

Legal framework

Cuba's 2019 constitution sets out specific and basic guarantees regarding freedom of religion or belief (FoRB), but these freedoms are limited by provisions in the penal and administrative codes. The constitution also separates freedom of conscience from FoRB and makes it illegal to invoke conscientious objection with the 'intention of evading compliance with the law.' In July 2019 the government adopted Decree Law 320, which 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.'

In August 2021 Legal Decree 35 came into force. This 'cybersecurity' law criminalises any online criticism of the government as well as incitement to 'public disturbances' which is the term the government uses to describe peaceful protest marches that took place across the island on 11 July 2021. Legal Decree 35 gives the government sweeping and subjective powers to crack down on freedom of expression and related rights including FoRB.

Despite the 2022 creation of the new government Department for Attention to Religious Institutions and Fraternal Groups, in practice all business continues to be conducted by the Office of Religious Affairs (ORA) of the Central Committee of the Cuban Communist Party (CCP), which maintains a consistently antagonistic relationship with religious groups. All religious groups must be registered with the Ministry of Justice to operate legally. The ORA receives the request for the registration and the government then makes the decision, with input from CCP officers. While there are some criteria for registration, for example that the association must have more than 30 members, decisions are made on an arbitrary basis in line with political considerations and are only rarely approved.

The situation for registered and unregistered groups deteriorated following the entering into force of a new criminal code in December 2022. The code maintains much of the problematic content of the previous code but increases the minimum sentencing for numerous offences. It covers the 'abuse of the freedom of worship' in Article 272 and criminalises anyone who, because of their religious beliefs, 'opposes the objectives of education, or the duty to work, defend the Homeland through the armed struggle when no other resources are available, to revere [Cuba's] symbols or anything else established by the Constitution of the Republic of Cuba', stipulating a prison sentence of six months to one year or a heavy fine as punishment. Penalties for leading or belonging to an unauthorised association are increased from a few months' imprisonment to a minimum of six months and a maximum of two years for a leader and one year for a member. The same sentences are applied for leading or participating in an unauthorised meeting. The code amplifies the government's ability to

crack down on religious leaders, especially those associated with unregistered groups, and together with the limits on conscientious objection in the 2019 constitution,¹ effectively nullifies constitutional guarantees for freedom of conscience.

In addition to the criminal code, a revised family code entered into force in 2023. Article 191 gives the government the right to remove children from their homes if their parents fail to fulfil a list of responsibilities detailed in Article 138 (ñ). These include the duties to instil in their children 'love for the Homeland, respect of its symbols, and respect for the authorities'. While neither the criminal code nor the family code have been applied uniformly across the island, religious leaders consistently reported being threatened with enforcement of provisions contained in either or both.

Freedom of religion or belief

The Cuban government continues to routinely and systematically violate FoRB. All religious groups are targeted to varying degrees, usually tied to levels of perceived lack of support for, or cooperation with, the government. A crackdown on independent civil society, including religious groups, which began in early 2021 and intensified after the 11 July 2021 protests is ongoing and is characterised by a return to the hardline tactics of the 1980s and 1990s.

In October 2025 CSW released a report on the situation of FoRB in Cuba's prisons which found that the Ministry of the Interior, which runs Cuba's prison system, consistently ignores the Nelson Mandela Rules (the United Nations' Standard Minimum Rules for the Treatment of Prisoners), including by routinely denying prisoners their right to receive religious visits, to keep religious literature, or to wear specific apparel where it is required by their religion.² In addition, religious leaders are often threatened and pressured to expel the family members of political prisoners from their congregations as part of a policy of social isolation.

Elsewhere, children are subjected to physical and verbal abuse at school because of their religious beliefs. Religious leaders of unregistered religious groups are repeatedly harassed, threatened and fined, and they and leaders of registered groups are targeted for intrusive surveillance, repeat interrogations and other pressure tactics. Religious groups of all types, including Afro-Cuban groups, Jehovah's Witnesses, Protestants and Roman Catholics, registered and unregistered associations, including some that belong to the Cuba Council of Churches (CCC), all consistently report FoRB violations.

The government continues to particularly target religious leaders and individuals who offer spiritual or material support to families of political prisoners. Religious leaders and their congregations who attempt to respond to humanitarian needs, which have become increasingly acute in many parts of the island, are harassed, fined, and,

¹ Conscientious objection may not be invoked with the intention of evading compliance with the law or impeding another from the exercise of their rights.

² CSW, 'Forbidden to Believe - Freedom of religion or belief in Cuba's prisons', 6 October 2025 <https://www.csw.org.uk/cubaprisonreport.htm>

in many cases, see the aid they are attempting to distribute confiscated. Those considered by the government to be dissidents are repeatedly and systematically blocked from attending religious services, usually through short-term arbitrary detention.

Over the past year, shortages of basic necessities including food and medicine have grown more acute across the island. Island wide power outages due to the failing national electric grid and exacerbated by a fuel blockade imposed by the United States (US) government in January 2026 are increasingly common. This, in conjunction with the tightening of sanctions by the US government, has led many foreign hotel chains to cease operating on the island, directly impacting tourism, Cuba's most important source of income.³ While large-scale protests like those seen in July 2021 have not been repeated, local protests are now a regular occurrence in cities and towns across the country, despite being met with repressive tactics on the part of the government.

While the US government has engaged in dialogue with some government leaders and with the grandson of Raul Castro, the CCP continues to rely on a strategy of harsh oppression and repressive laws to bring the population under as much of its control as possible. It has made it clear that there will be no political or social reform. Many Cubans, including religious leaders, continue to speak out against injustice and up for those in their communities who are suffering even in the face of threats, harassment and the possibility of imprisonment.

The Office of Religious Affairs

The ORA, which operates out of the Ministry of Justice but is part of the Central Committee of the CCP, is involved to varying degrees in most FoRB violations in Cuba. Despite the official announcement of a government body that was supposed to take over the administration of religious associations, religious leaders report that in practice the ORA continues to oversee the activities of all religious groups and associations on the island, and that it maintains a hostile approach to those groups viewed as unsupportive of the government.

The ORA regularly calls religious leaders into meetings where State Security officers are present, and in which the leaders are pressured to publicly support government policies and initiatives, interrogated about their positions on various issues of interest to the government, as well as the position of other leaders in their religious group, and belittled and threatened if they decline to cooperate. The ORA systematically denies or simply fails to respond to the requests of religious leaders to, for example, make essential repairs to their places of worship or to hold special events. It awards permits, including the right to invite visitors on a required religious visa, according to the inviting religious

association's perceived level of support for, or cooperation with, the government.

The ORA also routinely and arbitrarily denies religious groups' applications for registration, which is required for them to operate legally. 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, as well as anything they attempt to do as a religious group, is illegal.

Harassment of religious leaders

Violations of FoRB in Cuba most often take the form of threats and harassment against religious leaders, their congregations and families. Leaders are often visited by State Security agents with the intent of intimidating them and making them aware that the government has their activities under close surveillance. The government continues to impose onerous fines upon religious leaders for various 'infractions', most often holding an unauthorised meeting or activity.

Numerous religious leaders have also been declared 'regulado', effectively subjecting them to an arbitrary and indefinite international travel ban. On 10 July 2026 Father Castor Jose Álvarez, a Roman Catholic priest who was beaten and detained during the 11 July 2021 protests, was arbitrarily blocked from boarding a flight to the US to attend an ordination. In another case, over the past three years, a medical doctor who also serves as a deacon in an unregistered Protestant church and who has been subjected to harassment and official reprimand on multiple occasions for being open about her religious beliefs, has been repeatedly blocked from obtaining a passport, preventing her from leaving the island to join her husband in exile.

Humanitarian aid and social work

Religious leaders and groups attempting to respond to the crisis on the island through coordinating the provision of humanitarian aid and social services to their wider communities have been repeatedly targeted by the government. In some cases, humanitarian aid, almost always collected entirely within Cuba from Cubans, has been confiscated by government officials. CCP and government officials in Camagüey have harassed and repeatedly fined the leaders and members of an Assemblies of God church which was attempting to provide housing to vulnerable elderly people in their congregation. The general objection of the government officials to these types of humanitarian work is that by providing such support, religious groups are exposing the government's failure to do so. In early 2026 a new government policy was announced allowing the private sector to open and operate care homes for the elderly and those with disabilities, however, approval must be obtained from multiple government agencies including the respective municipal director of health and the Ministry

³ The US sanctions prohibit any economic activity that benefits GAESA, a business conglomerate owned and operated by the Cuban military which controls most of Cuba's economy including tourism, banking, ports, retail and foreign currency flows.

of Public Health. While it remains to be seen whether this new policy will include the provision of care by registered religious groups, it can be assumed that all unregistered groups will automatically be ineligible.

Crackdowns on protesters

On 11 July 2021 the largest independent protests since 1959 erupted across Cuba. Protesters marched peacefully across the country and openly called for economic and political reform. The CCP responded to the protests with violence, and many protesters were beaten and detained, including several religious leaders.

Reverend Lorenzo Rosales Fajardo, the leader of an unregistered Protestant church in Palma Soriano was arrested by State Security and paramilitary officers on 11 July and was given a summary trial in December 2021. In May 2022 his family was informed that he had been sentenced to seven years in prison. Loreto Hernández García and Donaida Pérez Paseiro, both members of the Association of Free Yorubas, an Afro-Cuban religious group, also received prison sentences in connection with their participation in the 11 July protests. The group has a long history of being targeted by the government, in part because of their decision to remain independent of registered Afro-Cuban religious groups.

In January 2025 Reverend Rosales Fajardo and Ms Pérez Paseiro were released as part of an agreement negotiated by US President Joseph Biden's administration, the Vatican, and the Cuban government. Mr Hernández García, who has a serious health condition, was not released. Ms Pérez Paseiro was returned to prison in June 2025 after she was warned against making public statements critical of the government. She and her husband remain in prison.

In March 2026 protests spread across the island once again following seven consecutive nights of blackouts and extreme shortages of food and medicine in many parts of the country. These included protests in Morón, during which, in the early hours of 14 March, some protesters sacked and then set on fire the CCP offices in the city. One protester was reportedly shot, and the government shut off the internet to the city and surrounding areas in an apparent effort to stop news of the protests from spreading.

Two days later, on 16 March, Protestant Pastor Elier Muir Ávila, who leads Tiempo de Cosecha Independent Church, and his 16-year-old son Jonathan Muir Burgos were detained and accused of participating in the protests. While Pastor Muir Ávila was released later the same day, Jonathan was transferred to a maximum-security prison for adults where he spent over three months in detention. He was released into house arrest on 24 June, following months of psychological and physical torture and denial of medical treatment for severe dyshidrosis and malnutrition.

On 10 June Protestant Pastor Alexis Padrón Lorenzo, who is associated with the Brothers In Christ Missionary Society, was detained in Regla, Havana on accusations of public

disorder after he publicly confronted government officials whom he believed were providing misleading information to the population about prolonged interruptions to basic services in the area. He has not been permitted contact with family since his detention, and is feared to be in critical condition due to rheumatoid arthritis. He remains detained at the time of writing.

Recommendations

To the government of Cuba:

- Amend provisions for FoRB and freedom of conscience in the constitution, and bring civil, administrative and penal law and regulations into line with both international law and the San José Pact.
- 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 requirements for religious groups or put in place clear and transparent procedures for registration that are in line with international laws protecting FoRB.
- Guarantee freedom for religious leaders to carry out their work without harassment, threats or government pressure targeting them or their families and allow all religious groups to engage in social work and to hold peaceful public events free from interference and intimidation.
- End the targeting of human rights defenders, including FoRB defenders, and their families by harassment, threats and imprisonment.
- Issue a standing invitation to all UN Special Procedures, ensuring they have unhindered access to all areas of the country, and ensure that members of civil society, including religion or belief communities, can freely meet with these independent experts without reprisal.
- Release all political prisoners, including Pastor Alexis Padrón Lorenzo, Loreto Hernández García and Donaida Pérez Paseiro, immediately and without condition.

To the European Union and Member States:

- Demand an urgent meeting with the Cuban government under Article 85(3) of the EU-Cuba Political Dialogue and Cooperation Agreement (PDCA) to formally investigate and review its compliance with PDCA human rights obligations – as called for by multiple recent European Parliament resolutions.
- Introduce Magnitsky sanctions on individuals responsible for human rights violations. This should include State Security officers and senior ORA officials responsible for serious FoRB violations.
- The EU should maintain its current position of refusing to resume the human rights dialogue until Cuba takes demonstrable steps it has committed to in previous dialogues. In case the human rights dialogue is resumed, the EU should ensure and facilitate input from Cuban independent civil society organisations;

list concrete 'Agreed Actions' on which to work, which should be specific, measurable, attainable, relevant, and time bound; and issue a unilateral press release after the dialogue and include individual cases therein per the practice with China.

- Continue to make public statements about individual cases, as the EUSR for Human Rights has done for example in the case of Jonathan Muir Burgos.
- The EU Delegation to Cuba and 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. It should also 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.
- The EU Special Rapporteur for Human Rights and the EU Special Envoy for the promotion of FoRB outside the EU should request an invitation to visit Cuba with unhindered access to all parts of the country, and to leaders of both registered and unregistered religious groups.
- Urge the government of Cuba, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Cuba'.

To the United Nations and Member States:

- Urge Cuba to issue a standing invitation to UN Special Procedures to visit Cuba with unhindered access to all parts of the country and ensure that members of civil society can freely meet with them without reprisal.
- Urge the OHCHR and all relevant UN mechanisms, including the UN Special Procedures and Treaty Bodies, to include the right to FoRB in their reporting on Cuba, addressing the specific vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Utilise the Universal Periodic Review process, Human Rights Council sessions and other key international human rights instruments to raise FoRB violations in Cuba and to offer recommendations to advance the right to FoRB.
- Urge Cuba to ratify and fully implement the treaties it has signed, including the ICCPR and ICESCR, to amend constitutional provisions for FoRB and freedom of conscience in line with international human rights law, and bring civil, administrative, and penal law and

regulations into line with both international law and the San José Pact.

- Continue to seek ways of engaging with members of Cuban independent civil society, offering support when appropriate, and swiftly condemn all acts of intimidation or reprisal against members of civil society for cooperating with the UN.
- Monitor reports of arbitrary detention, follow court proceedings and call on Cuba to protect all persons from arbitrary detention and guarantee the right to a fair trial and legal counsel of their own choosing, in accordance with Articles 9 and 14 of the ICCPR.
- Urge the government of Cuba, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Cuba'.

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free to believe**