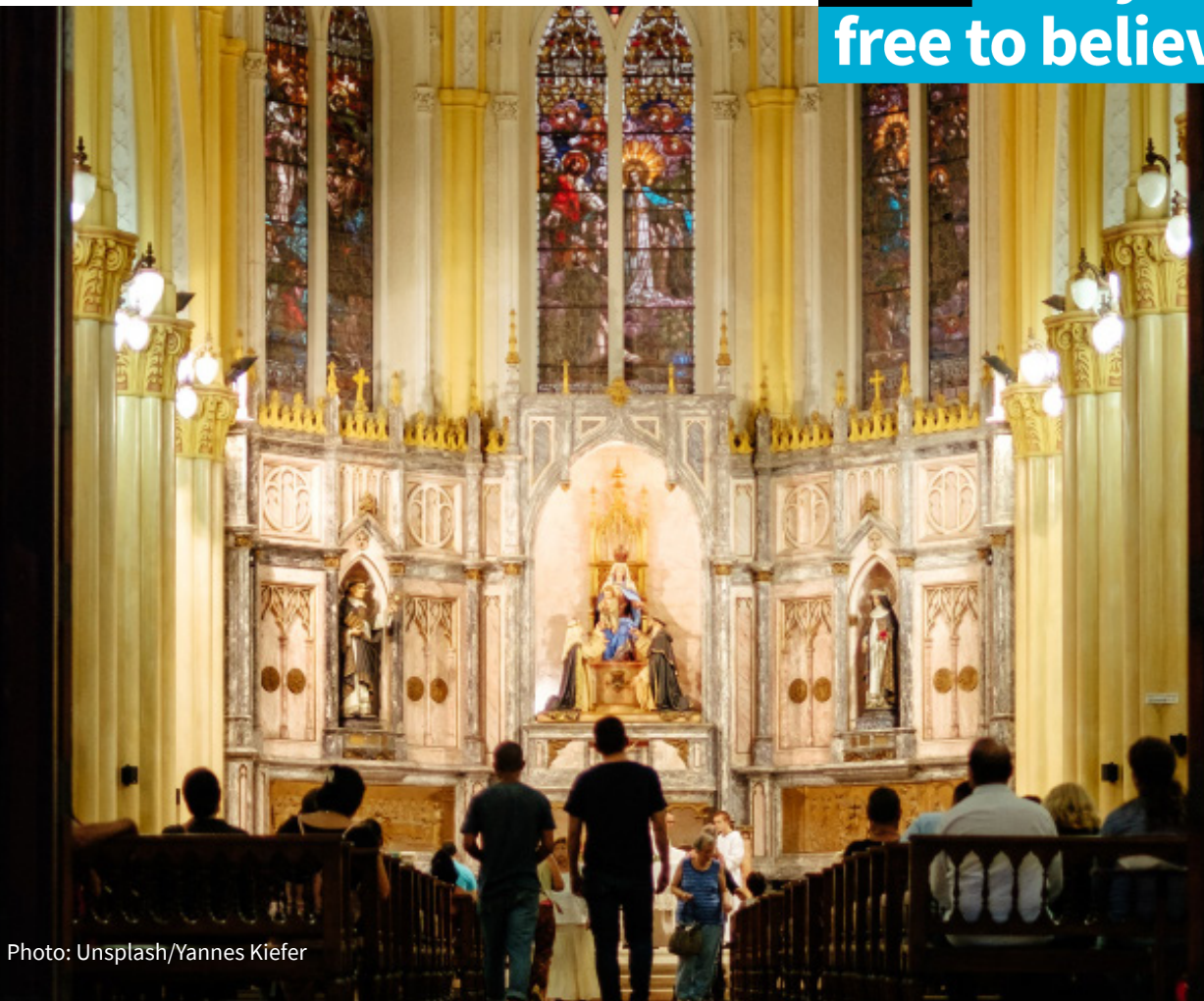


Cuba

Freedom of religion or belief

January 2021

CSW everyone
free to believe



Introduction

The COVID-19 pandemic in 2020 has intensified existing challenges in the protection and promotion of international human rights. Since the World Health Organisation (WHO) declared a global pandemic on 11 March 2020, governments across the world announced nationwide lockdowns, using emergency powers to curtail certain fundamental human rights and civil liberties to preserve life and limit the spread of the virus. While international human rights law considers all human rights to be universal, inalienable, indivisible and interdependent, not all human rights are absolute, and limitations can be applied to certain rights and freedoms in exceptional circumstances such as threats to national security or public health. However, it is imperative that any such restrictions are applied in a limited and non-discriminatory manner.¹

In Cuba, as in other countries, one of CSW's key concerns was that the pandemic would be exploited by the government to 'legitimise crackdowns on human rights defenders (HRDs), arbitrary detentions or violations of the right to freedom of religion or belief...[or to] undermine transparency and accountability.'² Unfortunately, this fear was realised. During the pandemic, the Cuban government continued to violate freedom of religion or belief (FoRB) routinely and systematically. While limits on public gatherings due to the pandemic reduced the overall number of direct interactions between religious groups and the Cuban state authorities, the government continued to target the religious sector. In 2020, CSW received 203 documented cases of FoRB violations. While this overall number is lower than the 260 documented cases of FoRB violations in 2019, the decrease in numbers is not because of any government change in policy but rather entirely due to the decision of the Ladies in White to halt their weekly attendance at Catholic Mass and protest march for about seven months because of the pandemic. Their protests resumed in October. As a result, the number of violations against

them accounts for a quarter of the total violations, whereas typically this number would be close to nearly half of all cases.

The situation on the island was particularly unstable in 2020. Prior to the pandemic, Cuba was already experiencing chronic shortages of food, medicine and hygiene supplies, while coping with weak medical services and a rundown and overcrowded housing sector. The COVID-19 pandemic has intensified a brewing economic and social crisis, and religious groups have sought to play a civic role in helping with this situation by distributing food and other scarce necessities within their local communities. Despite these efforts to provide assistance to those in need, religious leaders and FoRB defenders continued to report harassment, threats, arbitrary detention, and false charges against them during and after national lockdowns. Food distribution to individuals in need by religious leaders was met with opposition from the government, with reports of confiscated food supplies, customs officials blocking overseas humanitarian aid, threats and even charges against religious leaders for the crime of 'spreading disease'.

Under such circumstances, frustration among Cuban citizens grew as the government increasingly ruled by legal decree to restrict FoRB and other rights.³ CSW noted an increase in cases where the right to FoRB was wrongfully restricted using Decree Law 370, a legal decree which effectively curtails freedom of expression on the internet to guard against 'disseminating information contrary to the common good, morals, decency, and integrity through public data transmission networks'.⁴ While the law came into force in July 2019, it has been used increasingly against independent journalists, including those promoting freedom of religion or belief and other human rights.

1 United Nations Office on Drugs and Crime, Counter-Terrorism Module 7 Key Issues: Limitations Permitted by Human Rights Law www.unodc.org/e4j/en/terrorism/module-7/key-issues/limitations-permitted-by-human-rights-law.html

2 CSW, COVID-19 Update, 19 October 2020 www.csw.org.uk/2020/10/19/report/4851/article.htm

3 In September 2018, a group called the San Isidro Movement (MSI) was founded to protest Decree Law 349, which seeks to control cultural activity that is not authorised by the Cuban government. In November 2020, leading members of MSI went on hunger strike and locked themselves in a house in the San Isidro neighbourhood for approximately one week, to protest the arrest of young musician and activist Denis Solís, who had been sentenced to eight months in prison for being in contempt of the authorities. Their protest was forcefully broken up by the Cuban authorities on 26 November, citing a violation of hygiene protocols relating to the pandemic. There was an unprecedented public response which culminated with a peaceful demonstration outside the Ministry of Culture in Havana on 27 November.

4 Juris Cuba, Decreto-Ley No. 370 (Spanish) <http://juriscuba.com/decreto-ley-no-370/>

Recommendations

To the government of the United States of America

- Urge Cuba to amend and strengthen provisions for human rights including FoRB in the new constitution, and to bring its administrative, civil and penal laws and regulations into line with its own constitution and with international standards on FoRB.
- Urge Cuba to ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) and bring its laws and regulations into line with these covenants.
- The Ambassador for International Religious Freedom should request an invitation to visit Cuba with unhindered access to all parts of the country.
- The State Department should continue to closely monitor FoRB in Cuba and maintain the country on the Special Watch List. The State Department should ensure that all FoRB reporting fully reflects the views of the spectrum of marginalised religious groups and faith leaders, rather than the positions of only certain religious groups or state officials and offices.
- The US Commission for International Religious Freedom (USCIRF) should request an invitation to visit Cuba with unhindered access to all parts of the country. It should also continue to closely monitor FoRB in the country and consider elevating it to Tier 1 status in light of the systematic, egregious and ongoing FoRB violations there.
- Raise FoRB at every opportunity, in public and in private, in any dialogue with Cuba, including the Office of Religious Affairs; and urge Cuba to enact the recommendations listed above.
- Refuse to issue visas for travel to the US to Cuban government and Cuban Communist Party officials directly responsible for serious FoRB violations.
- The US Embassy in Cuba should maintain an open dialogue with religious leaders from all denominations and religious groups, including those which are not registered, while taking into consideration the political sensitivities under which many religious leaders must work.
- Encourage Cuba to invite the UN Special Rapporteur on FoRB, as well as other thematic Special Rapporteurs, to visit Cuba with unhindered access to all parts of the country.
- Continue to seek ways of engaging with members of Cuban independent civil society.

- Continue to establish and maintain contact with the families of political prisoners, and raise its concerns regarding continued violations of prisoners' rights, including denial of religious rights, with the Cuban authorities.

To the European Union and member states

- Urge Cuba to amend and strengthen provisions for human rights including freedom of religion or belief (FoRB) in the constitution, and to bring its administrative, civil and penal laws and regulations into line with its own constitution and with international standards on FoRB.
- Urge Cuba to ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), and bring its laws and regulations into line with these covenants.
- Upon the appointment of the new Special Envoy for the promotion of FoRB outside the European Union, they should request an invitation to visit Cuba with unhindered access to all parts of the country and to all religious groups.
- The EEAS should continue to hold a pre-dialogue consultation with European organisations with expertise on human rights in Cuba, and should also incorporate formal consultations with Cuban independent civil society organisations ahead of the EU-Cuba Human Rights dialogues, similarly to the preparations for and structure of various other EU human rights dialogues. In the longer term, the EU should push for a Human Rights Civil Society Forum to be held alongside the official human rights dialogue.
- Raise FoRB at every opportunity, in public and in private, in its dialogues with Cuba, including the Office of Religious Affairs, and encourage Cuba to enact the recommendations listed above.
- The EU Delegation to Cuba and the embassies of member states should maintain an open dialogue with religious leaders from all denominations and religious groups, while taking into consideration the political sensitivities under which many religious leaders must work.
- Encourage Cuba to invite the UN Special Rapporteur on FoRB, as well as other thematic special rapporteurs, to visit Cuba with unhindered access to all parts of the country.
- Continue to seek ways of engaging with members of Cuban independent civil society, offering support when appropriate.
- Continue to establish and maintain contact with the families of political prisoners and raise its concerns regarding continued violations of prisoners' rights, including denial of FoRB rights, with Cuba.

To the United Nations

- Urge Cuba to ratify the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) and ensure that local authorities, including Cuban Communist Party leaders, are aware of – and implement – the provisions at a local level.
- Urge Cuba to invite the thematic special procedures with mandates on freedom of religion or belief, freedom of expression, freedom of assembly and association, human rights defenders, torture, independence of the judiciary, and arbitrary detention, to visit Cuba with unhindered access to all parts of the country.
- Urge Cuba to amend provisions for freedom of religion or belief and freedom of conscience in the constitution in line with international standards, and bring civil, administrative and penal law and regulations into line with both international law and the San José Pact.
- Call on Cuba to eliminate the Office of Religious Affairs as it currently exists, or reform it to operate transparently within defined legal parameters and with recourse to appeal; and eliminate registration requirement for religious groups, or put in place clear and transparent procedures for registration that are in line with international laws protecting freedom of religion or belief.
- Continue to seek ways of engaging with members of Cuban independent civil society, offering support when appropriate.

To the government of the United Kingdom

- Urge Cuba to amend and strengthen provisions for human rights including FoRB in the constitution, and to bring its administrative, civil and penal laws and regulations into line with its own constitution and with international standards on FoRB.
- Urge Cuba to ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) and bring its laws and regulations into line with these covenants.
- Raise FoRB at every opportunity, in public and in private, in any dialogue with Cuba, including the Office of Religious Affairs; and urge Cuba to enact the recommendations listed above.
- The UK Embassy in Cuba should maintain an open dialogue with religious leaders from all denominations and religious groups, including those which are not registered, while taking into consideration the political sensitivities under which many religious leaders must work.

- Encourage Cuba to invite the UN Special Rapporteur on FoRB, as well as other thematic Special Rapporteurs, to visit Cuba with unhindered access to all parts of the country.
- The UK Embassy in Cuba should seek ways to engage with members of Cuban independent civil society, offering support when appropriate.
- The UK Embassy in Cuba should establish and maintain contact with the families of political prisoners and raise concerns regarding continued violations of prisoners' rights, including denial of FoRB rights, with the Cuban government.

Harassment

Nearly half of all cases received by CSW in 2020 involved threats and harassment. These cases took several forms, ranging from religious leaders receiving arbitrary summons from State Security agents for carrying out their leadership duties, to congregation members being pressured to stop attending services at unregistered churches, sometimes being threatened with losing their livelihoods. Often, these acts of state repression formed part of a sustained campaign to target and discourage individuals, in particular religious leaders, from freely manifesting their beliefs.

Sometimes the harassment had physical consequences, as was the case with Pastor Yoel Demetrio, an Apostolic Movement church leader based in Las Tunas. In April 2020, Pastor Demetrio received two summons from the National Revolutionary Police after inspectors from the Department of Physical Planning and Ministry of Science, Technology and Environment of the Republic of Cuba (CITMA) came to his church and threatened to take him to court for 'disturbing public order', claiming that the church was prohibited from using audio equipment, musical instruments or microphones in March.

Pastor Demetrio had made repeated requests for the necessary permits to hold services, but these had been repeatedly denied by government representatives. The inspectors also told Pastor Demetrio that the church was illegal and was not permitted to worship. During his second summons, he was interrogated by an agent named Rubiel who spent over an hour threatening Pastor Demetrio before giving him an *Acta de Advertencia* (a form of pre-arrest warrant) for the alleged crime of 'disobedience'.

On 6 September, after several months of no attacks against his church in Las Tunas, government agents resumed acts of vandalism by throwing stones at the church while hiding in the homes of neighbouring government collaborators. Many of the stones hit the church roof without causing damage; however, one struck and bruised a young congregation member's right shoulder. Although Pastor Demetrio contacted the National Revolutionary Police to report the events, the police did not take action because the agents had been sent by the State Security department.

The Cuban authorities have also begun to target the online activity of religious leaders using Decree Law 370, effectively censoring individuals' ability to speak freely online. In late 2019, Olainis Tejada Beltrán's twelve-year-old son Liusdan was forbidden by the Cuban educational authorities from entering his school while wearing the Jewish kippah, with the result that he was prevented from continuing his education – both Mr Tejada Beltrán and his son belong to the Sephardic Bnei Anusim community in Nuevitas, Camagüey. As Mr Tejada Beltrán publicly denounced the treatment of his son in the independent media,⁵ the Cuban educational authorities created a commission to review his son's situation.



Tejada Beltrán family

On 14 February, Mr Tejada Beltrán was interrogated at work by two State Security officers, who accused him of being paid to write an online article on the situation concerning his son that was published in the Cuban independent press.⁶ After Mr Tejada Beltrán stated that he had not been paid, State

Security Agent Major Guillermo threatened him with charges under Decree Law 370 – which states that it is a crime to disseminate 'information contrary to the common good, morals, decency, and integrity through public data transmission networks'.⁷ The officer warned Mr Tejada Beltrán that he should not name any government official in his reports, or he risked imprisonment.

Religious leaders also experienced the harassment of regular surveillance. Pastor José Yván Rodríguez Yanez, an Apostolic Movement pastor, was the victim of constant surveillance by plain clothes security operatives outside his home, and was also followed on the street during his outings. In addition, Pastor Rodríguez Yanez had phone credit stolen from his account after it was recharged from abroad by his religious organisation, which supports his pastoral work. This is a common tactic used by the government to prevent pastors from maintaining communication with religious organisations inside and outside of Cuba. Like Mr Tejada Beltrán, Pastor Rodríguez Yanez was also threatened under Decree Law 370 for making 'subversive posts on social media'. The penalty for such an 'offence' can be 3,000 Cuban pesos (approximately 115 USD)⁸ or two to four years in prison.

Threats

In 2020, CSW recorded 28 threat violations – nearly 15% of the documented violations received. Threats last year were often carried out by State Security agents who targeted members of registered and unregistered denominations alike, discouraging them from participating in their communities. It is no surprise that threat and harassment cases combined accounted for nearly half of all documented cases received by CSW last year, as the Cuban government found new ways to target and intimidate members of the religious sector, despite the inability to gather in public spaces and house churches for worship because of COVID-related restrictions.

One common tactic employed by the Cuban government was intimidation of religious leaders. This was the case with one of the leaders at Emanuel Church, an Apostolic Movement church in Santiago

5 Periódico Cubano, 'Estudiante judío de Camagüey otra vez es golpeado por hijos de funcionarios del gobierno', 3 December 2019 (Spanish) www.periodicocubano.com/estudiante-judio-de-camaguey-otra-vez-es-golpeado-por-hijos-de-funcionarios-del-gobierno/

6 ibid.

7 Juris Cuba, Decreto-Ley No. 370 (Spanish) <http://juriscuba.com/decreto-ley-no-370/>

8 This is the equivalent of nearly four months of salary for the average Cuban.

de Cuba pastored by Alain Toledano Valiente. Church leader Yaimara Bacot Rodríguez was threatened with an eviction notice from her home by an official from the Department of Physical Planning, due to her active role in Emanuel Church. The official stated that the reason for Ms Bacot Rodríguez's eviction was because she had ignored repeated warnings to stop working with Pastor Toledano Valiente. The official told her that she had 24 hours to voluntarily leave her home and that if she refused, she would be evicted without the right to claim to her belongings. The official claimed that she had the authority to evict Ms Bacot Rodríguez because the government intends to build a railway line through the area where she lives.



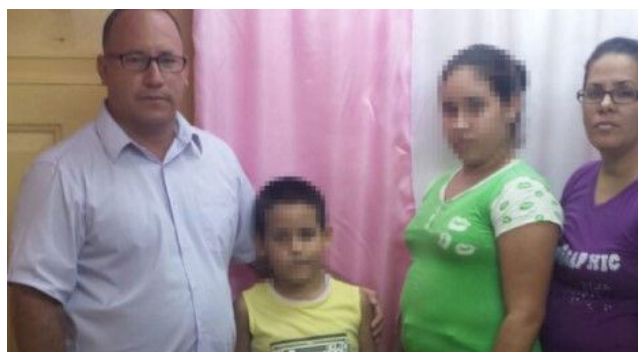
Alain Toledano Valiente

In another case involving Emanuel Church, a group of individuals dressed in civilian clothes and carrying knives and sticks gathered in front of the church on Sunday 26 July while Pastor Toledano Valiente preached. Although the group did not enter the church, they remained outside shouting death threats at the church leader and his parishioners. For more than an hour the group stayed outside, shouting obscenities and brandishing sticks and knives, threatening to attack the congregation when they left the church.

However, it was not only religious leaders and their communities who were targeted but also individuals who promote and defend human rights including FoRB. Independent journalist Yoel Suárez, who specialises in FoRB, was summoned to Siboney Police Station in west Havana on 27 March, where he was interrogated by police and threatened with

imprisonment and unspecified 'repercussions' for his family.

Mr Suárez has worked with non-state media outlets in Cuba since 2014 and has written extensively about human rights and FoRB issues, including the arrest, trial and imprisonment of Cuban pastors Ramón Rigal and Adya Expósito,⁹ who were imprisoned in April 2019 for refusing to send their children to government-run schools because of anti-religious bullying targeting the children.¹⁰ He has written for a range of news outlets including Diario de Cuba, Newsweek and Univisión.



Rigal family. Photo: Patmos Institute

On 22 April, Mr Suárez was 'visited' in his home by two State Security agents who proceeded to question and threaten him. According to Mr Suárez's Twitter page, the two officials came to his house and asked to talk with him for a few minutes.¹¹ Mr Suárez was then taken outside the office building near his home belonging to Cuban state enterprise Transtur. There he was shown printed documents relating to Decree Law 370 and sections of the Cuban Penal Code relating to 'enemy propaganda.'



Yoel Suárez

9 CSW, 'Pastor Adya Exposito Leyva released', 31 March 2020 www.csw.org.uk/2020/03/31/press/4597/article.htm

10 CSW, 'Cuban pastor Ramon Rigal and wife face summary trial', 19 April 2019 www.csw.org.uk/2019/04/19/press/4310/article.htm

11 Twitter, Yoe Suárez @yoe90suarez, 22 April 2020 <https://twitter.com/yoe90suarez/status/1253027996639940614>

According to Mr Suárez, he was threatened with fines and the seizure of his work under Decree Law 370, and a long prison sentence under the Penal Code. This was the second ‘visit’ Mr Suárez had received from Cuban State Security operatives in less than a month, breaking his quarantine in the process.

Arbitrary detention

In 2020, CSW documented 26 arbitrary detention cases. This is in stark contrast to previous years in which these types of cases numbered in the hundreds. It is not reflective of a government change in policy, but rather due to the decision of the Ladies in White to halt their weekly demonstrations during the COVID-19 pandemic. The weekly arrests and arbitrary detention of their members to prevent them from attending Sunday Mass made up the bulk of cases of arbitrary detention in previous years.

The suspension of their weekly peaceful protest did not mean, however, that the Cuban government allowed the members of the Ladies in White or other independent civil society organisations to freely participate in religious activities. On the morning of 10 October, Yaquelin Heredia and her husband were arbitrarily detained as they left their home to attend Mass at Santa Rita de Cassia Catholic Church in Havana. Mrs Heredia was initially held at the National Revolutionary Police Unit on Aguilera Avenue. At 1.30pm the authorities took her by car to a highway where they dropped her off. Her husband was taken to another police station, La Picota, and was held until 3pm. In another case, the simple act of placing flowers at the feet of a statue of the Virgin Mary led to the worshipper’s arbitrary detention for nine hours. Upon being released, State Security officers warned the worshipper that ‘mercenaries do not worship the Virgin.’

The authorities also used COVID-19 restrictions as a pretext for targeting religious leaders. During the summer, an unregistered church which has had difficulties with the government in the past held a church service in compliance with the rules set out by the government for religious gatherings. That afternoon, the church leader was detained and falsely accused of exceeding the number of individuals allowed in a religious service. He was taken to a maximum security prison where he was held for five days. He was formally charged with the ‘spreading the epidemic’ and during his detention State Security officers also threatened him with an eight-year prison sentence for having organised an ‘illegal’

church. He was allowed one visit from his family but was not allowed to see his lawyers. The church leader refused to plead guilty and was put on trial on the fifth day of his detention. The judge ordered his release, based on the evidence presented by the defence, but issued an arbitrary fine of 2,000 Cuban pesos (approximately 75 USD).

Disinformation

In recent years the Ministry of the Interior has been developing and running an escalating disinformation campaign targeting key religious leaders across the island. False accusations are posted about a group or individual on Facebook, for example, and this post is rapidly shared across numerous other accounts. In case after case, CSW has noted that the same accounts are involved again and again, many of which have known links to Cuban state security.

In all these cases the targets are groups or individuals who have fallen foul of the government in some way, and importantly, as they are religious leaders, the attacks seek to discredit their moral leadership in various ways. One of the most egregious examples has been a series of articles posted on a blog believed to be run by State Security. The blog primarily attacks human rights defenders; however, over the past year, a series of articles on the blog focused on one religious leader, Reverend Alain Toledano Valiente. The articles were salacious and sensationalistic, running the gamut of accusing Reverend Toledano Valiente of domestic violence, of rape and of embezzlement – all completely invented. Even more disturbingly, many of the articles also targeted his daughters, some of whom are minors, with disturbing false accusations.

Over the past two years the government has also maintained pressure on the leaders of the Cuban Evangelical Alliance. In 2020 the attacks grew more sophisticated, and expanded beyond social media. In the autumn, Cuban state television broadcast a news programme put out by Russia Today (RT) which purported to investigate the growth of dangerous fundamentalism in Cuba. A religious leader known to be close to the government was interviewed and spoke about extremist Christian fundamentalists, accusing them of receiving support and funding from the United States. While no groups were specifically named, her narrative was illustrated with footage of worshippers at religious services in churches affiliated with the Cuban Evangelical Alliance, and with the faces of Cuban evangelical leaders.

Around the same time and following the September session of the Human Rights Council, the Cuban Foreign Ministry tweeted that they had condemned the use by the United States of unnamed religious and fraternal organisations in Cuba as channels for its aggressions on the island, and that religious freedom could not be used as a pretext to attack other states or to promote the violation of the law. A few days later CSW learned that an email invitation sent by our DC office regarding a panel on religious freedom in Cuba during the July 2019 International Religious Freedom Ministerial was being circulated within WhatsApp and Telegram groups in Cuba, as an example of an ‘act of violence’ under the pretext of religious freedom.

Cuban government disinformation has taken a worrying direction – in this new reality, to speak out on religious freedom is a kind of violence, and Cuban religious organisations and individuals who denounce the very real violations of freedom of religion or belief that they are experiencing are nothing more than surrogates for a hostile United States aimed at destroying the island. This not only delegitimises the fight of each individual Cuban who is trying to defend their freedom of religion or belief, but undermines the very concept of freedom of religion or belief as a fundamental right.

Targeting of church properties

Religious organisations of all kinds, registered and unregistered, Protestant and Roman Catholic, were threatened with or subjected to the forced closure of their premises in 2020. In one of the most egregious cases, on 30 October the authorities demolished an Assemblies of God church in the Abel Santamaría district of Santiago de Cuba, reneging on months of negotiations between the church and the authorities in charge of granting permits for the construction of places of worship.

The authorities claimed that the church, under the leadership of Reverend Fausto Palomo Cabrera, was demolished to make way for train tracks. CSW sources questioned this, noting that the church was the only building in the neighbourhood that was destroyed. The church had long been a target of

the government.¹² Officials at the Cuban Physical Planning and Housing Departments first attempted to demolish the church in 2015 but backed off after members of the church and other denominations, led by Reverend Palomo, held a peaceful sit-in in the building.¹³ They also threatened to confiscate the homes of those living on the property in 2015.

During the demolition, Pastor Alain Toledano Valiente,¹⁴ a prominent leader of an unregistered denomination, the Apostolic Movement, was physically apprehended¹⁵ by the police while filming and broadcasting the attack on Facebook Live.¹⁶ He was taken to the Motorizada police station where he was held alongside two other members of his church, Adrián Arza and Félix Daniel González, incommunicado for nine hours.

Two days later Reverend Palomo Cabrera and the Assemblies of God Regional Superintendent José Martínez were taken away by members of the Department of Physical Planning and other government officials, at approximately 9am on the morning of 2 November. The church leaders were pressured to sign a document saying that the demolition of the church was legal. Local sources also told CSW that the authorities threatened to charge Reverend Palomo Cabrera for the costs associated with the use of the machinery used in the demolition.

In autumn 2020, the pastor of another church affiliated with a legally recognised religious group was visited at the church by two National Revolutionary Police officers who ordered him to close the church. The pastor went to the local CCP headquarters where he was informed that his case would be analysed, and that in the interim he was not to hold services at his home. In October, he made several visits to the CCP headquarters, but the official in question refused to see him. To date there has been no response to his case and the church has not been able to meet for worship.

A third example demonstrates how the government can effect the forced closure of a place of worship simply by failing to respond to or refusing requests for urgent repairs and renovations. In summer 2020, the roof of a Catholic chapel in Havana partially collapsed onto the altar. Numerous requests over the span of 13 years to the Office of the Historian of Havana and

12 CSW, ‘Government crackdown on religious freedom in Cuba’, 7 May 2015 www.csw.org.uk/2015/05/07/news/2581/article.htm

13 CSW, ‘Christians protest attacks on churches’, 2 November 2015 www.csw.org.uk/2015/11/02/news/2859/article.htm

14 ForB In Full, ‘Voices from Cuba: Alain Toledano Valiente’, 9 September 2020 <https://forbinfull.org/2020/09/09/voices-from-cuba-alain-toledano-valiente/>

15 Facebook, Alain Toledano Valiente www.facebook.com/alain.toledanovaliente/videos/10224185665847772

16 Facebook, Alain Toledano Valiente www.facebook.com/alain.toledanovaliente/videos/10224185665847772

the Ministry of the Interior to carry out repairs to the roof had been denied. Thankfully no one was hurt; however, the damage to the church, which provides help and support to the community around it and has been an important collection centre for donations following several natural disasters, and the prohibition on making any repairs, meant that it had to close its doors.

Discrimination against adults and children

Members of religious groups routinely experience discrimination in various forms. These are most commonly seen in educational institutions and in places of employment. Individuals can be passed over for promotion, excluded from important meetings and activities, or demoted or transferred to undesirable locations because their religious affiliation makes them ‘untrustworthy’.

In early April four Protestant leaders representing the Cuban Evangelical Alliance were contacted individually by a Televisión Cubana (TVC)¹⁷ producer to record a video message to be broadcast at Easter. However on Easter Sunday (14 April), when the TVC Educational Channel allowed the Cuban Council of Churches (CCC) to air a televised time of worship, only leaders of churches registered with the CCC were given airtime, whereas these four pastors’ messages were suppressed. The Assemblies of God, Methodists, Evangelical League and Western Baptist Convention account for the majority of evangelical Christians on the island and are all legally registered; however, they do not belong to the CCC, which maintains a close relationship with the Cuban government.

In some cases, individuals who were not part of a religious group but provided services to them were targeted by the government. On 25 June, Pastor José Yván Rodríguez Yanez was notified that he must leave the house he was renting. The property owner, his acquaintance, told him that State Security had warned him that Pastor Rodríguez Yanez was of interest to national security and having him on his property could implicate him [the owner] in any future charges or accusations against Pastor Rodríguez Yanez.

Children are particularly vulnerable to discrimination. In some cases they are targeted because of their own faith, and other times because of the faith of the parents. Acts of discrimination

can be severe, including teachers or school administrators encouraging or even organising verbal and sometimes physical attacks on religious students.

A pastor of a registered church was forced to take his eight-year-old son out of school in early January 2020 following a constant bullying campaign against the boy by his school teacher. The teacher in question ripped sheets from the boy’s homework notebook and claimed that he had not done the work. The teacher ridiculed the boy when he made mistakes and encouraged his classmates to join in humiliating him.

Prevented from attending religious events/services

Nearly a third of documented cases in 2020 concerned individuals being prevented from attending religious services and/or events. The acute decline in the number of these types of violations, compared with previous years, is not indicative of an improvement in the situation of FoRB in Cuba, but rather, as previously mentioned in the section on ‘Arbitrary Detention’, because of the decision of the Ladies in White to halt their weekly demonstrations during the COVID-19 pandemic.

CSW also documented cases regarding individuals from non-Christian religious groups being prevented from hosting religious meetings. On 4 May 2020, an individual from an unregistered Islamic group was studying the Qur’an with a group of fellow Muslims when two State Security officers appeared at the individual’s home. They were given a summons for the following day at the National Revolutionary Police unit (PNR). The next day, during the interview, the individual was told that to hold activities of this kind a permit must be requested. The individual was threatened that if they held meetings of this kind again, they would be sanctioned for the crime of ‘association to conspire and commit crimes’.

Prevented from travelling abroad

There were five documented cases of religious leaders and FoRB activists being prevented from travelling abroad in 2020. On 5 February Yoe Suárez, a prominent journalist and FoRB activist, was questioned by a State Security officer who identified himself as Captain Enrique. The military man at the Siboney police

17 A Cuban television platform run by the state-controlled Cuban Institute of Radio and Television (ICRT).

station in western Havana reported that by order of the Headquarters of State Security, Mr Suárez was declared *regulado* and prohibited from leaving the country.

On 31 March Pastor Mario Jorge Traviezo, who is affiliated with the Apostolic Movement, was prevented from renewing his passport at the Las Tunas Processing Office. After waiting for over four hours, the immigration officer informed him that the procedure could not be carried out because the records showed that he had been put under a travel ban. The official explained that this meant that he could not leave the national territory by air or sea ‘for reasons of public interest’.

In clear contrast to previous years, there were no reported cases of the ORA and immigration officials targeting foreign visitors through the denial of religious visas. The low numbers of documented cases involving travel to and from the island should not be interpreted as an improvement of the FoRB situation in Cuba. Rather, the number of documented cases should be seen as a reflection of the closure of Cuban borders to tourists and nationals living abroad, including a ban on travel abroad by Cuban nationals, in an effort to contain the spread of the coronavirus.

Conclusion

The Cuban government continues to commit systematic and serious FoRB violations on a regular basis. What is most striking is that despite social unrest and economic crisis during an unprecedented global pandemic, the government continues to target members of the religious sector and abuse human rights, even to the extent of blocking or criminalising attempts by religious groups to respond to the urgent needs in the larger community. Throughout 2020, protections for FoRB were effectively undercut by the Cuban government arbitrarily utilising existing legal instruments such as Decree Law 370, and legislation to control the pandemic, to discriminate against members of religious communities and accuse them of undermining the Cuban state or of ‘spreading the disease’. These developments should be a cause for serious concern among the international community and those who seek to defend FoRB and international human rights.

CSW everyone
free to believe

CSW is a human rights organisation advocating for freedom of religion or belief, and as Christians we stand with everyone facing injustice because of their religion or belief.

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