local president of the Committee of Defence of the Revolution (CDR)⁵,

⁴ Prior to the Revolution, the property belonged to the US Southern Baptist Convention. The SBC named the WBC as caretakers of this and other properties when they withdrew from the island.

⁵ The CDR acts as a kind of government neighbourhood watch, monitors residents of the neighbourhood and reports on their activities to state security.

sets up audio equipment outside to play music at very high volumes in order to interrupt church services every Sunday. Government officials have taken no action to stop this.

Throughout 2017, CSW received various reports from church leaders in the province of Santiago de Cuba and which has been a target of government persecution for over a decade, also reported continued problems. In October this culminated in the arbitrary arrest of Rudisbel Rivera Robert, a church leader who owns the land where the church currently meets. This is the third time that he has been cited and interrogated, part of a longstanding government tactic to put pressure on property owners in order to prevent religious activities. The leader of the Apostolic Movement in Santiago, Alain Toledano, told CSW that Mr Noa Frómetsa was behind all the harassment and attacks on their churches in the region.

The Emmanuel Church and its leadership, which is part of the Apostolic Movement in Santiago de Cuba and which has been a target of government persecution for over a decade, also reported continued problems. In October this culminated in the arbitrary arrest of Rudisbel Rivera Robert, a church leader who owns the land where the church currently meets. This is the third time that he has been cited and interrogated, part of a longstanding government tactic to put pressure on property owners in order to prevent religious activities. The leader of the Apostolic Movement in Santiago, Alain Toledano, told CSW that Mr Noa Frómetsa was behind all the harassment and attacks on their churches in the region.

PREVENTION FROM ATTENDING RELIGIOUS SERVICES, AND ARBITRARY DETENTION

The weekly countrywide arrests of women affiliated with the Ladies in White,⁶ as well as many other human rights activists, continued throughout 2017. The Ladies in White are regularly fined, threatened with imprisonment, and detained for periods of 24 hours or more to prevent them from attending Sunday Mass. On average, 60 women each week were arrested by state security and political police across the country in order to prevent them from participating in religious services. On 10 December in Matanzas police set up a cordon of vehicles around the entrance to a church in order to stop anyone with the Ladies in White and other activists from participating in Mass.

The Ladies in White also documented a concerning increase in the number of women subjected to hazardous conditions during their arbitrary detention. In one example, on 8 October in Matanzas, Milaidis Espino Díaz and Lazara Rodríguez Roteta were kept in the sun for three hours; and on 19 November in Havana, Berta Soler Fernández was detained for more than 24 hours without food or water. It is worth noting that there were also cases of Ladies in White being prevented from attending weekday religious services. For example, on 5 September Maritza Acosta Perdomo was arrested and detained to

prevent her attending Tuesday Mass at San Jose Catholic Church in Matanzas.

Other religious groups also reported cases of religious activities and services being interrupted or halted by the authorities. On 14 September an interdenominational Christian service in the main plaza of the eastern town of El Cristo was disrupted and ultimately stopped by security forces. According to Pastor Marlín Vázquez Pérez, the group, which included both registered and unregistered Protestants, had obtained permission to hold the event but were interrupted while singing Christian songs. The state security agents and Communist Party officials informed them that the plaza "isn't for this kind of activity; it is for activity in favour of the Revolution." The following day, the lead organiser of the service, Pastor Ernesto Lora, was made to sign an 'Acta de Advertencia' – a pre-arrest warrant for future crimes – and officials warned him that if he was involved in such an event in the future he would go to prison.⁷

Harassment of children of religious leaders and dissidents
In 2017 CSW saw an increase in cases of pressuring and harassing religious leaders and activists through the targeting of their children or other family members. On Sunday 13 August, Yunior A. Freyde Escalona, a 27-year-old human rights activist and the son of Lady in White Rosa Escalona Gómez, was detained along with his mother at their home in Holguín. The two were taken to the El Anillo police station, where Mr Freyde Escalona was beaten, leaving him with damage to the skull. Both were released at 9am on Monday 14 August. In another example, two adult children of FoRB defender Leonardo Rodríguez Alonso were arbitrarily dismissed from their jobs. They believe this was in retaliation for his continued work on FoRB.

A 14-year-old son of a Baptist pastor in Havana received a low grade in school for supposed absences. According to the pastor his son had no recorded absences, but the teacher had failed to transfer the boy's information to the official school documents, despite having done so for every other student.

Targeting of activists and independent civil society organisations working on FoRB
In 2017 the government regularly targeted activists and independent civil society organisations (CSOs) working on FoRB or on issues related to religion. A particularly noteworthy case is that of Félix Yuniel Llerena López,⁸ who was repeatedly targeted throughout the year. After flying back to Cuba in April from the USA, where he had

7 Video available here www.youtube.com/watch?v=6SDjO2IvqkU#action=share

8 Félix Yuniel Llerena López is associated with the Patmos Institute, an independent civil society group that promotes inter-religious dialogue and defends FoRB.

6 An opposition movement comprising the wives and other female relatives of jailed dissidents.

participated in advocacy meetings on FoRB, Mr Llerena López was interrogated by agents at the airport. The following day he was detained and threatened by two high-ranking state security officers, as was his mother, who had not travelled with him. On 8 May Mr Llerena López was informed that he had been expelled from university under the (false) premise of excessive absences. A few months later he was informed that trumped up criminal charges were being brought against him and that he was barred from traveling outside his mother's village. Unexpectedly, on 2 October he was informed that the charges against him had been dropped and that he would be allowed to travel abroad again. No explanation for this change was given.

Dagoberto Valdes, Yoandy Izquierdo and Karina Gálvez Chiu all work with the independent CSO Convivencia, which aims to create a space for discussion and debate including on issues of religion and religious freedom, and were all targets of the government in 2017.⁹ In January Ms Gálvez Chiu was arrested and accused of tax evasion before being released on bail. After the government brought charges against her which prevented her from leaving the country, on 5 August she was sentenced to three years of house arrest. She may leave the province if it is associated with work, but she must first obtain permission from the authorities, and she cannot leave the country. Her house, which served as the headquarters for Convivencia, has been confiscated. In August Mr Valdes and Mr Izquierdo were cited by immigration officers and then interrogated by state security agents.

BLOCKING ACTIVISTS AND RELIGIOUS LEADERS FROM TRAVELLING ABROAD

On 17 June FoRB defender Llerena López was prevented from boarding a flight, and state security agents informed him that he was banned from travel, although no reason for the ban was given. In October, as mentioned above, the ban was lifted without explanation. On 17 December two pastors, Dayexy Avila Herrera and Cristina María Rodríguez,¹⁰ were prevented from boarding a flight to Colombia. In a separate case, a Protestant Christian was blocked from travelling to attend a religious event outside the country; they then faced negative repercussions at their place of work, ultimately forcing them to leave their job.

CONCLUSION

CSW is deeply concerned by the growing number and severity of FoRB violations reported by a wide variety of denominations and religious groups, which seem to show that the government is attempting to tighten its control over the activities and membership of religious groups. Many of the documented violations were in line with the types of violations seen in previous years – for example the use of temporary arbitrary detention, harassment of church leaders, and attacks on property rights. It appears, however, that the government is now also diversifying its tactics by threatening activists and religious leaders with trumped up criminal charges, arbitrarily preventing them from traveling out of the country and targeting their children. It is essential that the European Union, the United States, and other governments in dialogue with Cuba use their positions to press for improvements to religious freedom and the general human rights situation in the country.

RECOMMENDATIONS

To the government of Cuba

- Respond to increasing calls by many religious leaders and their congregations for the better protection of FoRB, by abolishing the Office for Religious Affairs (ORA) and adopting legislation that protects FoRB for all.
- Remove the requirement for registration, or facilitate the registration of all religious groups who wish to be registered.
- Loosen state controls and streamline procedures concerning registration of buildings for religious worship, accreditation of seminaries, and the construction and renovation of church buildings.
- Return all church properties that have been illegally occupied or confiscated by the government.
- Cease the harassment of religious leaders and allow all Cubans, including those affiliated with independent civil society organisations or activist groups, to worship free from government interference.
- Fully ratify both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

⁹ While the targeting of *Convivencia* is not a clear cut FoRB case, it has roots in a long campaign by the government to shut down 'spaces', first in the form of Vitrales, now in the form of Convivencia, which have a religious aspect, and to intimidate those associated with them into stopping what they are doing.

¹⁰ They are leaders of the My Vine Ministry, which gives advice and spiritual support to women.

To the United Nations and UN Member States

- Strongly urge Cuba to follow the recommendations listed above.
- Encourage Cuba to fully ratify relevant international instruments, including the ICCPR and ICESCR.
- Urge Cuba to fully cooperate with the UN Special Procedures, and issue a standing invitation to the Special Procedures to visit Cuba with unhindered access to all parts of the country.
- Encourage Cuba to implement the recommendations of the first and second UPR cycles, and to actively engage with the third UPR cycle in 2018.
- Ensure that freedom of religion or belief and freedom of expression are consistently raised in all appropriate high-level correspondence with Cuba, including during high-level visits and other bilateral exchanges with Cuba, as well as at UN Human Rights Council sessions and during the Universal Periodic Review; raising specific incidents of concern both in public and in private.
- Monitor the human rights situation in Cuba; if there is independently verifiable political will to improve the human rights situation, provide technical assistance to the government of Cuba to implement its human rights commitments.

To the European Union and EU Member States

- Use the first EU-Cuba cooperation agreement to pressure Cuba to improve its human rights situation.
- Ensure that EU institutions and Member States with embassies in Cuba are fully briefed on the situation of FoRB, as outlined in the 2013 EU Guidelines on the promotion and protection of freedom of religion or belief.
- Proactively promote and defend FoRB by seeking new ways to support and strengthen vulnerable groups inside Cuba, in line with existing EU human rights commitments.
- Raise FoRB violations regularly in all dialogues with the Cuban authorities, including with the head of the Office of Religious Affairs (ORA), and establish clear benchmarks for progress.
- Insist on the full ratification and implementation of the ICCPR and ICESCR.
- Encourage Cuba to invite the UN Special Procedures to visit the country, and to accept and implement recommendations from UN mechanisms and bodies.
- Urge Cuba to implement the recommendations listed above.

To the United States

- Raise violations of FoRB, including those mentioned in this report, with Cuba at every opportunity
- The US Embassy in Havana should continue to closely monitor freedom of religion or belief in Cuba and engage with religious leaders of all faiths and denominations, registered and unregistered, across the island; while taking into consideration the political sensitivities under which many religious leaders must work
- Encourage Cuba 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 the US Ambassador at Large for Religious Freedom (when he is confirmed); and to the US Commission on International Religious Freedom.
- As the United States regularly reviews its policy towards Cuba, it should establish specific criteria for Cuba to meet (e.g. ratification of the ICCPR and ICESCR) in order to more effectively measure progress in regard to human rights and democratic reform.

To the government of Brazil

In addition to the recommendations above:

- Raise violations of FoRB, including those mentioned in this report, with Cuba at every opportunity
- Establish specific criteria for Cuba to meet (e.g. ratification of the ICCPR and ICESCR) in order to more effectively measure progress in regard to human rights and democratic reform.

Endnotes