



Street scene in Cuba. Photo: CSW

CUBA

FREEDOM OF RELIGION OR BELIEF

JANUARY 2016 - FOR PUBLIC USE

TABLE OF CONTENTS

1. Executive summary	2	13. Permission to travel, licences to receive foreign visitors and other government permits	14
2. Recommendations	2	14. General discrimination on the basis of religion	14
3. Legal framework	4	15. Public and social ministry	15
4. Government interference and denial of right to worship	6	16. Seminaries	15
5. Social isolation and pressure on church leaders	7	17. Distribution of religious materials	16
6. Property rights	7	18. Access to the media	16
7. Registration of religious groups	10	19. Religious rights of prisoners	16
8. Financial autonomy	12	20. Religious freedom activism	17
9. Government informants	12	21. Conclusion	17
10. Pressure to silence critical voices and interference in internal affairs	12	Appendices	18
11. Harassment of and attacks on church leaders	12		
12. Restrictions on movement within Cuba	13		

1. EXECUTIVE SUMMARY

Despite government claims of increased respect for freedom of religion or belief, reported violations of freedom of religion or belief in Cuba skyrocketed in 2015. Over the course of the year CSW recorded 2,300 separate violations, many of which involved entire churches or, in the case of arrests, dozens of victims. This followed the record of 220 documented cases in 2014, compared with 180 in 2013, 120 in 2012 and 40 in 2011. The more than tenfold increase in violations was largely due to the government declaring 2,000 Assemblies of God (AOG) churches illegal, ordering the closure or demolition of 100 AOG churches in three provinces, and expropriating the properties of a number of other denominations including the Methodist and Baptist Conventions. Religious groups across the spectrum reported varying degrees of hostility from the government.

Government agents continued to employ more brutal and public tactics than were witnessed in the first decade of the millennium. Week after week, state security agents physically and violently dragged scores of women away from Sunday morning services. Most were arbitrarily detained until after the conclusion of religious services. The government continued to employ a strategy of frequent, temporary arbitrary detention to target those it views as political dissidents. This tactic is also applied to religious leaders who are viewed as problematic, for whatever reason, by the authorities. A significant number reported being temporarily detained and imprisoned multiple times over the course of the past year; for the first time in four years a church leader was sentenced to and served six months in prison for holding unauthorised religious services. There were also increased reports of threats of forced closure, confiscation and demolition of church buildings, including historic, registered churches, some of which threats the government attempted to carry out.

Religious leaders continue to put much of the blame for ongoing abuses of freedom of religion or belief on the Office of Religious Affairs (ORA), an arm of the Central Committee of the Cuban Communist Party. The leaders object unanimously to the Communist Party being given direct authority over all religious activities and business, rather than officially bringing these issues under government oversight when such oversight is needed. The consistently antagonistic relationship between the director of the ORA, Caridad del Rosario Diego Bello, and the leadership of many religious groups is evidence that the office exists solely to monitor, hinder and restrict the activities of religious groups. Over the past year the ORA has denied authorisation for a number of religious activities and has, in cooperation with other government agencies, issued fines and threats of confiscation to dozens of churches and religious organisations. In 2015 the ORA also gave the green light to arbitrary

expropriation of historic, registered church properties, the designation of 2,000 AOG churches as illegal, and orders for the demolition of 100 AOG churches.

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, but six years later has yet to make any move to ratify either. According to church leaders representing the full spectrum of denominations in Cuba, the reforms that have taken place have been mostly cosmetic: in reality, privileges granted to a few religious groups with the aim of improving Cuba's image in the outside world. Leaders from the three largest Protestant denominations on the island all separately told CSW in 2015, "Nothing has changed."¹ All of this indicates that rather than moving towards a more open society, the government under the leadership of Raul Castro still views religious organisations, and in particular their leaders, as potentially dangerous entities to be controlled and suppressed as much as possible.

2. RECOMMENDATIONS

2.1. TO THE GOVERNMENT OF CUBA

- Respect and uphold Article 18 of the Universal Declaration of Human Rights of the UN, and to ratify and implement fully all provisions of the ICCPR and the ICESCR;
- Ensure that local authorities, including Cuban Communist Party (CCP) leaders, are aware of the provisions included in the ICCPR and the ICESCR, and that these provisions are implemented at the local level;
- Allow human rights rapporteurs from international organisations and representatives of non-governmental organisations to visit the country in order to examine and report on human rights;
- Safeguard the freedom of all Cubans to assemble and worship according to their professed religion;
- Allow all religious groups to operate freely without pressure or interference from government or CCP officials;
- Remove official responsibility for religious groups and associations from the Office of Religious Affairs of the CCP;
- Loosen state controls and streamline procedures concerning the registration of churches, the accreditation of seminaries, and the building and renovation of church buildings;
- Allow peaceful religious groups to register and operate legally in Cuba;
- Withdraw Directive 43 and Resolution 46, which impose severe restrictions on all house churches; legalise and provide legal protection for all house churches in Cuba; and re-open those churches which have been closed under the legislation;
- Reform Legal Decree 322 so that it cannot be used

¹ One followed this by saying, "All that has changed is we now have an invasion of foreign tourists."

to arbitrarily expropriate private property, including properties belonging to religious associations;

- Return religious properties that have been expropriated by the government under Legal Decree 322 to their rightful owners, and cancel any debt incurred by their designation as 'permanent tenants of the state';
- Rescind the order for the demolition of the 100 Assemblies of God churches in Santiago, Guantanamo and Contramaestre, and nullify the designation of 2,000 Assemblies of God churches across the country as illegal;
- Address the issue of the Evangelical Theological Seminary (SET) in Matanzas in accordance with the SET's own bylaws, which guarantee the three founding denominations compensation or redistribution of property in the case of the dissolution of the joint seminary;
- Streamline the process for all religious groups in regard to the return of properties expropriated by the government after 1959, including those confiscated in recent years such as the Yaguajay Baptist Church property;
- Guarantee freedom for Cuban religious leaders to carry out their ministry, in and outside of the church walls, without harassment, threats or government pressure;
- End discrimination regarding government licences including permission for renovations and building projects, travel abroad, the right to invite foreign visitors on a religious visa, vehicle licences, and legacies and the right of individuals to leave their property to the church or denomination of their choice;
- Guarantee protection from discrimination on the basis of one's religion in the workplace, school, and all other social and political spheres;
- End government support of any religious group over other religious groups, and ensure equal access for all groups to the media, including the right to freely publish their own media online, in print and in radio and video;
- Allow all religious groups to import or print their own religious materials and literature;
- Guarantee all prisoners, whether criminal or political, their fundamental human rights including religious rights;
- Allow all prisoners, regardless of the crime for which they have been imprisoned, the right to participate in religious services;
- End the use of government informants in churches and seminaries;
- Address the situation of Reverend Yiorvis Bravo Denis by legally returning his property to him, cancelling the debt incurred when the government made him a 'permanent tenant of the state' in 2013, and allowing him to travel freely and to engage in religious activity without impediment;
- Eliminate the new restriction of one bank account per religious association and restore the right of individual churches and other religious entities to operate their own independent bank accounts.

2.2. TO THE UNITED STATES

- As the United States (US) regularly reviews its policy toward Cuba, it should establish specific criteria for the Cuban authorities to meet (eg ratification of the ICCPR and ICESCR) in order to measure progress more effectively in regard to human rights and democratic reform;
- 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;
- Increase opportunities for religious exchanges and educational visits between the US and Cuba, and facilitate when possible the transfer of aid and religious materials from religious groups in the US to their associate religious organisations in Cuba;
- Taking into account the ongoing political dialogue between the US and Cuban governments, raise violations of freedom of religion or belief, including those mentioned in this report, with the Cuban government at every opportunity and encourage the government to implement the recommendations listed above;
- Encourage the Cuban government 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;
- US government entities or individuals with a focus on freedom of religion or belief, such as the Special Ambassador at Large for Freedom of Religion or Belief or the United States Commission on International Religious Freedom, should seek an invitation to visit Cuba to meet religious leaders and assess the situation for freedom of religion or belief;
- Continue to seek ways of engaging with members of Cuban civil society, offering support when appropriate;
- Continue to establish and maintain contact with the families of political prisoners, and raise concerns regarding continued violation of prisoners' rights, including religious rights, with the Cuban authorities;
- Proactively seek ways to support and strengthen peaceful initiatives inside Cuba to promote and defend freedom of religion or belief.

2.3. TO THE EUROPEAN UNION AND MEMBER STATES

- Define 'measurable progress' by establishing specific criteria for the Cuban authorities to meet (eg ratification of the ICCPR and ICESCR), and maintain and renew the Common Position on Cuba until these criteria are met;
- Raise freedom of religion or belief regularly in all its dialogues with the Cuban authorities, including with the head of the Office of Religious Affairs, and encourage the

Cuban government to implement the recommendations listed above;

- EU representations in Havana, including the EU Delegation to Cuba and the embassies of member states, should maintain an open dialogue 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 the Cuban government 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;
- Continue to seek ways of engaging with members of Cuban civil society, offering support when appropriate;
- Continue to establish and maintain contact with the families of political prisoners, and raise its concerns regarding continued violation of prisoners' rights, including religious rights, with the Cuban authorities;
- Proactively seek ways to support and strengthen peaceful initiatives inside Cuba to promote and defend freedom of religion or belief.

2.4. TO THE UNITED NATIONS

- As Cuba continues to play a role in the UN Human Rights Council, the UN must insist that Cuba ratify and fully implement the treaties which it has signed, including the ICCPR and ICESCR.
- In addition, Cuba should be urged to extend invitations to the UN thematic Special Rapporteurs with mandates on freedom of religion or belief, human rights defenders, torture, independence of the judiciary, and arbitrary detention, to visit Cuba.

3. LEGAL FRAMEWORK

3.1. CONSTITUTION AND PENAL CODE

The Cuban constitution sets out specific and basic guarantees regarding freedom of religion or belief. Article 8 of the Cuban constitution states that 'the State recognises, respects, and guarantees religious freedom,' and Article 55 goes even further, saying:

The State, which recognises, respects, and guarantees freedom of conscience and religion, also recognises, respects, and guarantees the freedom of every citizen to change religious beliefs or not to have any, and to profess, within the confines of the law, the religious worship of his/her preference. The law regulates the relationship of the State with religious institutions.

This is in line with international standards on freedom of religion or belief. However, these guarantees are limited

by the condition that the preservation of socialism and communism takes precedence over all other rights. The rights guaranteed in Articles 8 and 55 are later qualified in Article 62, which states that 'no recognised liberty may be exercised against the existence and aims of the socialist State and the nation's determination to build socialism and communism...' This places the protection of the existence and aims, as well as the construction, of a socialist and communist state above fundamental human rights, including those related to freedom of religion or belief.

A clause in the Cuban penal code (Chapter IV, Article 206) further limits the rights laid out in Article 55 of the constitution. The clause, called Abuse of Liberty of Worship, allows for the imprisonment of anywhere from three months to one year of anyone who 'having abused the freedom of creed guaranteed to all by the constitution, places religious beliefs in conflict with the aims of education, the duties of labour, defending the nation in arms, the reverence of its symbols or any other stipulations whatsoever contained in the Constitution...' Human Rights Watch has noted that '[t]his provision, which is defined as a crime against public order, allows the state to penalize a broad range of religious activities that would not endanger public order.'²

3.2. DIRECTIVE 43 AND RESOLUTION 46

In regard to laws affecting freedom of religion or belief in Cuba, Directive 43 and Resolution 46 (issued in April 2005 and still in force today) are of particular concern. The legislation imposes complicated and repressive restrictions on house churches,³ which likely constitute the majority of churches in Cuba in terms of numbers. Until 2015 the legislation was never implemented in any uniform way; however, over the past decade church leaders have repeatedly expressed concern at its potential to close down a large percentage of house churches. Church leaders in Cuba told CSW that the authorities referred to this legislation when more than 2,000 house churches linked to the Assemblies of God denomination were declared to be illegal, with 100 of those across three provinces designated for closure and demolition.

The legislation states that two house churches of the same denomination will not be allowed to exist within two kilometres of one another. It further stipulates that detailed information including the number of worshippers, dates and times of services, and the names and ages of all inhabitants of the house in which services

² Human Rights Watch (1999). *Cuba's Repressive Machinery – Chapter III, Impediments to Human Rights in Cuban Law* www.hrw.org/legacy/reports/1999/cuba/index.htm#TopOfPage

³ In Cuba the term 'house church' is used to refer to any building that is not registered but is used for religious activities. This can include houses that are used for both residential and religious purpose, houses that are used only for religious purposes, non-residential buildings and relatively new buildings that were constructed in order to provide a locale for religious activities. House churches are characteristic of all Christian denominations, though Catholics also refer to them as Houses of Prayer or Houses of Reflection.

are held, must be provided to the authorities. When and if authorisation is granted, the legislation states that the authorities will supervise the operation of meetings. The directive then goes on to say that if the authorities, in the course of their observation, find that the requirements for the functioning of a house church are not being met, they can suspend meetings in the house for one year or more. If a complaint is registered against a church, it can be shut down permanently and attendees may be subject to imprisonment.

The legislation also explicitly prohibits non-Cubans from participation, which includes simply being present, in a religious service without first seeking official permission in the form of a religious visa. Foreigners are prohibited altogether from any involvement with house churches in mountainous regions. Any violation of this clause will result in fines of 1,000 CUC (approximately £680), a huge sum for Cubans, who on average earn around £13 per month. The fine will be applied both to the foreigner in question and to the leader of the church responsible, and the house church will be shut down.

Lastly, even if a house church receives authorisation to operate, it must stay within the limits imposed by the authorities. Rooms within the house that have not been approved may not be used by the house church, nor may the church members meet on the roof (a common practice in Cuba both because of the heat and because of a general lack of space). The law gives the authorities the right to dictate how many people may meet in any given house church, which effectively puts a stop to any church growth. Finally, if the house is legally registered to someone who is not an active member of the church, even if they have given their permission and are happy for the church to meet there, it will be shut down.

3.3. LEGAL DECREE 322

In 2015 a new legal threat to freedom of religion or belief emerged in the form of Legal Decree 322, the General Law on Housing, which came into effect in January. The new law, in conjunction with Directive 43 and Resolution 46, was used repeatedly over the course of the year to justify the arbitrary expropriation of private property, including religious properties. On the surface the law appears to be designed to regulate private properties, mostly homes, and enforce zoning laws following other reforms that affect property rights. However, in practice the law was used by government officials to seize church properties and force the churches into the role of paying tenant.

Cuban legal experts say that although the law does not specifically mention religious groups, government officials have claimed it gives them the authority to expropriate property when they deem it 'necessary'. One legal expert linked to the Cuban Council of Churches (CCC)⁴ and speaking anonymously told CSW that churches of all denominations and in multiple provinces are affected: "They are applying the law rigorously. In the case of the churches it is worse. They propose to

convert the church into a tenant. This has consequences. For example, the 'new owner' is able to decide what the church can or cannot do in this place. That is to say they lose autonomy. They cannot accept this."

Another church leader (who also asked to remain anonymous) told CSW that churches in the eastern part of the island have been particularly impacted, with numerous properties confiscated, possibly because they are more spread out and remote with less access to means of communication. That said, churches of all types, historic legally recognised buildings as well as house churches, and all denominations, including registered denominations in and outside of the CCC and unregistered groups, were targets under the new law in 2015.

3.4. THE OFFICE OF RELIGIOUS AFFAIRS

Religious groups and associations must be registered in order to operate legally in Cuba, and come under the authority of the Office of Religious Affairs (ORA) of the Central Committee of the Cuban Communist Party. This puts them in the peculiar position of having to submit all requests for authorisation to a historically militantly atheist political body without any recourse for appeal. The ORA, for its part, is focused almost entirely on controlling and restricting the public and private manifestation of religious faith, not on upholding and protecting the freedom of religion or belief of Cuban citizens.

The ORA, under the long-time direction of Caridad del Rosario Diego Bello, a member of the Central Committee of the Cuban Communist Party, at every level maintains a consistently antagonistic relationship with most religious groups. Its representatives at the provincial and municipal levels interface with local religious groups, but the main office in Havana approves most decisions and permits. CSW regularly receives reports of hostility on the part of provincial and municipal religious affairs officers, directed at local religious organisations. The ORA does not operate within any official set of guidelines or legal framework, apart from those mentioned above, giving its officials sweeping and arbitrary power over religious groups and associations and individuals associated with those groups.

The office routinely refuses or fails to respond to the requests of pastors to build additions to or make repairs to their church buildings. It also habitually fails⁵ to grant authorisation for large church activities, withholds

⁵ The ORA much more frequently simply fails to respond to requests rather than refuse them outright. This happens on such a regular basis that it seems a clear strategy to restrict and discourage religious activity, particularly when linked to church growth, without leaving a paper trail that would show evidence of violations of freedom of religion or belief.

⁴ See Appendix II for more information on the CCC.

registration permits from house churches affiliated with registered denominations, and in the past has regularly and arbitrarily denied church leaders the right to travel out of the country. In 2015, the ORA together with Ministry of Housing Officials issued orders for the closure or demolition of more than 2,000 Protestant churches linked to registered and unregistered religious groups across the country.

The ORA also continues to deny registration to large Protestant groups such as the Apostolic Movement. It has also denied the right to register to groups like the Jehovah's Witnesses and Berean Baptists, which were stripped of registration in the 1970s, effectively forcing them to organise and worship outside the law. The antagonistic relationship between the ORA and religious organisations is not limited to those with a Christian identity.

There is some internal debate within Cuban religious circles on whether or not legislation setting out parameters for what qualifies as legal religious activity would be helpful. Most church leaders do agree, however, that control over religious activities and associations should be removed from the ORA. Many have called for the government either to adopt a law on freedom of religion or belief which explicitly details the rights afforded to religious associations, or to bring issues related to religious buildings under existing bodies such as the Ministry of Public Planning. This would allow for any issues pertaining to religious groups and associations to be dealt with through standard legal channels with recourse for appeal.

3.5. INTERNATIONAL AGREEMENTS

In regard to international law, Cuba is not party to the Inter-American Convention on Human Rights which provides strong protections for freedom of religion and conscience. Cuba has signed but not ratified the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both of which also contain provisions to protect freedom of religion or belief.

4. GOVERNMENT INTERFERENCE IN AND DENIAL OF RIGHT TO WORSHIP

The majority of reported freedom of religion or belief violations affecting individuals documented by CSW in 2015 consisted of government agents preventing Cubans from exercising their right to worship. Each Sunday over the past five years CSW has received reports that scores of women, and sometimes men and children, were detained by government agents across the island and forcibly prevented from attending Sunday morning services. Individual cases of this kind in 2015 number

in the thousands. On just one Sunday in October, over 100 members of independent civil society, including dissidents and human rights and pro-democracy activists, were arbitrarily detained in order to prevent them from attending Sunday morning Mass.

In most of these cases the victims were Cubans considered by the government to be political dissidents. The majority of those affected were Roman Catholics and women affiliated with the Ladies in White movement.⁶ However, in the second half of 2015 the scope of those targeted in Saturday night and Sunday morning police sweeps expanded to include other individuals associated with independent civil society, including human rights and democracy activists.

Each weekend in 2015, the authorities either blocked the targeted individuals in their home by surrounding the building with police, state security agents and government-organised mobs; or detained them without charge, sometimes violently, imprisoning them for the duration of the religious services. While government officials appear to be primarily focused on Sunday morning activities, some victims reported that they were also stopped from attending other weekday events including midweek services, Bible studies and prayer groups. This would suggest that the government policy is aimed not only at impeding the victims from being present at Sunday Mass, but is also an attempt to isolate them from their faith community, an issue which is discussed in the next section of this report.

As mentioned above, the harassment and arbitrary detention was frequently accompanied by threats and severe violence. Many of the members of the Ladies in White reported being beaten during their arrest. On 1 February Mayelin Peña Bullain was detained, beaten and kicked in the chest by a state security agent named Ramon in Melena del Sur, Mayabeque province, before being imprisoned for the duration of Mass. While most women were detained in prison cells or at police stations during Mass, others were handcuffed and kept in hot cars in the sun for up to six hours at a time. In many cases, after their detention state security agents dropped off the women in remote locations, forcing them to find their own way home.

The visit of Pope Francis, and the associated religious activities, were no exception to the government's attempts to separate members of independent civil society from bodies of faith. From 19 to 22 September 116 members of the Ladies in White were arrested and detained across the country, presumably to stop them from travelling to attend the activities around the Pope's visit. In the early hours of 20 September at least 30

⁶ Each week the members of the Ladies in White dress in white, attend Mass and then walk silently, holding gladioli, to a central plaza in various cities across the country. While in some cases government agents arrested the women after Mass in order to stop them from marching, in the majority of cases the women were picked up on Saturday night or early on Sunday morning to stop them attending religious services. CSW did not register instances where women were detained after attending Mass as a violation of freedom of religion or belief.

activists associated with the dissident group the Cuban Patriotic Union (UNPACU) were rounded up and detained by state security agents to prevent them attending the Pope's Mass at the Plaza de la Revolución. Later that day, 24 members of the Ladies in White and two other human rights activists were arrested and detained even as they attempted to attend the Mass. The leader of the Ladies in White, Berta Soler,⁷ was one of those arrested at the event and reported that state security agents 'dragged her by the hair and neck' to the police car and later intentionally hurt her hands as punishment for having attempted to attend the Mass.

5. SOCIAL ISOLATION AND PRESSURE ON CHURCH LEADERS

The strategy of attempting to enforce the social isolation of those who fall afoul of the authorities, especially by excluding and separating them from their communities of faith, has been utilised by the Cuban government since the earliest days of the Revolution. Pastors of all Protestant denominations and Roman Catholic priests continue to report heavy pressure from government officials to expel and shun certain members of their congregations who are singled out by the authorities. Those targeted are usually those involved in independent journalism, running an independent library, and human rights or pro-democracy activism – all considered by the government to be counter-revolutionary activities.

Violations associated with this issue continued to rise over the past year as the strategy evidently became a higher priority for the government, and also because, following a growing trend over the past five years, more and more religious leaders and groups actively resisted government attempts to dictate who may or may not participate in religious activities. This in turn led to more frequent confrontations between the government and religious leaders and groups. The increasing number of churches which resist government threats and allow targeted individuals or their families to participate in church activities, report that they are under constant and intrusive government surveillance. One denominational leader, referring to one of these pastors, said "Wherever that young man goes, he goes with state security on his back."

Protestant pastors of all denominations confirm to CSW that they are regularly threatened with the closure of their churches if they do not comply with government demands to expel and shun specific individuals. House churches are particularly vulnerable to these kinds of threats because of their ambiguous legal status. Many also report that members of their congregation have been approached and pressured, sometimes under threat, to file a complaint against the church leader. In cases where a church or church leader proves resistant to

7 Berta Soler met Pope Francis in Rome in September 2013, and received his blessing on behalf of the Ladies in White. La Stampa, 'Pope encourages leader of Cuba's dissident "women in white"', 9 May 2015 www.lastampa.it/2013/05/09/vaticaninsider/eng/world-news/pope-encourages-leader-of-cubas-dissident-women-in-white-NmKNc2wRxXC7icvTCHQdHJ/pagina.html

government pressure or threats, the government targets denominational leadership to deal with the problem. Government attempts to enforce the social isolation of those they consider to be dissidents extend outside the walls of the church. In many cases, even when supported by the religious leader and congregation, dissidents voluntarily withdraw from public involvement with a church in an attempt to avoid further difficulties for the church.

The government also used other pressure tactics on religious churches and organisations in an attempt to force compliance. While there was some progress in the case of the Trinidad Baptist Church in Santa Clara, which has featured in past CSW reports and whose bank accounts were frozen by the government in 2010, problems remain. The church has maintained a difficult relationship with the authorities, especially the ORA, for many years because of the church leaders' refusal to comply with government demands to bar certain high profile dissidents (including Sakharov Prize winner Guillermo Fariñas) and their families from church activities. Long-time pastor and denominational leader, Reverend Homero Carbonell, stepped down in 2010. He issued an open letter in which he expressed his hope that by removing himself from a leadership position,⁸ the government would restore the church's access to the funds in its bank account, around US\$25,000 which had been donated for essential repairs to the historic church building. In 2015 the accounts were unfrozen; however, government officials reserve the right to dictate to the church how and when their own funds can be spent, giving the authorities continued and significant power over the activities of the church.

6. PROPERTY RIGHTS

6.1. HISTORIC CHURCHES

6.1.1. BUILDING RESTRICTIONS

With a few exceptions, the government, through the ORA and the Ministry of Housing, continues to severely restrict the construction of new church buildings. The government has permitted the construction of a very limited number of new churches across the country since 1959. This, together with the fact that it is technically illegal to organise religious activities in buildings not officially registered for religious use, means that many Christian communities do not have a legal place to meet for church services. This particularly affects those in more remote rural areas. In light of the rapid increase in the number of practising Christians in Cuba over the past 20 years, this constitutes a serious freedom of religion or belief violation in that it prohibits many Cuban Christians

8 Reverend Carbonell went into exile in July 2014 and specifically cited government persecution as the reason behind his departure to the United States.

from freely exercising their right to come together for worship.

Most, although not all, of the churches built prior to the Revolution have been allowed to continue to function as places of religious activity. In practice this means that many church buildings are far too small to accommodate their congregations or are now structurally unsound. Any changes to the structure, including expansions and/or repairs and renovations, however, may be carried out only with the permission of the ORA. In general, religious associations which actively support the government and publicly support its policies tend to find it easier to receive permits from the ORA.

Religious groups which maintain a neutral position or which have upset the government for some reason, often find their access to these permits completely blocked. Church leaders at the Ebenezer Baptist Church in Taguayabon, Villa Clara, for example, were told verbally by the authorities in mid-2015 that their request, submitted in 2013, to make essential repairs to the roof of the church building would not be granted as long as Reverend Mario Felix Leonart Barroso remained pastor of the church. Reverend Leonart Barroso has been outspoken in calling for freedom of religion or belief and other human rights. Similarly, the Bethel Baptist Church⁹ in San Antonio de Vueltas, Villa Clara Province has been requesting permission to make urgent repairs, including essential work on the roof, since 2006. Permission has been repeatedly denied by local and provincial authorities. The church submitted a new request to construct a new building on their property, to meet the needs of the growing congregation and to address the safety concerns, but this request was also denied. On 20 October 2013 the church submitted a formal request to the government of Raul Castro, at the highest levels, to take this project forward. To date they have received no response and their church building continues to deteriorate.

Some denominational leaders report that over the past year they have found it easier to obtain permits for renovation or construction; however, repairs and renovations are difficult to carry out because of a lack of affordable building materials available through official, ie government, channels. In some cases the government has refused to allow Cuban churches to receive donations in the form of materials from abroad and in other cases has confiscated such materials upon arrival. In other cases, donated funds and goods for repairs have been frozen or have disappeared.

⁹ Both the Ebenezer and the Bethel Baptist Churches are part of the Western Baptist Convention of Cuba and are registered, historic churches.

6.1.2. RETURN OF PROPERTY

In the wake of Pope Benedict's visit to the island in 2012, the Roman Catholic Church has reported that a number of properties confiscated after the Revolution have been returned. Protestant denominations, on the other hand, which also saw significant amounts of property including schools and land expropriated after 1959, say that they have yet to see any of their properties returned. This is despite many denominations actively pursuing the return of properties through legal channels. The situation for many of these groups has been complicated because some associations are no longer in possession of the legal papers proving their historic claim to the properties. The case of the Eastern Baptist Church in Arroyo Blanco, Jatibonico, Santi Spiritus is one example. The government confiscated the historic building after the Revolution, and today it is in the hands of a tobacco factory. Meanwhile, the pastor and congregation are forced to meet in an unregistered house church where they are constantly threatened with eviction and forced closure.

Groups which refused to hand over their property documentation to the government in decades past, such as the Methodist Church of Cuba, are now better positioned to apply for the return of those properties. However, their paperwork, like many other historic Protestant denominations which were established by North American mission societies in the first part of the 20th century, shows that many of the older properties were purchased under the name of North American missionaries. Some have been told by government officials that this disqualifies their application for the return of the property as 'properties confiscated from North Americans' are ineligible for return. The church's legal representatives, however, continue to argue that while the names on the paperwork may be those of North Americans, the properties were registered to Cuban religious associations and should therefore be returned. It remains to be seen how fruitful these efforts will be.

Many groups in Cuba have expressed alarm at the government's unbalanced and arbitrary approach to returning church properties, and continue to ask that the government return all buildings confiscated from religious groups after 1959; establish legal mechanisms to simplify and standardise the application process for permits for repairs, renovations and expansions; and provide deeds and other documentation on existing property to all religious groups.

6.1.3. EXPROPRIATION OF CHURCH PROPERTIES

While the vast majority of expropriations of church properties took place in the years following the Revolution, the Cuban government has continued to sporadically confiscate church properties in recent years. One emblematic case which has featured in previous CSW reports remains unresolved: that of the Yaguajay Baptist Church, whose property was retroactively nationalised by the government in 2012. Despite efforts by the leaders, Reverend Castellanos continues to be under constant surveillance and frequently receives threats. The government has refused to supply the Western Baptist Convention with original copies of the deed, despite being legally obliged to do so.

Another high profile case of loss of property remains unresolved, in the form of the Methodist Church of Cuba's share in the Evangelical Theological Seminary (SET) in Matanzas. The other two partners in the seminary, the Episcopalian and Presbyterian churches, have attempted to avoid paying the Methodist Church compensation for the loss of its share of the property, compensation which is due under the SET's own bylaws. The government overruled these bylaws and upheld the attempts to avoid the compensation payment.¹⁰

The Methodist Church withdrew from the seminary after being systematically excluded by the leadership of the other two denominations from the board of the seminary, and from meetings at which critical decisions were made regarding the direction of the seminary. At the time of their withdrawal, the Methodist Church requested the implementation of Article 20 of the seminary's constitution: 'In case of the dissolution of the Evangelical Theological Seminary, its funds and other belongings will become the property of the Founding Churches which make it up, in proportion to what each one has contributed, unless they decide that those things should be dedicated to other activities.' In the second half of 2006, however, the Ministry of Justice ruled that the SET was considered by the Registry of Associations to be an entity independent of the three denominations and thus no dissolution had occurred, essentially making the SET's constitution irrelevant. The Methodist Church continues to push for compensation or a redistribution of the property but the government, which maintains close ties with the Presbyterian and Episcopalian churches, has shown little interest in revisiting the issue.

As mentioned earlier in this report, the implementation of Legal Decree 322 has led to a wave of attempted expropriations of church properties unlike anything seen in Cuba since the 1960s. While house churches have been disproportionately affected by the new law, historic churches have also been targeted. The most emblematic of those in 2015 was the Maranatha First Baptist Church in Holguin, which was informed in May by Communist Party planning and housing officials that their property had been transferred to the state, the church was now considered a 'permanent tenant' of the state, and they would be expected to pay rent to the government. The pastor of the church, Reverend Amado Ramirez, protested the arbitrary expropriation of the property to which the church had held title since 1947 and which was officially registered in 1954. He also raised concerns, echoed by other church leaders, that the government's ownership of the property would give it excessive power to approve or shut down activities taking place on the property.

The church, which has around 800 members and is part of the Eastern Baptist Convention, began a domestic campaign against the expropriation, gathering hundreds

of signatures which were presented to the government. CSW supported these efforts with international campaigning and presented a petition with more than 1,000 signatures to the Cuban Embassy in London. In the summer the church was told that the decision to expropriate the property was being reconsidered at the highest levels. In December, Communist Party and government officials informed Reverend Ramirez that the church would not be expropriated after all.

While the Maranatha First Baptist Church saw a positive outcome to their case, it is important to note that this came only after an extended international campaign accompanied by an unprecedented national campaign carried out by the church itself. Other churches have not been successful in resisting similar tactics by the government. In 2015 15 Methodist church properties were expropriated by the government and the churches converted to 'permanent tenants of the state'. House churches affiliated with both registered and unregistered religious groups were particular targets of the law. Their situation is detailed below.

6.2. HOUSE CHURCHES

6.2.1. BUILDING REGISTRATION

Over the past decade there have been various government attempts to force denominations and churches to register all affiliated house churches. Many church leaders have expressed concern that these registration drives typically involve handing over lengthy and detailed lists with personal information on all active members to government officials, a requirement with which many feel uncomfortable; however, these attempts rarely seem to be implemented uniformly. At the same time, many individual churches associated with a registered denomination which have attempted to voluntarily register their buildings for religious use, have been refused or have received no reply to their applications. It is difficult to obtain accurate numbers, but based on conversations with a cross-section of denominational leadership, CSW believes that the majority of house churches, the number of which continues to grow, remain unregistered.

Historic registered denominations, in and outside of the CCC, reported mixed experiences. While most were able to register some house churches in 2015, the same groups said many other applications were refused or received no reply. The inconsistencies were reported within the same denominations, across the island and even within the same cities. Church leaders remain deeply concerned that many of their affiliated house churches remain vulnerable to threats of forced closure and confiscation as long as the government refuses to register them as places of worship. These concerns were validated in 2015 when the ORA and government planning officials declared more than 2,000 house churches linked to

¹⁰ The SET was founded in 1946 by the Methodist and Presbyterian churches, later joined by the Episcopalians, on land belonging to the Methodist Church. Over the past 70 years, the three denominations have all made contributions in terms of buildings and other materials for the development of the seminary.

the Assemblies of God to be illegal. The authorities took these threats a step further when they issued an additional order for the closure and demolition of 100 of these in the provinces of Guantanamo, Santiago and Contramaestre. At least one Baptist church, in the Abel Santamaria neighbourhood of Santiago de Cuba, was also slated by the government for demolition.

6.2.2. OWNERSHIP OF PROPERTY

As growth remains steady, particularly in the Protestant denominations, religious associations regularly purchase properties or buildings for new or growing churches. Legal reforms pertaining to the sale of property have made this process easier, but buildings that have not received legal recognition as a religious property must be legally held in the name of an individual, not the religious association. This opens the respective religious associations to a series of potential legal complications:

- Transferring the property's ownership, in the case of a change in pastor for example, can be time consuming, expensive and complicated.¹¹
- The religious association has no recourse if the property is sold or transferred without their knowledge, for example if the individual whose name is on the legal documents dies, and the property passes to other family members who are not interested in honoring the agreement with the religious group.
- If there is an internal theological or personal dispute within a religious association, an individual church leader may reject the authority of the denomination. If the property is registered in their name they are then legally able to do with it whatever they choose, while the religious association is left powerless to recoup their building.

6.2.3. PROPERTIES BELONGING TO UNREGISTERED RELIGIOUS GROUPS

While the majority of house churches are affiliated with a historic, recognised denomination, the number of independent house churches or house churches linked to unrecognised religious groups has grown in recent years. As these newer groups did not exist prior to 1959, they lack registered buildings designated for religious use; as such their entire physical infrastructure consists of house churches. These are a particular target of the government and are especially vulnerable as they lack a recognised religious covering.

In 2010 the leader of the ORA, Diego Bello spoke to CCC leaders in Havana. She stated clearly that the ORA, presumably with the backing of the government, was working to shut down all new religious groups – singling

11 To give one example of the impact on religious groups, the Methodist Church of Cuba rotates its pastors every three years and must therefore apply for transfers of property for hundreds of churches on a regular basis.

out the Apostolic Movement network and the Growing in Grace religious group. In her speech, which was secretly recorded by one of the church leaders present,¹² she explained that this would be done through the confiscation and destruction of homes where religious activities are held. This policy has not changed over the past five years, and in 2015 churches affiliated with these groups regularly reported receiving threats from local officials that their buildings would be shut down, confiscated or destroyed.

These threats gained more strength with the implementation of Legal Decree 322. In May Pastor Osmel de Calderón and his wife Madeleine were told by local authorities that their church in Loma Blanca, Upper Mayarí, Santiago Province (affiliated with the Apostolic Movement) must stop holding services. They reported that members of their church had also been approached by government officials, warned to stop attending the church, and told to distance themselves from the couple. On 5 August Reverend Juan Carlos Núñez Velázquez received a letter from the Ministry of Housing stating that his church, located on his personal property at Calle Maceo Número 20 in Victoria de las Tunas, was scheduled for demolition. One month earlier, on 5 July, the pastor had been granted a licence to build the church. The Ministry of Housing letter nullified the licence and issued an order for the demolition of the church within five days. The authorities stated that the demolition would be carried out by 'The Group to Confront Illegalities within the Provincial Institute of Physical Planning'. The pastor called on his congregation to pray and to physically occupy the church in peaceful protest. Local officials backed down on the five-day ultimatum and agreed to 'discuss' the fate of the church with the church's lawyer. However, the nullification of the licence was not rescinded and the status of the church is still in limbo. Ongoing threats were reported in October and November.

Threats also continued to demolish Emanuel Church, a large Apostolic Movement church led by Pastor Alain Toledano in the Abel Santamaria neighbourhood of Santiago de Cuba, and to confiscate the property. In October members of the church started a 'sleep in' in an effort to block these government threats. On 27 November Cuban Planning and Housing officials issued an order to demolish all churches in the Abel Santamaria neighbourhood including Emanuel Church.¹³ According to Pastor Toledano, the authorities have also instructed that the pastors and the families who live on the affected church properties be evicted.

7. REGISTRATION OF RELIGIOUS GROUPS

The government requires that churches and other religious groups register at their provincial office of the Registry of Associations, which is associated with the Ministry of Justice. However, church groups and

12 Video available here: www.youtube.com/watch?v=l8QmvquACBM

13 The other targeted churches in the Abel Santamaria neighbourhood include an Assemblies of God church, a Baptist church and another Apostolic Movement church.

other societies such as the Freemasons, fall under the authority of the ORA; which, as explained previously, is part of the Central Committee of the CCP, not technically a government institution. The ORA has the final word on whether or not a group may register to obtain legal status. There is no official recourse for appeal in case of a negative decision.

There are approximately 54 state-registered denominations or church groups.¹⁴ In theory, registration allows churches and religious leaders to receive foreign visitors, buy religious materials and meet in approved houses of worship. However, many church leaders report that the registration process is often made extremely difficult, and is at times impossible.

Groups like the Vetero-Catholic Church report that they have repeatedly been denied the right to register. Other groups, including the Berean Baptist Church and Jehovah's Witnesses, both of which have a historic presence in Cuba predating the Revolution, had their registration arbitrarily stripped in the 1970s and have been blocked from re-registering, forcing them to operate illegally.

Registered denominations characterised by a geographic component, such as the Eastern and Western Baptist Conventions, report that government and Communist Party officials often treat their affiliated missions or churches in areas outside their historic region as if they belonged to a non-registered religious group.

The Apostolic Movement, a very large and fast growing network of independent churches, has repeatedly had its attempts to register denied, forcing its churches to operate without legal status. As mentioned previously, in 2010 Diego Bello of the ORA explained to a group of CCC religious leaders that the ORA aims to eradicate the Apostolic Movement from Cuba. The illegal status of the network leaves churches and church leaders associated with the Apostolic Movement vulnerable to harassment, threats of eviction, confiscation and destruction of church and personal property. Over the course of 2015 CSW received numerous documented cases targeting Apostolic Movement churches and threatening them with eviction, expropriation or destruction of their property.

One of the most egregious cases continues to be that of the Apostolic Movement church in the city of Camaguey. The church serves as the national headquarters of the Apostolic Movement and was formerly led by Reverend Omar Gude Perez, who accepted asylum in the US in January 2013. Since taking over leadership of the church, Reverend Yiorvis Bravo Denis has been the target of constant attack and harassment, including the government's nullification in September 2013 of his ownership of the site of his family home and church. The government at first threatened to evict the family

14 More than half of these are members of the CCC, which has historically received some privileges in return for public support of the government. Although CCC denominations make up more than half of those registered, as far as membership numbers and with the exception of the Methodist Church of Cuba, CCC churches account for only a small percentage of the total number of Protestants in Cuba.

but later offered to allow them to remain in the property on the condition that Reverend Bravo Denis agree to submit all church activities to government officials for their approval in advance, that he pay the government 300CUC (approximately £200) per month in rent, and that he acknowledge that the government was the actual owner of the property.

Reverend Bravo Denis refused these conditions and was again threatened with eviction and confiscation of the property. The family remains in the home and the church continues to meet there. They continue to receive constant threats of eviction and expropriation of the property and in May 2015, lawyers working with the firm Poblete Tamargo on behalf of Reverend Bravo Denis filed a request for preventative measures with the Inter American Human Rights Commission. On 28 June Reverend Bravo Denis was stopped at the airport, and prevented from travelling to a conference in Peru. He was presented with a letter referring to him as a 'permanent tenant of the state', which accused him of being in debt to the government to the sum of almost £5,000 for having failed to pay rent on his property.

7.1. IMPRISONMENT OF CHURCH LEADERS

Leadership of an unregistered church can carry additional risks. As far as CSW is aware, the only church leader to be imprisoned¹⁵ since 2011, when Reverend Omar Gude Perez was released from prison, is Pastor Jesús Noel Carballeda, the 45-year-old leader of an unregistered church in Marianao, Havana. Reverend Carballeda was detained in early February and imprisoned in the Valle Grande prison in San Antonio de los Baños outside of Havana. He does not appear to have been tried, but while in prison he was informed by government officials that he would be held for six months as punishment for continued unauthorised religious activity.

Reverend Carballeda had been imprisoned for four months in 2010, after militant communist neighbours filed legal complaints about the church services he held in the family home in Marianao. As mentioned previously, under Legal Directive 46 and Resolution 43, house churches can be forcibly closed if complaints by neighbours are filed. Following his imprisonment he was put on probation and made to check in with the authorities on a regular basis. While he was barred from holding any religious activity in the family home, he continued to lead his church, holding services in parks, rented halls and other private homes. Because the religious group is unregistered, all the affiliated church's activities are technically illegal and they are unable to apply for permits for a designated place of worship. In March Reverend Carballeda's wife

15 This does not include short term temporary detention of pastors without charge, which has occurred regularly in recent years.

told CSW, "We do not want to bother anyone. We just need a place to worship. We are forced to meet in the open air, in parks or rented rooms as [the authorities] will not give us legal recognition." This appears to be what led to his six-month imprisonment in 2015. He was released on 28 August, after serving the full six months.

8. FINANCIAL AUTONOMY

One of the government's strategies to pressure religious groups has been to target the uncooperative church's bank accounts. This is illustrated by the previously mentioned case of the Trinidad Baptist Church in Santa Clara (see Section 5), which saw its bank accounts frozen from 2010 to 2015 because of the leadership's refusal to expel dissidents and because of their involvement in ecumenical activities lacking government authorisation.

In 2013 the Cuban government issued a communiqué to religious groups that as of 1 January 2014, only one bank account per religious association or denomination would be permitted. Individual church accounts were to be eliminated or consolidated. As the Cuban government controls the bank which holds the accounts, this would, of course, increase the authorities' ability to pressure entire denominations to bring critical voices or church groups into line. In addition, for large and locally administered denominations like the Western and Eastern Baptist Conventions, which historically allow for high levels of autonomy on the individual church level, this creates onerous administrative burdens and effectively interferes with the denominations' internal structures and governance.

Over 2015 the government continued the process of consolidating individual church bank accounts to one per religious association or denomination. Thus far the measure has been applied only to CUC bank accounts, not accounts for Cuban pesos. However, as many churches receive and depend on donations in CUC from churches abroad, this carries the potential to have a serious negative impact.

9. GOVERNMENT INFORMANTS

The use of government informants in churches, seminaries and other religious institutions continues to be widespread and persistent. Since 1959 the government has systematically planted informants in all religious congregations and institutions. The main responsibility of the informants appears to be to monitor the activities of the church, including the content of sermons, talks and comments, and to report anything perceived as counter-revolutionary or at all critical of the authorities. As a result, many church leaders practise a form of self-censorship, being careful not to say anything that might possibly be

construed as anti-Castro or counter-revolutionary in their sermons and teaching.

It has been pointed out repeatedly by church leaders in Cuba that the government is sensitive to the role of religious groups in past overthrows of repressive regimes in other parts of the world, and is anxious to eliminate the possibility of any such scenario on the island. Religious leaders, as some of the only non-Communist Party members officially permitted to speak more or less publicly to groups of people in Cuba on a regular basis, are automatically viewed as a potential danger. The open and clandestine use of spies and informants in religious institutions aims to control that danger, resulting in an intimidating atmosphere that in turn restricts the right of Cubans to worship freely, without hindrance, free from fear of the possible consequences should their sermons or prayers displease the authorities.

10. PRESSURE TO SILENCE CRITICAL VOICES AND INTERFERENCE IN INTERNAL AFFAIRS

Church leaders continue to complain of severe pressure on denominational leaders to silence critical voices within their religious groups. Over the past year, the authorities continued to pressure groups that failed to comply with official demands. In the past the government seemed most concerned with church leaders in denominations belonging to the CCC, which has historically played an important role in promoting an image abroad that the government respects freedom of religion or belief. However, leaders of all denominations, in and outside of the CCC, reported these kinds of experiences in 2015.

11. HARASSMENT OF AND ATTACKS ON CHURCH LEADERS

Church leaders of all denominations are in agreement that over the past few years, the government has increasingly focused on pressuring, harassing and intimidating individual church leaders. While these tactics have grown more and more overt in the past three years, this type of repression is, by its nature, very difficult to monitor and report. Threats are almost always made verbally and without witnesses: these threats most often consist of negative consequences such as limited educational opportunities for the target's children (eg being barred from attending university), or loss of job, vehicle or housing, if the target fails to cooperate with the authorities. Many of those targeted by these threats are too afraid to report them. Based on information received from our sources in the country CSW believes that pressure on church leaders from government officials continued to increase over the course of 2015.

Religious leaders report regular visits from state security agents with the sole intent of intimidating them and making them aware that the government has all their activities under close surveillance. In some cities, high level officials have repeatedly convened meetings with church leaders of all denominations, and have created an atmosphere of intimidation.

Severe harassment including arbitrary detention seems to be reserved for church leaders who have been publicly outspoken on issues related to freedom of religion or belief or who have stood up to the authorities in other ways. Reverend Mario Felix Leonart Barroso, of the Western Baptist Convention and who oversees the Ebenezer Baptist Church in Taguayabon, Villa Clara, has been a particular target. On multiple occasions over the course of the year, Reverend Leonart Barroso and his wife Yoaxis, were held for hours by emigration officials in the Santa Clara airport after returning to Cuba from trips abroad. Reverend Leonart complained that he was interrogated and searched as if he were a 'drug mule', and that many of his belongings including religious literature were arbitrarily confiscated. Leaders in the Apostolic Movement also reported receiving similar treatment after travelling abroad.

On 25 October, only days after one of these experiences, Reverend Leonart Barroso's church was surrounded by a mob under the direction of local officials. The mob gathered around the church and attempted to interrupt Sunday morning services.

The escalating harassment of Reverend Leonart Barroso and his wife in 2014 and 2015 follows his high profile visit to Washington, DC in September 2013 to raise ongoing violations of freedom of religion or belief in Cuba. His visit was officially endorsed, in writing, by the Western Baptist Convention. Following their return to Cuba, a defamation campaign referring to him derogatorily as 'the little pastor' was initiated in state media and on the internet, with pro-government writers accusing Reverend Leonart Barroso of 'inventing stories of persecution' in Cuba, consorting with and accepting funding from terrorists, and of promoting a 'theology of subversion'. Undeterred, however, Reverend Leonart Barroso returned to the US in November to give testimony on the state of religious freedom in Cuba at a House of Representatives Field Hearing in Miami.¹⁶

Leaders of fast-growing independent churches and church groups have also been targeted for protracted and often intense campaigns of harassment. This orchestrated harassment is often organised and carried out by local Communist Party and government officials. In one example, on 23 July Pastor Luis Yoel Balbuena and his wife Magday, both leaders in the Apostolic Movement, received a letter from Ministry of Housing director Fruto Armando Barba Vasallo informing them that their ownership of their property, home and church, in Guaimaro, Camaguey, had been nullified. They were given the option of remaining in the property if they agreed to pay the government for their property for a second time.

In the majority of these cases, religious leaders attempt to file complaints or to dialogue with local or national officials in order to defend their rights and to resolve the situation. Unfortunately, government officials are often slow or completely fail to act to protect the rights of

these religious groups and their leaders. In some cases they appear to actively collude with those responsible for the attacks. The widespread and consistent pattern of a failure to act points to a government policy which tacitly approves these strategies.

CSW regularly receives reports of different forms of harassment, including loud music played constantly at maximum volume with speakers aimed at the home of the church leader or church itself, as well as the sale of liquor and the organisation of government-sponsored street parties outside the doors of the targeted churches. In San Antonio de Vueltas, Villa Clara, local officials organised an agricultural market to take place on Sunday mornings on land located in the middle of three churches: Roman Catholic, Pentecostal and Baptist. The leaders of the three churches have complained that the market, which is held at the same time as the churches' services, has a 'party atmosphere' with a large volume of alcohol sold and music played extremely loudly, disrupting their religious services. They complain that drunken people routinely block the entrance to the churches, and harass or are otherwise a nuisance to individuals attempting to worship. The churches have made numerous complaints to the local authorities requesting that the market be moved, but have received no response, leading them to believe that the authorities are using the market to indirectly harass and interrupt worship services.

In January an Epiphany celebration organised by the Resurrection Baptist Church in Rosalia, Villa Clara was the target of another campaign. The church had planned to hold the celebration on the weekend following 6 January, but learned that the Communist Party of Taguayabón and Camajuani had issued an order that the festival was to be 'stopped'. CSW was told that Communist Party officials gave money to other local institutions to hold competing events, and calling it 'confronting' the church, in a clear effort to stir up animosity against the religious group and to disrupt their event.

12. RESTRICTIONS ON MOVEMENT WITHIN CUBA

Pastors and other religious leaders are notably absent from the government list of approved independent professions. Government agencies sometimes refuse to recognise a change in residence for pastors and other church leaders who have been assigned to a new church or parish and have had to relocate. While Ministry of Housing regulations on movement have been relaxed somewhat in recent years, moving is still not permitted unless the individual has a residence ready to move into in the new location. This can be difficult for churches which do not have a dedicated pastoral residence – the situation for the majority of religious groups. It is also problematic for religious associations which are

¹⁶ The hearing including his testimony can be viewed here: www.youtube.com/watch?v=khqhxDjS3qM

attempting to plant missions or establish churches in new areas of the country, especially in rural areas where housing is extremely limited. For unregistered religious groups, which because of their legal status cannot own property, the situation is even more complicated.

There are far more churches and missions than there are pastors or priests in Cuba, and the nature of their work means that most pastors and other church leaders in Cuba can expect to work in multiple locations over the course of their ministry. Most registered denominations continue the practice of assigning and transferring pastors to new locations on a regular basis, in some cases as often as every few years. Some have reported difficulties registering their new place of residence with the authorities. The inability to reregister has implications for almost every aspect of life, including the receipt of government rations, education, participation in elections, and applications for religious visas for visitors from abroad. In order to do any of these things, pastors who have been refused the right to reregister must travel to wherever they are officially registered and submit the paperwork there. This is made particularly challenging as non-tourist transport infrastructure in Cuba continues to be virtually non-existent in many parts of the country, particularly from city to city.

13. PERMISSION TO TRAVEL, LICENCES TO RECEIVE FOREIGN VISITORS AND OTHER GOVERNMENT PERMITS

On 14 January 2013 the Cuban government eliminated the requirement of a 'white card' or exit visa to leave the country. Some restrictions still remain and the government has reserved the right to deny permission to individuals to travel abroad if there is a perceived, but undefined, threat to national security. As mentioned previously, Reverend Yiorvis Bravo was prevented from travelling out of the country in June because of his refusal to pay the government rent on his own property.

Many complain that the authorisation of permits by the ORA, for example to own and operate vehicles, continues to be linked to cooperation with government officials in other areas. Some major Protestant denominational leaders told CSW that the ORA has stopped altogether issuing new permits for vehicles to their denominations. Others reported difficulties in obtaining religious visas for foreign visitors. While most non-Catholic groups said it was impossible to obtain a permit to bring a foreign missionary to Cuba, the Methodist Church said they had been successful in a handful of cases. Churches and church leaders perceived as uncooperative or resistant to government interference say they are punished by the denial of these permits.

14. GENERAL DISCRIMINATION ON THE BASIS OF RELIGION

Christians in Cuba continue to report varying levels of discrimination in educational institutions and in their places of employment. Levels of discrimination, however, tend to vary from region to region and often appear to be strongly linked to the attitude of local and regional authorities. Most church leaders do not believe that there is a central government policy to discriminate actively against all Christians. At the same time, they point out that the government openly tolerates such discrimination, and employers and officials who discriminate against religious Cubans are unlikely to face any consequences for their actions.

At the same time, there is no question that individuals associated with certain groups viewed by the government as problematic, like the Apostolic Movement, are singled out for discrimination. In April Josefina Romero Perez was fired from her job at the Municipal Office for Communal Services because of her involvement in Solution and Miracle Apostolic Church in Guaimaro, Camaguey.

Religious leaders of all denominations tend to agree that Jehovah's Witnesses face particular problems. Students from this religious group are often singled out for ridicule and harassment by teachers and other students, for their refusal to take part in compulsory patriotic activities. Many have reportedly been denied entrance to university, and some who were admitted reported being suspended later on. Obligatory military service has been a particular stumbling block for the Jehovah's Witnesses.

Officially, all university courses are open to any Cuban of any religion (in contrast to pre-1991 when Christians were barred from studying medicine, psychology, journalism or education); however, CSW sources say that discrimination against religious believers in higher education still occurs. In April nine university students, all Angolan nationals, were threatened with expulsion from the Frank País García University for Pedagogical Sciences and deportation because of their participation in Apostolic Movement-affiliated churches in Eastern Cuba.

According to church leaders, discrimination on the basis of religious beliefs is still widespread in primary and secondary schools but varies in severity from region to region. This discrimination is heightened when parents, and particularly pastors, attempt to exempt their children from Communist ideology programmes and school activities which clash with days of worship. In recent years CSW has also received complaints that Christian children are being forced to participate in Afro-Cuban religious rituals at school presented as 'cultural activities'. Some parents have successfully managed to work with school officials to exempt their children from these activities, while others complain their children are ridiculed by their teachers and sent to the principal's office in order to make an example of them to other students.

Despite a 1991 reform which permitted Christians to join the CCP, and which outlawed discrimination on the basis

of religion, systematic discrimination persists. Much of the discrimination experienced by Christians is rooted in the reluctance of many to join the CCP, which they still consider to promote an anti-religious ideology. It should also be noted that some churches will not allow members of the CCP to become full church members. Church leaders report that it is common for Christians to be passed over for promotion, excluded from important meetings and activities, demoted and/or transferred to undesirable locations because, as Christians and as non-members of the CCP, they are considered 'untrustworthy'.

Cubans who take steps to officially leave the CCP after converting to Christianity face particular discrimination. Christians who have chosen to leave the CCP report being visited at home by party officials who threatened them with potential repercussions for them and/or for family members. The most commonly reported threat is that their children will not be accepted into university.

Restrictions on members of the Cuban security agencies, including the military and the police, have continued to be relaxed in some parts of the country. In the past, members of the Cuban security agencies were banned from participation in any religious activity and were not allowed to have Bibles in their possession; some churches now report that they have members of the police force in their congregations. Church leaders also report that retired members of the military are joining their churches, apparently without problem. CSW continues to receive reports of young Christians carrying out their compulsory military service being singled out for intense harassment, or forced to undergo particularly gruelling exercises.

15. PUBLIC AND SOCIAL MINISTRY

Virtually all church groups consider public and social ministry to be fundamental to their identity, and this is perhaps where government control is most rigid. When permission is given, it is only to specific groups for specific events; the right to public manifestation is not extended to all. Church leaders have long complained that requests to carry out public events, for example religious processions and evangelistic work, are rarely granted. There have been some recent exceptions, the majority of which involve the Roman Catholic Church: the huge public Masses held during Pope Benedict XVI's visit in 2012 and Pope Francis' visit in September being two examples.

However, other church groups and associations report that the government is as restrictive as ever and in some cases more so when it comes to granting authorisation for public events. In addition, Freemasons, who also come under the authority of the Office of Religious Affairs, reported that they have been repeatedly denied permission to hold public parades. Most groups reported that official requests for permission to hold public events regularly received no response.

Most religious groups in Cuba engage in some kind of social ministry, but this too has been hampered by government restrictions. This may include the distribution of food, medicine and clothing to those in need, and homes for

the elderly. Church leaders report that the government officials often perceive this as competition for their own services. This is aggravated when, as is often the case, the local government agencies do not have the materials necessary to provide the services and the churches do. Church leaders expressed suspicion to CSW that the government targeting of the Maranatha First Baptist Church was partly due to its very effective social ministry with different segments of society in Holguin.

16. SEMINARIES

There are some legally recognised and accredited seminaries in Cuba, including the long established Methodist-Episcopalian-Presbyterian-run Evangelical Seminary in Matanzas known as the SET, and the Roman Catholic San Carlos and San Ambrosio Seminary, inaugurated in late 2010. In addition to these, most denominations run their own seminaries in a kind of legal grey area. They have no formal accreditation in Cuba and the degrees obtained by their students are not recognised by the government, but most have been tolerated with certain restrictions; one example is the Methodist Seminary, established in Havana after the Methodists withdrew from the SET in 2006. It is not possible to study theology in any state-run university.¹⁷

Some of the non-accredited seminaries reported ongoing violations of freedom of religion or belief in 2014. The seminaries with the highest number of reported problems were affiliated with registered non-CCC denominations including the Pinos Nuevos Denomination and the Eastern and Western Baptist Conventions, and non-registered denominations such as the Apostolic Movement. Adding to the complexity, a Santa Clara-based seminary affiliated with the Eastern Baptist Convention but operating in an area historically dominated by the Western Baptist Convention (both legally recognised denominations), is treated by government officials as if it were affiliated with a non-registered denomination. These seminaries all report regular threats of eviction made by Housing Ministry officials and other government inspectors, frequently followed up with citations and burdensome fines. They also complain that state security agents regularly pose as students in an attempt to infiltrate the seminaries.

Many of these seminaries have been working with the Cuban Agency for Theological Studies (ACET) in order

¹⁷ One of the greatest losses for the Methodist Church post-2006, according to their leadership, was access to a large collection of theological books at the SET donated specifically to the Methodist Church of Cuba. Since then the Methodist Seminary has worked hard, through donations, to put together a new collection of theological works for its students, but has not yet reached the threshold mandated for international accreditation.

to establish a formal relationship with the Caribbean Evangelical Theological Association (CETA), and to gain accreditation under the international umbrella of the CETA. This, they maintain, is a reaction to the Cuban government's longstanding refusal to allow them to operate with the same legal and accredited status as the SET or the San Carlos and San Ambrosio Seminary. These efforts have been met with hostility by the government, which has attempted to dictate which Cuban students may or may not participate in CETA-affiliated courses. Representatives of the seminaries which are in the process of establishing ties with the CETA, or which have already done so, say that government harassment and threats as described above have increased as a result of this new relationship.

17. DISTRIBUTION OF RELIGIOUS MATERIALS

Christian leaders continue to complain of a scarcity of Bibles and other religious literature. The lack of Bibles is most acute in rural areas but also appears to be a significant problem in the cities. Based on reports received by CSW, it appears to be a major problem for all denominations, including Roman Catholics and Protestants both within and outside the CCC.

The shortage is a result of harsh government restrictions on the import of Bibles and other religious materials, and a lack of access to printing infrastructure on the island. The restrictions stipulate that within Protestant denominations, all religious literature, including Bibles, must be imported into the country under the auspices of the CCC, despite the fact that it represents only a minority of Protestant Christians. Roman Catholics also report difficulties in importing Bibles and have, on occasion, also been obliged to work with the CCC to bring Bibles into the country.

According to CSW sources inside Cuba, the ability to import Bibles and religious literature improved somewhat for some denominations in 2015. In March the US Southern Baptist Convention (SBC) announced¹⁸ that it had received authorisation to send 83,723 Spanish language Bibles to Cuba directly from the US. The Cuban government permitted 75% of the Bibles to be distributed directly by the Western and Eastern Baptist Conventions. While not clear from the SBC press release, it appears that the other 25% had to go through the CCC. In the announcement the SBC noted that even with the large influx of Bibles, supply is not sufficient to meet demand: "With the Eastern Convention reporting 29,063 professions of faith in 2014, the missionary noted that the Bibles potentially will cover the new Christians and only a few more."

¹⁸ International Mission Board, '80,000-plus Bibles shipped to Cuba for churches', 16 March 2015 www.imb.org/updates/storyview-2994.aspx#.VowdsBUrLIV

Over the course of 2015, a number of individual Cubans reported that religious materials they attempted to bring into the country for personal use or for use in their churches were arbitrarily confiscated by customs officials in Cuba.

18. ACCESS TO THE MEDIA

Unless they receive specific authorisation, Cuban and joint enterprises may not sell computers, facsimile machines, photocopiers, or other equipment to any church except at official, artificially high retail prices. In addition, many religious organisations are denied internet access. This establishes a virtual state monopoly on printed media – those church organisations and other independent organisations which do have access to a printing press are heavily monitored.

Church leaders of all denominations also continue to express unhappiness at the continued lack of access to the media by religious groups. This is exacerbated by a widely-held perception that the state media gives ready access to Afro-Cuban religions under the pretext that their activities are cultural rather than religious.¹⁹ There continue to be some notable exceptions to the general lack of access to the media; a few CCC leaders are sometimes invited onto political shows such as Mesa Redonda, and are occasionally granted permission to broadcast messages or sermons. CSW views the granting of media rights to some groups and not to others on a seemingly arbitrary basis to be deeply problematic and promoting religious inequality, not freedom of religion or belief.

19. RELIGIOUS RIGHTS OF PRISONERS

In September 2009 the government announced that it would allow Protestant and Roman Catholic religious services to be held in Cuban prisons. CSW is unaware of any provision for non-Christian faiths. Church leaders in Cuba greeted the news with caution, and Protestants were initially critical of the fact that the responsibility for Protestant services and prison ministry was given to a pastor from the CCC, which represents only a small minority of Protestants on the island. However, according to CSW sources, Reverend Francisco Rodés took great care to include church leaders from all denominations, in and outside of the CCC, in the training required to receive government approval to carry out prison ministry.

Unfortunately, despite these positive developments, it appears that many concerns about how this reform would be implemented were valid. As alluded to above, the government still reserves the right to override denominational and church designations and arbitrarily bar specific pastors who graduated from the training course from involvement in prison ministry. Implementation has not been uniform in prisons across the country: in some cases the right to hold religious

¹⁹ It is worth noting that some Afro-Cuban religious leaders are also unhappy with the government's promotion of their beliefs and rituals to tourists as 'cultural patrimony', and view it as a commercialisation of sacred beliefs and practices.

services has been denied outright, and in other cases services were allowed, only to be interrupted midway and cancelled.

Importantly, political prisoners are still for the most part prevented from taking part in these services. In some cases authorities claimed that only prisoners who had exhibited 'good behaviour' could attend, and arbitrarily claimed that political prisoners did not qualify. In other cases, political prisoners were told that participation in religious services was contingent on wearing the prison uniform (most political prisoners refuse to wear the prison uniform for reasons of conscience). In many cases, however, no reason was given.

20. RELIGIOUS FREEDOM ACTIVISM

One notable trend in 2015 was the increased activism in calling for respect for freedom of religion and belief within churches which have often historically attempted to remain apolitical. The unprecedented crackdown which took place in 2015 following the implementation of Legal Decree 322, and the targeting of thousands of Protestant churches across the island for closure and demolition, was met with an unprecedented response from those churches and their wider denominations. The successful outcome for the Maranatha First Baptist Church was almost certainly due to the six-month campaign led by their pastor which garnered support from hundreds of Cubans. The fact that so many were willing to put their names on a petition published and sent to Raul Castro, despite the potential repercussions, is noteworthy in and of itself.

The government's designation of 2,000 Assemblies of God (AOG) churches as 'illegal', and its order for the closure and demolition of 100 of those churches in three provinces, provoked a similar reaction. The superintendent of the AOG, Reverend Eliseo Villar, sent a letter to Raul Castro signed by almost 25,000 Cubans protesting the government actions against the churches. Gathering so many signatures inside Cuba is no small feat, especially taking into consideration the restrictions on internet access. In addition to this, on 28 October around 500 Cubans in Santiago de Cuba, as well as hundreds more in Contramaestre and Guantanamo, marched in coordinated unauthorised peaceful demonstrations against the planned closure of the AOG churches in those provinces. The Santiago de Cuba demonstration concluded with an open-air unauthorised prayer and worship service outside the Communist Party offices. On the same day Communist Party officials issued an order for the immediate demolition of the AOG church led by Reverend Fausto Polemo in Santiago de Cuba. When the marchers learned that the demolition was going ahead many marched to the church, where the demolition was in progress; the walls had already been knocked down. The marchers peacefully entered and occupied the church, forcing the government officials to halt the demolition.

While the designation of the 2,000 churches as illegal and the order for the demolition of the 100 churches has not yet been rescinded, the government has agreed to a meeting with Superintendent Villar, to be held some

time after 10 January 2016. Superintendent Villar told CSW that he believes that government officials were unprepared for such a response from the churches, and are now re-evaluating their approach.

The public and coordinated responses of these churches and denominations in standing up against government repression is unlike anything that has been seen in religious communities in Cuba since 1959. These responses, and the continued outspokenness and civil disobedience of unregistered groups such as the Apostolic Movement churches in continuing to hold their religious services, even at the risk of imprisonment; and the consistently raised voice of Reverend Leonart Barroso in publicly denouncing violations of freedom of religion or belief in Cuba in international platforms; may herald a new era in terms of the dynamic between the Cuban government and religious groups. It appears that, in contrast to past decades, Cuban churches are no longer willing to suffer government persecution in silence.

When asked by CSW why the Cuban government views Christians as a threat, one church leader said, "The government sees us as a threat because we are free. We are no longer afraid. You want to put me in jail? Fine. You want to tell me my children won't be able to go to university? Fine. You want to fine me, go ahead. Do whatever you want to me. I am free." This statement encapsulates the shift observed in the mentality and actions of many churchgoers over the past year.

21. CONCLUSION

The continued deterioration in respect for freedom of religion or belief in Cuba in 2015, even as the government continues to promote an image of respect for freedom of religion or belief, is deeply troubling. The negative trend seems to be part of a more general attempt by the government to eliminate the potential for social upheaval by cracking down on any and all groups that are calling, or could call, for social and political reforms alongside the limited economic reforms the government has enacted. Many observers were quick to interpret the Pope's visit in September 2012, and promises by the government to concede a few privileges to the Roman Catholic Church – such as the right to build a new church in the province of Pinar del Rio – as evidence of a new commitment to freedom of religion or belief; but this is unfortunately a far cry from the reality on the ground.

CSW receives on a daily basis reports of violations of freedom of religion or belief, ranging in severity; these come from a wide spectrum of religious groups including Protestant churches of all denominations, in and outside of the CCC, Afro-Cuban societies, Roman Catholics, and Vetero-Catholics. Numbers of violations skyrocketed in 2015 largely due to the government's targeting of more than 2,000 churches for closure, and the arbitrary

expropriation of additional churches. Without a major change in policy by the Cuban government, it seems likely that this will continue in 2016.

While the government's moves to return some properties and to ease the process of authorisation for repairs or construction for some religious groups have been interpreted by some as indicative of improvement in the area of freedom of religion or belief, CSW views these developments as problematic. The right to build new churches has not been extended to all denominations or religious associations, and the government continues to refuse to return, and even to expropriate properties belonging to many religious groups.

This creates a situation of religious inequality, not freedom. In addition, it reinforces the government's control and influence over the individual religious associations seeking permits or the return of property. It also avoids addressing the root cause of the problem, which is that the ORA and the Ministry of Housing appear to use the process to attempt to manipulate religious groups by allocating building or renovation permits based on a religious association's relationship with the government.

Over the past decades the Castro regime has proved adept at sleight of hand tricks to convince the international community that it is committed to improvements in the human rights situation. Their approach to freedom of religion or belief in Cuba has been no different. If the situation for all religious groups in Cuba is to improve at all, it is imperative that the European Union, United States and other governments around the world do not allow the Cuban government to pretend that granting limited privileges to one or two religious group over others constitutes an improvement in freedom of religion or belief. This is especially the case when these privileges have no basis in any legal reforms, but are only one-off handouts given by a government which retains the right to rescind them at any time. Progress in freedom of religion or belief must be measured in terms of how all religious groups benefit, and should also be grounded in legal systems and protections that will uphold these rights for all without discrimination or favouritism.

APPENDIX I Index of acronyms and translations

CCC	Cuban Council of Churches (Consejo de Iglesias de Cuba)
CCP	Cuban Communist Party (Partido Comunista de Cuba)
CDR	Committees for Defence of the Revolution (Comités para la Defensa de la Revolución)
CUC	Convertible Cuban Pesos
ICCPR	International Covenant on Civil and Political Rights
ICECSR	International Covenant on Economic, Cultural and Social Rights
ORA	Office of Religious Affairs

APPENDIX II Cuban Religious Panorama

Precise numbers of religious practitioners in Cuba are difficult to obtain. According to the Roman Catholic Church, approximately 6% of the population is actively involved in the Roman Catholic Church. Based on numbers self-reported by Cuban Protestant denominations and provided to CSW, CSW believes that between 13-15% of Cubans is active in Protestant churches. Around 80% of the population is thought to be involved to some degree in Afro-Cuban religious practices, of which there are numerous sects. There are very small Jewish, Christian Orthodox and Muslim communities, and some Eastern and New Age religions are represented. Jehovah's Witnesses and Mormons are also present. Excluding Orthodox Christians who are not widely distributed on the island, Cuban Christians can essentially be divided into four categories:

1. Roman Catholics;
2. Registered Protestant denominations and church groups within the Cuban Council of Churches (CCC);
3. Registered Protestant denominations outside the CCC; and
4. Non-registered, unrecognised denominations and religious groups.

The majority of Protestant Cubans belong to the third category, registered Protestant denominations outside the CCC – a group that includes the Western and Eastern Baptist Conventions and the Assemblies of God churches, the largest Protestant groups on the island along with the Methodist Church of Cuba.

Member denominations, churches and associations of the Cuban Council of Churches are as follows:

Member Denominations and Churches

Methodist Church in Cuba²⁰
Presbyterian-Reformed Church in Cuba
Apostolic Church of Jesus Christ
Christian Pentecostal Church
Christian Reformed Church
Church of Christ
Church of God in Cuba
Church of the Friends (Quakers)
Church of the Nazarene
Congregational Pentecostal Church
Episcopal Church (Anglican)
Evangelical Church Gethsemane
Evangelical Church of the Lutheran Confession
Fraternity of Baptist Churches of Cuba
Free Baptist Convention
Free Evangelical Church
Global Mission Church
Light of God Pentecostal Church
Methodist Church

²⁰ At the time of the publication of this report the Methodist Church of Cuba was still a member of the CCC but was in the middle of the internal process to formally withdraw from the CCC.

Missionary Church of God
Pentecostal Holiness Church
Presbyterian-Reformed Church
Rural Brotherhood Church
Salvation Army

CCC Member Ecumenical Groups and Centres

Baptist Workers 'Student Coordination'
Christian Centre for Reflection and Dialogue
Christian Peace Conference
Evangelical Theological Seminary
Augusto Cottoâ Information and Study Centre
Interdenominational Fellowship of Evangelical Ministers and Pastors of Cuba (CIMPEC)
Koinonia Movement
Latin-American Ecumenical Social Action (ASEL)
Dr Martin Luther King Memorial Centre
Student Christian Movement
Study Commission on the History of the Church in Latin America (CEHILA)
Union of Latin-American Ecumenical Youth (ULAJE)

Observers

Open Bible Church
World-wide Missions (Misiones Amplias Mundial)
Greek Orthodox Church

Fraternal Associates

Autonomous Bethel Church
Church of the Moravian Brethren in Cuba
Hebrew Community of Cuba
International Christian Community
Pentecostal Church of Sovereign Grace in Cuba
United Church
Yoga Association of Cuba

APPENDIX III Background on house churches

During the 1990s the shortage of space designated for religious activity, coupled with the rapid growth of all denominations, led to the widespread use of 'house churches'. The term 'house church' is fairly broad; while it can refer to structures that are still primarily used as family homes but are also used on certain days for church services, it can also be applied to homes that are no longer lived in and are solely dedicated to religious activities. In addition, in Cuba the term includes buildings that were constructed without specific permission to be used for religious activities.

The size of individual house churches varies greatly. Some have only a handful of regular attendees while others have congregations which number in the hundreds. It is impossible to know for certain the exact number of house churches on the island; however, church leaders inside Cuba put the number at anywhere between 10,000 and 15,000.

Few house churches have been granted formal authorisation to carry out religious activity. In Cuba, where freedom of assembly and association are still severely restricted, this carries obvious risks. Meetings of more than 15 people at a time are technically illegal.

Some churches have attempted to get around this rule by establishing multiple house churches and limiting the maximum number of attendees at each to 14. Others keep no written records of addresses and names of house church hosts, and change their locations frequently.

APPENDIX IV Official Declaration of the Methodist Church of Cuba on their Withdrawal from SET

Consultative Board of the Methodist Church in Cuba
Official Declaration

Taking into account the concrete act stemming from the decision made by the Annual Conference of the Methodist Church in Cuba, to terminate the pact established in 1946 with the Presbyterian and Episcopal Churches, which founded the Evangelical Theological Seminary (SET), and in view of the many speculations that this has caused, as well as declarations and decisions taken by the aforementioned churches, we felt it was right to publish this declaration which defines our position.

The Methodist Church in Cuba does not recognise the group representing the Presbyterian and Episcopal Churches that met last 11 July as Governing Board of SET because of the absence of any delegate from the Cuban Methodist Church. In this manner, they disregarded Article 9 of the Rules of the Governing Board, which clearly establishes that for a valid quorum there must be representatives of the three "Founding Churches."

With this document, we refute the claim that the Methodist Church has refused to discuss its complaints about the Seminary within the Governing Board; in fact the reality is completely the opposite. Our Bishop wrote three letters to the President of the Directing Board, asking for his intervention to address what we considered to be a violation of the rights of the Methodist Church and expressing our discontent with the expansion of the Directing Board meeting in January. Disregarding protests from Methodist Church, the Faculty assigned a course to a particular professor –despite the fact that the Board was obligated to take action because of their complaint – and this created a precedent of incalculable consequences for the future. In addition, our Bishop went to a meeting on 31 October 2005 with the Vice-rector, Dr. Pedro Triana, who at that moment was taking up responsibility as Rector; and the verbal agreement between the two was to wait until the Directing Board meeting in January.

After the Directing Board Meeting in September 2005, delegates from the Methodist Church in Cuba to the Governing Board were never invited or told about a meeting. Last 7 July, the Very Reverend Juan Ramon de Paz, the President of the Directing Board was in the offices of the Methodist Church to request their presence at a meeting schedule for the 11 July. When he was informed that the Bishop was travelling in the Eastern provinces

he was asked to reschedule the date of the meeting. Despite this, they met without our delegates and put out a declaration in the name of the Directing Board of the SET. Usurping our functions, they called an election and went as far as naming their own board, which excluded the Methodist Church, despite the fact that no dissolution had taken place.

At the time when this conflict came about, those holding the principal responsibilities in the Directorate of the Seminary were Presbyterians and Episcopalians: President of the Directing Board (Episcopal), Rector (Presbyterian), Vice-rector (Episcopal) and Deacon (Presbyterian). This, it seems to us, has a lot to do with the fact that our demands have been utterly ignored.

We believe it is relevant to clarify that Lic. Carlos Molina, who is the professor in question, is not a member of any Methodist Church in Cuba, and he is not interested in becoming one. During his time at the Seminary, first as a student and now as an "invited" professor, he has given himself the right to speak as a Methodist and in particular to question the leadership and the guidelines approved by the Annual Conference of the Methodist Church in Cuba. For this reason, the Bishop of our Church wrote to the Rector, on 19 September 2005. We quote the second part of the fourth paragraph:

"We are interpreting this to mean that you are not being transparent with the Methodist Church and that you are using Professor Molina's voice to promote an alternative way of thinking, not in line with the thinking of our Church, and if this is the case, it is hugely offensive to our church."

The Rector, Dr. Reinerio Arce, reserved the right to decide if this was or was not offensive to the Methodist Church and has kept Lic. Molina in his privileges as a titled professor. Until today, the President of the Directing Board and the leaders of the sister Founding Churches, have done nothing to make sure this did not happen. We take note of a paragraph of the last letter to the president of the Directing Board, which Mr. Bishop Ricardo Pereira wrote on 20 January 2006:

"With this third and final letter, I am taking the road that the Gospel and Tradition indicate, but for the record, up until today I have never received any reply. The Cuban Methodist Church has no other option but to bring together its Directors, SET Professors and students to resolve that which we the three founding churches should have done."

Keeping in mind the explanatory note issued by the General Council of the Reformed Presbyterian Church in Cuba, in which they allude to people like Nize Fernandez

(an absolutely outstanding professor in previous decades), Fuster (post-mortem Bishop), Neblett (recognised missionary) and other Methodists who gave their lives in serving the Seminary, it is important to point out that it is not the Church betraying its heritage, nor breaking the rules of the Directing Board, nor moving away from its ecumenical tradition. It is in honour of Nize and others that the current Directorate of the Methodist Church in Cuba will not allow, even though the main responsibilities at SET are occupied by members of the other Founding Churches, for our Church to be insulted and that the rules of SET be betrayed to allow for "pseudo-Methodists" in SET who represent different interests to those of the Cuban Methodist Church.

We clarify that our Church does not renounce its rights at the Evangelical Theological Seminary. The Annual Conference of the Methodist Church in Cuba broke the pact with the Presbyterian and Episcopalian Churches in Cuba because their representatives did not respect the rules created for the functioning of the Seminary. We call on Article 20 of Chapter 5 of the Rules of the Directing Board of the Evangelical Theological Seminary, which establishes:

Article 20: The Properties in case of Dissolution
In case of the dissolution of the Evangelical Theological Seminary, its funds and other belongings will become the property of the Founding Churches which make it up, in proportion to what each one has contributed, unless they decide that those things should be dedicated to other activities.

After the agreement at the Annual Conference, our Bishop invited, on repeated occasions, the leaders of the abovementioned Churches to come together to discuss the terms of dissolution in the presence of ecumenical observers, to guarantee that the discrepancies amongst ourselves not go to the courts, which would affect our testimony which over the past 60 years we have offered to the Cuban People and especially to the Cuba evangelical churches. Until today, the responses to these requests have been negative.

We cite that which the Bishop expressed in his letter on 20 June, addressed to the directors of the other Churches, "Now we do not continue together in the SET project but there are still many areas where we can work together for the good our of Churches and our people."

We encourage the other Churches to explore new ways in which we can serve our God together.

Given in Havana on the 19th of July 2006
By the Consultative Board of the Methodist Church in Cuba

© Copyright Christian Solidarity Worldwide 2016. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, in any form or by any means, electronic, photocopying, mechanical, recording and/or otherwise without the prior written permission of Christian Solidarity Worldwide.

CSW is a Christian organisation working for religious freedom through advocacy and human rights, in the pursuit of justice.

Registered Charity No. 281836

PO Box 99, New Malden, Surrey, KT3 3YF, United Kingdom
T: +44 (0)845 456 5464 F: +44 (0)20 8942 8821
E: admin@csw.org.uk www.csw.org.uk