

## KEY FINDINGS

During the reporting period, religious freedom conditions in Cuba continued to deteriorate due to the government's short-term detentions of religious leaders, demolition of churches, and threats to confiscate churches. In addition, the Cuban government harasses religious leaders and laity, interferes in religious groups' internal affairs, and prevents—at times

violently—human rights and pro-democracy activists from participating in religious activities. The Cuban government actively limits, controls, and monitors religious practice through a restrictive system of laws and policies, surveillance, and harassment. Based on these concerns, USCIRF again places Cuba on its Tier 2 in 2017, as it has since 2004.

## RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Convey that changes in policy do not diminish the Cuban government's need to improve religious freedom conditions on the island;
- Denounce—clearly and consistently—violations of religious freedom and related human rights in Cuba;
- Press the Cuban government to:
  - Stop arrests and harassment of religious leaders;
  - End the practice of preventing democracy and human rights activists from attending religious services;
  - End destruction of, threats to destroy, and threats to expropriate houses of worship;
  - Lift restrictions on the building or repairing of houses of worship, holding of religious processions, importation of religious materials, and admittance of religious leaders;
- Allow unregistered religious groups to operate freely and legally, and repeal government policies that restrict religious services in homes or other personal property;
- Cease interference with religious activities and religious communities' internal affairs; and
- Hold accountable police and other security personnel for actions that violate the human rights of religious practitioners;
- Encourage Cuban authorities to extend an official invitation for unrestricted visits by USCIRF and the United Nations Special Rapporteur on freedom of religion or belief;
- Increase opportunities for Cuban religious leaders from both registered and unregistered religious communities to travel to, exchange aid and materials with, and interact with coreligionists in the United States;
- Continue the U.S.-Cuba human rights dialogue and include freedom of religion or belief as part of the dialogue with the Ambassador-at-Large for International Religious Freedom and other relevant participants;
- Use appropriated funds to advance Internet freedom and protect Cuban activists by supporting the development and accessibility of new technologies and programs to counter censorship and to facilitate the free flow of information in and out of Cuba; and
- Encourage international partners, including key Latin American and European countries and regional blocs, to ensure violations of freedom of religion or belief and related human rights are part of all formal and informal multilateral or bilateral discussions with Cuba.

## BACKGROUND

Religious adherence continues to grow in Cuba, although there are no reliable statistics of Cubans' religious affiliations. Sixty to 70 percent of the population is estimated to be Roman Catholic and 5 percent Protestant. The practice of Catholicism is commonly syncretic, mixed with traditional African religions, especially Santería. According to the State Department, various religious communities approximate their membership numbers as follows: Assemblies of God, 110,000; Baptists, 100,000; Jehovah's Witnesses, 96,000; Methodists, 36,000; Seventh-day Adventists, 35,000; Anglicans, 22,500; Presbyterians, 15,500; Muslims, 2,000–3,000; Jews, 1,500; Quakers, 300; and The Church of Jesus Christ of Latter-day Saints (Mormons), 50. An unknown number of Greek and Russian Orthodox Christians, Buddhists, and Baha'is also live in Cuba.

President Raul Castro and his circle rule with absolute authority. The Communist Party is the country's only constitutionally recognized party. Despite increased economic and diplomatic engagement with the United States and Europe, human rights conditions have deteriorated. Authorities engage in arbitrary, short-term, and politically motivated detentions; assaults against human rights and pro-democracy activists and dissidents; extensive surveillance and intimidation; and organizing "acts of repudiation," incidents in which government-recruited mobs harass

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and—at times—assault activists, religious leaders, and others targeted by the government. In June 2016, USCIRF met with Presidential Medal of Freedom Winner Dr. Oscar Biscet and his wife, human rights activist Elsa Morejon. In January 2017, Dr. Biscet was arrested for his continued advocacy for democracy and freedom; upon his release later that day, government authorities warned him to cease his activism. The Cuban government does not allow human rights organizations to operate legally, and it controls all access to media, printing, and construction materials.

While the Cuban constitution guarantees freedom of religion or belief, this protection is limited by other constitutional and legal provisions. Article 8 affirms that "the State recognizes, respects, and guarantees religious freedom," and article 55 further guarantees the right to "change religious beliefs or not have any, and to profess, within the confines of the law, the religious worship of his/her preference." However, article 62 qualifies that all rights can be limited based on the

"aims of the socialist State and the nation's determination to build socialism and communism." The Cuban penal code's Abuse of Liberty of Worship clause permits the imprisonment of any person the government

determines abuses constitutional religious freedom protections by placing religious beliefs in conflict with other state goals.

The Cuban government controls religious activities through the Office of Religious Affairs (ORA) of the

Central Committee of the Cuban Communist Party and the Ministry of Justice (MOJ). The government requires religious communities to register with the MOJ, including the disclosure of funding sources and locations for activities and certification that they are not duplicating the activities of other registered religious communities. The ORA has final authority over registration decisions. Currently, 54 religious communities are registered, primarily Christian denominations, more than half of which have some form of association with the government-recognized Cuban Council of Churches (CCC). Only registered religious communities are legally permitted to receive foreign visitors, import religious materials, meet in approved houses of worship, and apply to travel abroad for religious purposes. Local Communist Party officials must approve all religious activities of registered groups other than regular worship services, such as repairing or building houses of worship and holding processions or events outside religious buildings. The government also restricts religious practice by denying independent religious communities access to state media (which they use to broadcast services), limiting exit visas, requiring the registration of publications, limiting the entry of foreign religious workers, and restricting bank accounts to one per denomination or religious association. Further, the ORA continues to pressure religious communities to make their financing, internal governing structures, statutes, and constitutions more hierarchical, which aids government efforts to control them. Morejon and other religious freedom advocates report that local community officials in rural areas discriminate against some Christian children, including denying them food in schools.

In 2005, the Cuban government implemented a law to regulate house churches (congregations that gather for worship in private homes). Many Protestant denominations rely on house churches due to government restrictions on new building construction; the State Department reports there are an estimated 2,000–10,000 house churches in Cuba. The law, known as Directive 43

and Resolution 46, requires all house churches to register and submit to the government detailed information on their membership, the house church's inhabitants, and the schedule of services. It permits no more than three meetings to be held per week, bars foreign citizens from participating in services without government permission, and requires house churches of the same denomination to be at least two kilometers apart.

In January 2015, the Cuban government announced Legal Decree 322, the General Law on Housing, purportedly to regulate private properties and zoning laws. However, Cuban authorities have used Legal Decree 322 to threaten expropriation of churches.

## RELIGIOUS FREEDOM CONDITIONS 2016–2017

### Destruction of and Threats to Churches

In 2016, the Cuban government destroyed four Apostolic Movement houses of worship. On January 8, the government razed Rev. Bernardo de Quesada Salomon's Fire and Dynamism Church in Camaguey and Rev. Juan Carlos Núñez Velázquez's Apostolic House-King of Glory Church in Victoria de las Tunas. Both churches were on the pastors' private properties and had legal permits for

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their construction. On February 5, authorities similarly destroyed the Emanuel Church of the Apostolic Movement in Santiago de Cuba and confiscated its pews, chairs, audio equipment, musical instruments, and cement blocks. Emanuel Church Rev. Alain Toledano's home also was destroyed. On April 9, the Cuban government demolished the Strong Winds Ministry Church in Las Tunas. The church reports the government also confiscated its pews, electrical equipment, and construction material. The church was privately owned by Strong Winds Ministry member Caridad Reyna.

In 2015, the government designated 2,000 Assemblies of God churches as illegal and ordered their closure, confiscation, or demolition. In 2016, the government began the process of expropriating 1,400 of these churches, although at the time of this writing none have been confiscated.

During the reporting period, government officials interrogated religious leaders countrywide about the legal status of their religious properties. In some cases, the officials confiscated property deeds, leaving the religious communities vulnerable to charges of maintaining illegal properties and having said properties destroyed or confiscated.

### Detentions of Religious Leaders

In 2016, the Cuban government detained dozens of religious leaders and followers. The vast majority of detentions occurred during the church demolitions described above to prevent church members from protesting and/or stopping the demolitions and alerting others to the incidents.

On January 8, Rev. de Quesada Salomon, his wife Damaris, and other Apostolic Movement members across the island were detained prior to the destruction of their Fire and Dynamism Church in Camaguey. They were detained at separate police stations and released later that day. The government also shut off cell phone reception in the area during the incident.

On February 5, Rev. Toledano's wife, Marilín Alayo Correa, and 200 other Emanuel Church members were detained across the Santiago de Cuba region; they were released later that day. On February 24, police threatened to arrest Rev. Toledano for alleged illegal possession of chairs and church construction materials.

On March 20, Baptist Convention of Western Cuba pastor and religious freedom advocate Mario Felix Leonart Barroso was arrested prior to then President Barack Obama's official visit to Cuba. His wife, Yoaxis Marcheco Suarez, was placed under house arrest. Prior to the pair's arrest, the police surrounded their home for hours and cut off their phone lines. After his arrest, Pastor Leonart Barroso reported constant harassment and surveillance. On August 8, he and his family fled Cuba for the United States.

On April 7, Western Baptist Convention Pastor Leonardo Rodriguez was arrested in Santa Clara and released the next day.

On April 9, state security agents detained Strong Winds Ministry Church Rev. Mario Jorge Travieso for several hours during the church's demolition and threatened him with seven years' imprisonment if he spoke publicly about the incident.

On October 21, Pastor Núñez Velázquez was sentenced to one year of house arrest after neighbors reported noise complaints. Pastor Núñez Velázquez had been holding services outside after his church was demolished on January 8, 2016. He appealed the decision in October, but was unsuccessful. At the time of this writing, the conditions of his house arrest are unknown.

On February 21, 2017, Pastor Ramón Rigal and his wife Adya were arrested and charged with "acting contrary to the normal development of a minor" for homeschooling their child. They were released the next day and ordered to report to the police every week in person until their trial.

### Denial of Religious Freedom for Democracy and Human Rights Activists

As in previous reporting periods, the Cuban government continued to deny pro-democracy and human rights activists their constitutional rights to freedom of religion or belief. Christian Solidarity Worldwide catalogued more than 200 separate incidents in 2016 of Ladies in White members being prevented from attending religious services; authorities prevented other human rights and pro-democracy activists from attending religious services 55 times. The Ladies in White are the wives and relatives of dissidents imprisoned in 2003; they wear

white during weekly marches following Sunday masses to increase attention to human rights conditions in Cuba. In the majority of cases, these individuals were detained on their way to Mass and released hours later.

Individuals reported being beaten and harassed during their detentions. Some also reported being prevented from attending Bible study groups and prayer meetings between weekly services. Church leaders continue to report that government officials pressure them to expel or shun such activists.

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Religious leaders report exercising self-censorship during services, fearing official reprisals if they directly or indirectly criticize the government. On September 1, nine workers at the Catholic magazine *Convivencia* were summoned to the local police station, interrogated, and threatened because of the political nature of some of their articles.

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### Positive Developments

Some religious leaders report increased opportunities to import religious literature and religious materials, conduct charitable operations, repair or expand religious buildings, and receive exit visas. The State Department reports the Catholic Church and some Protestant denominations maintained small libraries, operated their own websites with little censorship, published periodicals, and conducted religious services in prisons.

### U.S. POLICY

In December 2014, then President Obama announced a “new course on Cuba,” starting a process of normalizing diplomatic relations between the countries and significantly lifting trade and travel restrictions. On October 14, 2016, the White House released the [Presidential Policy Directive—United States-Cuba Normalization](#) that outlined the Obama Administration’s vision for and implementation of normalization of relations.

Since December 2014, the United States and Cuba re-established embassies in each other’s capitals and in September 2016, then President Obama nominated an ambassador to Cuba, although he was not confirmed before the Obama Administration left office. Although the U.S. trade sanctions and travel embargo on Cuba imposed in 1960 and reinforced by the 1996 Helms-Burton Act remain in place, then President Obama called on Congress to lift the embargo. Beginning in 2009, the Obama Administration eased restrictions on authorized travel to Cuba; increased

scholarships and grants for religious, humanitarian, and scientific activities; increased remittance levels; increased opportunities to import Cuban products; allowed for exportation of U.S. telecommunications equipment; provided U.S.-led training opportunities; and allowed the export or sale of goods and services to Cuban private businesses and farmers. U.S. institutions were permitted to open banking accounts with Cuban financial institutions and U.S. credit and debit cards were permitted to be used in Cuba. The U.S. government also removed Cuba from the State Sponsor of Terrorism list, resumed direct flights between the United States and Cuba in 2016, and in January 2017 ended its “wet foot, dry foot” policy, which granted residency to Cubans who reached the United States.

In March 2016, then President Obama became the first sitting president to travel to Cuba since 1928. In his speech in Havana, then President Obama acknowledged commonalities between U.S. and Cuban people, as well as the Cuban government’s human rights violations. He called on the Cuban government to respect the freedoms of speech, assembly, and religion or belief and to allow Cubans to choose their own government through free and fair elections. In October, then Ambassador-at-Large for International Religious Freedom David Saperstein joined then Assistant Secretary of State for Democracy, Human Rights, and Labor Tom Malinowski in Cuba for the U.S.-Cuba human rights dialogue. In July, then State Department Special Representative for Religion and Global Affairs Shaun Casey travelled to Cuba.