

UNIVERSAL PERIODIC REVIEW 2009

CUBA

NGO: European Centre for Law and Justice
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RELIGIOUS FREEDOM IN CUBA

SECTION 1: *Legal Framework*

Notably, in February 2008, Cuba signed the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. As such, Cuba is now committed by international treaty to respect the religious liberties rights implicated by the right to freedom of expression, association and movement.¹

I. Cuban Constitutional Provisions

Cuba is still largely considered as a totalitarian state.² Under Article Eight of the Cuban Constitution, however, the “state recognizes, respects and guarantees freedom of religion. In the Republic of Cuba, religious institutions are separate from the state. The different beliefs and religions enjoy the same consideration.”³ The Constitution also states that religious discrimination “is forbidden and will be punished by law.”⁴ Article 55 guarantees the individual’s right to change religions, declaring that the state “recognizes, respects and guarantees every citizen’s freedom to change religious beliefs or to not have any, and to profess, within the framework of respect for the law, the religious belief of his preference. The law regulates the state’s relations with religious institutions.”⁵

Religious freedom in Cuba, however, is subject to the constraints of socialist society. Article 53 explains that “Citizens have freedom of speech and of the press *in keeping with the objectives of socialist society*.”⁶ Similarly, Article 62 explicitly states that all freedoms must be exercised within the values of the socialist state:

None of the freedoms which are recognized for citizens can be exercised contrary to what is established in the Constitution and by law, or contrary to the existence and objectives of the socialist state, or contrary to the

¹ Amnesty International, *Cuba Signs Up For Human Rights*, (Feb. 29, 2008), available at <http://www.amnesty.org/en/news-and-updates/good-news/cuba-signs-human-rights-20080229>.

² U.S. Dep’t of State, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices 2007 Cuba* (March 11, 2008) [hereinafter, *Human Rights Report*], available at <http://www.state.gov/g/drl/rls/hrrpt/2007/100635.htm> (last visited July 30, 2008).

³ Const. of the Republic of Cuba, art. 8.

⁴ Const. of the Republic of Cuba, Chapter VI, art. 42.

⁵ Const. of the Republic of Cuba, Chapter VII, art. 55.

⁶ Const. of the Republic of Cuba, Chapter VII, art. 53 (emphasis added).

decision of the Cuban people to build socialism and communism. Violations of this principle can be punished by law.⁷

II. Legislation

Churches and other religious groups operating in Cuba are required to register with the provincial Registry of Associations in order to obtain official government recognition. Importantly, Cuban law prohibits any “unauthorized assembly of more than three persons, including those for private religious services in private homes, by up to three months in prison and a fine.” In its recent country report on human rights practices in Cuba, however, the U.S. State Department noted that the Cuban authorities did not consistently enforce this law and when they did, it was “often used it as a pretext to harass and imprison human rights advocates.”⁸ The registration and authorization procedures involve identifying where the religious activities will take place, showing that there is sufficient funding for such activities, and obtaining “certification from the Registry of Associations that they are not duplicating the activities of a previously registered organization.”⁹

Under Directive 43 and Resolution 46, house churches must also register with the Government in order to “legalize” their existence and operations. To legally operate, house churches must: (1) not “host more than three meetings per week”; (2) “not be located within two kilometers of another house church”; and (3) “be open only between 5 p.m. and 10 p.m. on workdays, and between 9 a.m. and 10 p.m. on other days.” The regulations governing house churches also state that the “use of a sound system requires permission from neighbors and that no house church can operate in a multifamily residence.”¹⁰ Resolution 46 expressly “prohibits foreign missionaries from having any involvement with house churches without governmental approval.”¹¹

As for registered “traditional” churches, the law permits new churches to be built, provided that a construction permit is first obtained. The U.S. State Department notes, however, that the “process for obtaining a permit and purchasing construction materials from government outlets is lengthy and expensive.” Furthermore, the government rarely authorizes such construction permits, thus “forcing many churches to seek permits to meet in private homes.” Religious groups must also obtain a permit if they wish to reconstruct and repair existing places of worship. The process of obtaining a permit and purchasing construction materials from government outlets is lengthy and expensive.”¹² Additionally, religious groups or organizations must obtain official authorization from the Communist Party prior to sponsoring religious events outside of their physical places

⁷ Const. of the Republic of Cuba, Chapter VII, art. 62.

⁸ *Human Rights Report*, *supra* note 1.

⁹ U.S. Dep’t of State, *Int’l Religious Freedom Report 2007 Cuba* (Sept. 14, 2007), available at <http://www.state.gov/g/drl/rls/irf/2007/90249.htm> [hereinafter, *Religious Freedom Report*].

¹⁰ *Id.*

¹¹ Julian Lukins, *Smuggling Christ Into Cuba*, CHARISMA MAG., (Nov. 2006), available at <http://www.charismamag.com/display.php?id=13936>.

¹² *Id.*

of worship.¹³ Religious educational institutions are not permitted in Cuba, though churches may offer religious educational instruction.¹⁴

A 1994 amendment to the penal code has dangerous implications for religious communities in Cuba. Under this amendment, individuals can be charged if they are even perceived to be involved in activities that pose a potential threat to the state. The U.S. State Department has found that the new law has, in practice, “permitted varying and inconsistent applications towards dissidents of the state.”¹⁵ This particularly troubling for religious groups as International Christian Concern notes that the Cuban “government maintains an active opposition to house churches,” and “Christian workers entering the country often have items confiscated by customs officials and rarely allowed to enter if the true reasons for their coming is known.”¹⁶

III. Judicial System and Decisions

The judicial system in Cuba is comprised of a Supreme Court, provincial courts, municipal courts, and military courts. Ray Michalowski explains that the “Supreme Court is subdivided into areas of responsibility for penal, civil and administrative, labor, state security, and military cases. Provincial courts are similarly divided, with the exclusion of a military sala. There is no formal division of Municipal Courts into jurisdictional areas, although larger municipal courts may subdivide into sections with specific responsibilities.”¹⁷

In March 2007, a civil court sanctioned and fined Jehovah’s Witness Ray Luciano Lopez Moreno for refusing to fulfill the compulsory military service requirement.¹⁸ In December 2006, an evangelical pastor was acquitted of a human trafficking charge (i.e. assisting Cubans to flee the country). The court instead convicted him with previously unannounced charges of falsification of documents relating to human trafficking. Protesting his conviction, the pastor argued that were he truly guilty of such falsification of documents charges, then he would necessarily have been guilty of the underlying human trafficking charge—a crime of which he had just been found not guilty.¹⁹

¹³ *Id.*

¹⁴ *Human Rights Report*, *supra* note 1.

¹⁵ Christian Solidarity Worldwide: Cuba, <http://www.cswusa.com/Countries/Cuba.htm> (last visited July 28, 2008).

¹⁶ International Christian Concern, Persecuted Countries: Cuba, <http://www.persecution.org/suffering/countryinfodetail.php?countrycode=13> (last visited Sept. 8, 2008).

¹⁷ Ray Michalowski, *World Factbook of Criminal Justice Systems: Cuba*, <http://www.ojp.usdoj.gov/bjs/pub/ascii/wfbcjcb.txt>.

¹⁸ *Religious Freedom Report*, *supra* note 8.

¹⁹ Christian Persecution Info, Cuba: Pastor Acquitted, But Convicted on New Charge, <http://www.christianpersecution.info/news/cuba-pastor-acquitted-but-convicted-on-new-charge/> (last visited Sept. 8, 2008).

SECTION 2: *Recent Religious Persecution or Discrimination*

Each incident referenced is accompanied by a web link to the news story, which can be found in the Appendix.

Selected Recent Incidents of Persecution or Discrimination

1. August 2008 – Massive government crackdown on religious groups reported.²⁰
2. December 2007 – Police raid church, pepper spray and beat group of dissidents awaiting Mass.²¹
3. September 2007 – Two Christian activists physically attacked.²²
4. May 2007 – Christian political prisoner suffering from tuberculosis; authorities fail to intervene.²³
5. April 2007 – Pastor acquitted “human trafficking” charges prohibited from continuing to work as a pastor; pastor’s phone lines cut.²⁴
6. March 2007 – Jehovah’s Witnesses detained, sanctioned and fined for refusing to fulfill the compulsory military service requirement.²⁵
7. March 2006 – Authorities prevent wives of political prisoners from attending Mass, physically prevented them from leaving the cities of Puerto Padre, Sancti Spiritus, and Ciego de Avila.²⁶
8. March 2006 – Government responds to growth of evangelical Christianity in Cuba by enacting new regulations for house churches.²⁷
9. January/February 2006 – Home of outspoken Santiago priest repeatedly stoned; church robbed, priest’s dog poisoned.²⁸

²⁰ http://religious-persecution.suite101.com/article.cfm/religious_freedom_in_cuba

²¹ <http://www.state.gov/g/drl/rls/hrrpt/2007/100635.htm> (last visited July 30, 2008).

²² <http://www.cswusa.com/Reports%20Pages/Reports-Cuba.htm>

²³ <http://www.christianpersecution.info/news/cuban-influential-christian-prisoner-suffering-of-tuberculosis/>

²⁴ <http://www.cswusa.com/Reports%20Pages/Reports-Cuba.htm>

²⁵ <http://www.state.gov/g/drl/rls/irf/2007/90249.htm>

²⁶ <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

²⁷ <http://www.christianpersecution.info/news/new-government-regulations-for-home-churches-in-cuba-have-some-concerned/>

10. 2005/2006 – Human rights activist prisoner denied visits from Catholic priests.²⁹
11. December 2006 – Pastor acquitted of “human trafficking” charges, simultaneously convicted on new charge.³⁰
12. February 2006 – Prison authorities break up inmate prayer group.³¹
13. December 2005 – Officials destroy Santeria altars and other religious articles at prison.³²
14. December 2005 – Government orders Protestant church to be demolished because the congregation did not have authorization to build church.³³
15. March 2003 – Over 70 Christians detained in massive government crackdown on dissidents demanding religious and political freedoms.³⁴

²⁸ <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

²⁹ <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

³⁰ <http://www.christianpersecution.info/news/cuba-pastor-acquitted-but-convicted-on-new-charge/>

³¹ <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

³² <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

³³ <http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

³⁴ <http://www.christiansincrisis.net/content/view/1609/39/>

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APPENDIX

Section 2

1. Religious Freedom in Cuba? Decreasing Number of Dissidents Hides the Truth

August 13, 2008

http://religious-persecution.suite101.com/article.cfm/religious_freedom_in_cuba

Recent reports from Cuba that the country's President, Raul Castro, is liberalising [sic] the communist state and freeing dissidents masks the real treatment of religion.

When Raul Castro replaced Fidel as the President of Cuba two years ago, some people predicted that he would continue the harsh regime associated with his brother, while others hoped for a brighter future for the communist country.

During his time in power, Raul has brought many changes to the country, including lifting the restrictions on the ownership of mobile phones and computers, and introducing some much-needed economic reforms. He has also been credited with bringing about a reduction in the number of dissidents in prison, yet this hides the reasons they are there in the first place, such as those imprisoned for religious beliefs.

Religion in Cuba

Cuba is traditionally a Catholic country and much of this remains in the religious life, architecture and practices of the Spanish-influenced state. Protestantism also became a major influence after arriving from the United States in the 18th century. Other minority religions include Judaism, Islam and Baha'i, as well as modern adaptations of the Christian faith, mainly due to African influences.

However, since the communist revolution of 1959, Cuba became atheistic and punished religious practice. Consequently, it's estimated that around 80% of the Catholic priests

and Protestant ministers left Cuba for the United States in the two years after the revolution. Relationships between the new government and congregations were tense, with the government limiting and very suspicious of church actions, blaming them for collaboration with the CIA during the Bay of Pigs invasion and preparing for a counter-revolution.

Since the early 1990s, many restrictions have been eased and according to the *National Catholic Observer*, direct challenges by state institutions to the right to religion have virtually disappeared, although the church still faces restrictions of written and electronic communication, and can only accept donations from state-approved funding sources.

Cuban Dissidents

Since the revolution, the government has imprisoned countless people, whom they term 'mercenaries' rather than dissidents or political prisoners, accused of undermining state authority. These people include writers, activists and even religious followers as the one party state asserts its power in one of the most unmistakable ways possible.

Despite limited international pressure, as well as insistence from groups such as Amnesty International, Fidel Castro has refused to give in and release the prisoners.

Religious Dissidents and the Truth about Religious Practice

The Cuban Constitution appears to be very clear about the existence of religions and religious beliefs in the country:

Article 54:

The socialist state that bases its activity and educates the people in the scientific materialistic conception of the universe, recognizes and guarantees the freedom of conscience, the individual right to profess any religious belief and to practice, within the confines of the law, the religion of his preference.

Article 55:

The State, that recognizes, respects, and guarantees the freedom of conscience and religion, also recognizes, 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.

In 1994, a new penal code amendment was passed that provides punishments for anyone who is perceived to be involved in any activity that might be dangerous to the state. This has caused problems for religious groups because religion is not a part of the ideal Communist society. Christianity has been forced underground and there are reports that pastors are often routinely questioned and detained for several days in a huge crackdown on religious practices.

The Future for Cuban Dissidents

Despite recent reports praising Raul Castro for reducing the number of political prisoners in Cuba since the beginning of 2008, there are still over 200 currently held in Cuban jails. Many of them, although it's difficult to specify an exact number because of inaccurate government figures, are in prison due to their religious beliefs and practices.

Predominantly accused of "disseminating enemy propaganda" or "dangerousness," they are labeled "counter-revolutionary criminals" for which the punishment is confiscation of property, beatings and intimidation by security agents and imprisonment.

For Cuba to truly embrace the 21st century and indicate progress, Raul Castro must stop the imprisonment of innocent people under the guise of state protection and free those already held. A socialist state for the working classes means that they should be free to follow and practice whichever religion they please. Anything else only erects barriers and creates a subculture of religion, while alienating those it professes to unite. Freedom is a right, not enforced.

2. U.S. State Department Country Reports on Human Rights Practices 2007 Cuba

December 4, 2007

<http://www.state.gov/g/drl/rls/hrrpt/2007/100635.htm>

[excerpt]

[P]olice forcibly entered a church in Santiago de Cuba Province and pepper sprayed and beat a group of approximately 18 dissidents awaiting Mass. Police arrested seven of the dissidents, who were released the following day. The Catholic Bishops' Conference of Cuba condemned the incident, and government officials subsequently apologized to the Church. Church officials accepted the apology and no further investigation was expected.

3. Urgent Action – Two Christian Activists in Cuba Physically Attacked

September 3, 2007

<http://www.cswusa.com/Reports%20Pages/Reports-Cuba.htm>

Dear Friends,

We are writing to request your prayer and action on behalf of two Cuban Christians who have recently been the victims of physical attacks.

Dr Jorge Luis Garcia Paneque

Many of you will remember the case of Dr Jorge Luis Garcia Paneque, a Roman Catholic doctor who was imprisoned in 2003 for his human rights and democracy work. He is serving a 24-year sentence in the Las Tunas prison. In June we wrote to request your prayers for his health which was deteriorating. Sadly, we received news last week that he

has been badly beaten by a fellow prisoner. A cut on his head which resulted from the beating required four stitches.

The Christian Liberation Movement (MCL), a pro-democracy group inside Cuba, which reported the news, has laid the blame for this beating on the Cuban government which has a policy of housing political prisoners together with common criminals, many of which are serving time for violent crimes. Unfortunately, as a result of this policy, harassment and beatings like this one are not uncommon. CSW is joining with the MCL to call on the Cuban government to stop this policy. We would appreciate it if, as you pray, you would also consider writing to your MP to alert them to your concerns for Dr. Garcia Paneque and to ask them, in turn, to express their concern to the Cuban embassy.

Juan Carlos Gonzalez Leiva

Many of you will remember Juan Carlos, a blind human rights activist who spent two years in prison without a trial, before finally being sentenced to four years in prison (served retroactively with the remaining two years to be carried out under house arrest). CSW has received news that Juan Carlos Gonzalez Leiva, was arrested and beaten by soldiers at the Prison Wing of the Camagüey Amalia Simoni Province Hospital. Two other human rights activists, Luis Esteban Espinosa Echemendía and Eisy Marrero Marrero, were also arrested at the same time. The three had gathered to interview the wheelchair bound son of political prisoner, José Antonio Mola Porr, in a public part of the hospital during visiting hours. The interview Juan Carlos was attempting to carry out was a part of his duties as the Executive Secretary of the Cuban Council of Human Rights Rapporteurs.

According to Juan Carlos, he received three heavy blows to the head, one to the shoulder and has bruises all over his body. He continues to suffer with headache and is sore from the blows. He has stated that he holds the Cuban government responsible for his health, and has asked for prayer and support from the international community. As you write to your MP's regarding Dr. Garcia Paneque, we would also ask you to include your concerns for Juan Carlos's welfare in your letters.

You can find the details of your MP by calling 020 7219 4272 or logging on to www.parliament.uk. In your letters you might express your concern for Dr. Garcia Paneque and for Juan Carlos and encourage your MP to raise this with the Foreign Minister and directly with the Cuban Embassy in London. Please do not mention CSW in your letters, as any association between CSW and these men could further jeopardize their position.

4. Cuban Influential Christian Prisoner Suffering Of Tuberculosis

May 29, 2007

<http://www.christianpersecution.info/news/cuban-influential-christian-prisoner-suffering-of-tuberculosis/>

HAVANA, CUBA (BosNewsLife) -- An influential Christian Cuban "prisoner of conscience" remained behind bars Pentecost Sunday, May 27, despite suffering of tuberculosis in the Kilo 7 Prison in the province of Camaguey, dissidents told BosNewsLife.

The Council of Human Rights Rapporteurs in Cuba, an underground group campaigning for the release of political prisoners, suggested that Alfredo Pulido Lopez had likely contracted tuberculosis under "dubious" circumstances and that he was possibly in life danger.

"Normando Hernandez Gonzales, another "prisoner of conscience" also contracted tuberculosis under "dubious circumstances" while confined at the Kilo 5 ½ Prison in the province of Pinar del Rio," said the group's president Margarito Broche Espinosa.

In a statement obtained by BosNewsLife, Broche Espinosa, said he had "great concern for the life of "Cuban prisoner of conscience Pulido Lopez."

EXPRESSING SOLIDARITY

A former political prisoner himself, Broche Espinosa said he had "expressed solidarity with the family of Pulido Lopez" and demanded that he would hold "the Cuban regime" "responsible" the "dissident's state of health."

Pulido Lopez is one of 75 prisoners, including Christians, detained in a massive government crackdown in March 2003 on dissidents demanding more religious and political freedom. He was tried summarily on April 2003, and sentenced to 14 years in prison for "acts against the independence and the territorial integrity of the Cuban State".

Broche Espinosa said the Cuban government "must liberate all prisoners of conscience who are sick and, though innocent, have been serving prison sentences for more than four years." News of the fragile health of Pulido Lopez and other dissidents came after government attempts to prove that Cuban leader Fidel Castro's health has improved.

"ROAD TO RECOVERY"

In an article published this week he claimed he was on the road to recovery, after being sidelined by gastrointestinal surgery 10 months ago. The 80-year-old Castro lifted the veil on his health woes for the first time, admitting that he actually went under the knife several times and was fed through a tube for several months.

Castro had denied human rights abuses and the existence of Christian dissidents or political prisoners. Those detained, he has said, are "mercenaries of the US" and against his revolution.

Castro has lived through 10 US presidents and this weekend blasted his American counterpart George W. Bush as "apocalyptic," criticizing his Iraq war policy. A day after

Bush signed legislation that includes almost \$100 billion in emergency spending for the wars in Iraq and Afghanistan, he said that "Bush is an apocalyptic person" only "expresses emotions" and "always fakes rationality."

5. Urgent Action - Prayer for Christians in Cuba

April 4, 2007

<http://www.cswusa.com/Reports%20Pages/Reports-Cuba.htm>

[excerpt]

Pastor Carlos Lamelas

Many of you will recall the wonderful answer to your prayers at the end of 2006, when Pastor Lamelas was acquitted of the charges against him by a Cuban court and allowed to return home.

He has asked us for continued prayer as he has been unable to work since his arrest and trial last year. He has been prevented by the government from officially working as a pastor. When he attempted to set up a new business as a photographer with donated equipment, the government refused to grant him a license, making it extremely difficult for him to provide for his family. However, it is a crime not to work in Cuba. Although many Cubans feel their only choice is to try to make money on the black market, Pastor Lamelas wishes to set an example to the community and does not want to do this.

In March, the government cut the telephone connection to his house, making it impossible to have any communication with contacts outside of Havana.

Encouragingly, Pastor Lamelas a significant percentage of leaders from within the Church of God denomination last week voted to make Pastor Lamelas the leader of the denomination, sending a very clear signal to the Cuban government of the Church's support for him. In addition, the denominational leadership decided to ordain Pastor Lamelas's wife, Uramis as a minister as well, "because of her testimony and the fruits of her pastoral work."

6. U.S. State Department International Religious Freedom Report 2007 Cuba

March 24, 2007

<http://www.state.gov/g/drl/rls/irf/2007/90249.htm>

[excerpt]

On March 24, 2007, Ray Luciano Lopez Moreno was detained for 3 days before being taken to a civil court for refusing to fulfill the compulsory military service requirement. Lopez Moreno was sanctioned and fined by the court.

7. U.S. State Department International Religious Freedom Report 2006 Cuba

March 2006

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[excerpt]

State security agents or their Communist militant proxies warned the wives of several political prisoners that they would be arrested if they joined other wives of political prisoners for Mass at Havana's Santa Rita Catholic Church. In March 2006 government-directed mobs physically prevented at least five such wives from traveling to Havana for the Mass, keeping them from leaving the cities of Puerto Padre, Sancti Spiritus, and Ciego de Avila; two of the five were removed from buses. At Santa Rita Church, state security officers sat near the spouses of political prisoners during Mass in an attempt to intimidate them."

8. New Government Regulations for Home Churches in Cuba Have Some Concerned

March 15, 2006

<http://www.christianpersecution.info/news/new-government-regulations-for-home-churches-in-cuba-have-some-concerned/>

Responding to the growth of evangelical Christianity in Cuba, Fidel Castro's government issued new measures regulating worship in home churches, or 'casas culto,' as the formerly illegal practice continues to spread.

Some Cuban pastors say the measures are similar to U.S. zoning regulations, designed to impose rules on fast-growing evangelical congregations, say Alexandra Alter and Frances Robles writing in the Miami Herald.

"If anything, it demonstrates the growth of churches in Cuba," said Pastor Elmer Lavastida of the Segunda Iglesia Bautista El Salvador in the eastern city of Santiago. "It's simply a movement with large proportions that has to be legalized."

But the measures worry other pastors and church activists, who see them as another way for the communist government -- officially atheist until 1992 -- to curb religious freedom.

Alter and Robles write that three 'casas culto' in central and eastern Cuba were closed by the government late last year for failing to meet the new regulations, according to the Evangelical Christian Humanitarian Outreach (Echo Cuba), a Miami organization that conducts humanitarian missions through churches in Cuba.

The two reporters say the Cuban Council of Churches, a coalition of 25 Protestant denominations, recently formed a committee to track the new rules' effects.

"The Cuban government is afraid the church can create a kind of social movement," said Omar López Montenegro, head of the Miami-based Cuban American National Foundation's committee for human rights.

Alter and Robles write: "Home churches have been part of Cuba's religious landscape for more than a decade. Many of them were established as the numbers of worshippers outgrew sanctuaries and moved into apartments and houses.

"The government requires all denominations to apply for permits to renovate sanctuaries or build new church structures. But religious leaders say the government rarely grants building permits.

"The Cuban government has at times interfered with home church worship. In 1995, officials announced a ban on religious meetings in private homes and closed 60 Protestant churches throughout the country. The same year, an Assemblies of God pastor in the eastern province of Camaguey was sentenced to 18 months in prison for refusing to close his casa culto.

The two reporters say that, for the most part, however, the government has tolerated Protestant and Catholic 'casas culto,' which were technically illegal until the Ministries of Justice, Finance and Foreign Trade passed the new regulations. The measures were announced in April and went into effect in September.

They write: "According to a Cuban government publication, Gaceta Oficial, new restrictions require home churches to register with the government, provide full financial audits, limit their number of services and receive permission to host foreign visitors and missionaries."

Cuba, an island of 11 million, has between 500,000 and two million Protestants, said Marcos Antonio Ramos, a professor at the Florida Center for Theological Studies and a Baptist minister.

Alter and Robles continue: "Pentecostals and other Protestant evangelicals make up the fastest growing group, and Cuban churches have scarcely been able to keep up. According to the evangelical publication Operation World, evangelical Christianity in Cuba is growing by about 6.5 percent per year. Yet the number of official Protestant church buildings has remained at around 1,000 -- roughly the same number that existed when Castro came to power in 1959.

"As a result, the faithful have spilled over into an estimated 15,000 to 20,000 home churches. (The Catholic Church also has casas culto, which they call missionary centers, but the vast majority of home churches are Protestant, Ramos said.)"

Igor Alonso, a pastor at the Flamingo Road Church in Doral who has been on 10 church missions to Cuba, said he once attended a Baptist service in the port town of Mariel in which 40 people squeezed into a one-bedroom apartment.

"It's typical for a church of 200 people to have 15 to 20 home churches," he said. "That's what they know as their church."

But the growth also has made the government nervous, the two reporters explain.

"The government is a bit thrown off by this phenomenon," said one church expert in Cuba who asked that his name be withheld for fear of government reprisals. "It's growing, and they don't know what to do with it."

Last month, Havana Pastor Carlos Lamelas was jailed after he was accused of helping people flee the island. Lamelas, a pastor with a Pentecostal denomination, had preached at several home churches and openly criticized the Cuban government for curbing religious freedom, according to the broadcast Christian World News.

Alter and Robles write: "Cuban pastors often turn to American church groups for funding, which often adds to the government's suspicion. Some denominations, such as the Jehovah's Witnesses, have been openly persecuted through expulsions and church closings; others, including Catholics and most Protestants, enjoyed an easing of restrictions for most of the 1990s."

They add: "U.S. evangelical aid workers say the Cuban government became even more wary of religious activity after the 2004 U.S. State Department's Commission for Assistance to a Free Cuba report, which encouraged U.S. churches to get involved in humanitarian relief work on the island to encourage a transition to democracy."

"There's suspicion that the United States is trying to create a church of transition to divide Cuba," said Teo Babún, a Miami Cuban American who is president of Echo Cuba. "They think people will attack the revolution through the churches."

Some Cuban pastors favor regulation, the reporters say.

"It's like in all parts of the world where there are laws," Niubes Georgina Pernes, a pastor in Holguín province, said by telephone. "The pastor has to have some level of prestige, not be some nut. As long as they are not counter-revolutionary, there's no problem."

9. U.S. State Department International Religious Freedom Report 2006 Cuba

January/February 2006

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[*excerpt*]

[U]nknown assailants repeatedly stoned the home of outspoken Santiago priest Jose Conrado Rodriguez Alegre. Rodriguez's church was robbed at least six times during the period covered by this report. One robbery cost the church its microphones and ventilator, and the police arrived to investigate at the start of Mass on Sunday morning. Police confiscated the vehicle Rodriguez used, and his dog was poisoned. Rodriguez, who has called attention to the country's human rights record, was watched closely by state security and received a citation to appear before government authorities.

10. U.S. State Department International Religious Freedom Report 2006 Cuba

2005/2006

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[excerpt]

At the end of the period covered by this report, human rights activist Rene Gomez Manzano, detained on July 22, 2005, had been held at three prisons and at all three was denied visits from Catholic priests. However, he was allowed to receive and read a Bible provided by a visiting family member.

11. Cuba: Pastor Acquitted, But Convicted on New Charge

December 26, 2006

<http://www.christianpersecution.info/news/cuba-pastor-acquitted-but-convicted-on-new-charge/>

A court in Havana has found the Rev. Carlos Lamelas not guilty of "trafficking in human beings" but convicted him on previously unannounced charges of falsification of documents.

Judges imposed a fine of 1,000 Cuban pesos (US\$45) on the evangelical pastor and former national president of the Church of God in Cuba for the new charges.

The Seventh Penal Court of the Provincial Peoples Tribunal evidently reached its verdict on December 13, although the four presiding judges did not inform Lamelas of their decision. Defense lawyer Pavel Quintano secured a photocopy of the unpublished decision and informed Lamelas by phone of the findings of the court.

"Even though this (sentence) is favorable, we are not satisfied," Lamelas said. The pastor has had no opportunity to respond officially to the new charges, which he said are a pretext for authorities to retain possession of confiscated computers, files and office equipment.

"If a crime of falsification truly had been committed, that would make me an accomplice to 'trafficking in humans,' and I would not have been acquitted," he said. "How can it be that I am innocent of the original crime, and nevertheless guilty of the one they later

invented?”

The new accusations involve an application filed for permission to leave Cuba by one Lázaro Leonardo Laza – the court document does not specify that this was the applicant’s real name.

The alleged traveler was said to have requested an exit visa to leave the country to attend a church conference in Guatemala. The court claimed that his real intention was to continue on through Mexico to the United States.

The tribunal claimed that Lamelas signed a letter certifying that Laza was an accredited worker of the Church of God “without making some kind of verification.”

On the advice of his defense counsel, Lamelas plans to appeal the court decision.

False Witness

A co-defendant in the trafficking case, evangelical pastor Joel Rojas of Holguín, was convicted of trying to help Laza flee the country and was sentenced to seven years in prison, according to the court document.

A guilty verdict on the charge of “human trafficking” – that is, helping Cubans to flee the repressive regime – could have resulted in a prison term of up to nine years for Lamelas, who is married with two daughters. In messages to friends outside Cuba, he expressed relief over his acquittal and thanked them for their support.

Jailed on February 20, the evangelical pastor spent more than four months in the Villa Marita Detention Center without charge until his unexpected release on June 26.

During his incarceration, authorities failed to present any evidence to support their accusations that Lamelas had received money to arrange for fellow Cubans to flee the country for the United States. Upon his release, they informed family members that “a change in procedure” had prompted them to grant the pastor “provisional liberty.”

Lamelas was summoned to appear before the Provincial Peoples Tribunal on December 4. He told friends that some “curious” events took place at the trial.

“The lawyer for the other defendant approached my wife and told her that I did not even have to be there, that no evidence whatsoever existed to incriminate me.”

The state prosecutor appointed to argue the case against Lamelas – and who sought the nine-year prison term – suddenly fell ill and could not appear at trial. The substitute prosecutor proceeded to recommend that all charges against Lamelas be dropped.

“While we were still in the court room, one of the witnesses came up to my wife to ask

her forgiveness for having testified against me earlier, which led to my arrest,” Lamelas said. “My wife accepted his apology.”

The witness then explained to Uramis Lamelas that state security officers had pressured him to testify against her husband. He later retracted his incriminating statement.

Lamelas was active in the house church movement on the Isle of Youth before moving to Havana in 2004 to assume presidency of the national board of the Church of God, based in Anderson, Indiana.

Sources in Cuba believe government officials have targeted Lamelas for harassment because they consider him a religious rights activist.

12. U.S. State Department International Religious Freedom Report 2006 Cuba

February 2006

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[excerpt]

[A]t Havana’s Combinado del Este prison, prison authorities broke up a prayer group of more than fifteen inmates without explanation. The incident was revealed in a note smuggled out of the prison. The Government continued to deny access to the country’s prisons to international groups focused on fundamental rights, including religious rights.

13. U.S. State Department International Religious Freedom Report 2006 Cuba

December 17, 2005

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[excerpt]

Guards at the Villa Clara Youth Prison in Santa Clara destroyed Santeria altars and other religious articles on December 17, 2005, the Day of Saint Lazarus, a date celebrated not only by those who practice Santeria but also by many Catholics. The altars, a throne, and other items crafted by inmates, among them Lester Gonzalez Penton, were kicked to pieces by the guards. At the same facility, guards forced prisoner Cosme Manuel Chamizo Moreno to take down an altar he had established for his own worship.

14. U.S. State Department International Religious Freedom Report 2006 Cuba

December 2005

<http://www.state.gov/g/drl/rls/irf/2006/71456.htm>

[excerpt]

[T]he Government reportedly gave the order for the destruction of a Protestant church in the eastern Havana community of Alamar. The congregation did not have government permission to build the church, allegedly used by hundreds of worshippers.

15. Cuba's Castro Resigns; Impact on Christian Prisoners Unknown Yet (UPDATE)

February 19, 2008

<http://www.christiansincrisis.net/content/view/1609/39/>

Cuba's ailing Fidel Castro, one of the world's longest serving leaders, officially resigned Tuesday, February 19, but it was not immediately clear what impact that decision would have on political and religious prisoners, including Christians, held across the Communist island.

In a letter published by the Website of official Communist Party paper, Granma, Castro said he would not return to the presidency, following his long illness. "I neither will aspire to, nor will I accept, the position of president of the council of state and commander in chief," he wrote in the letter.

Western reporters said the streets of the capital Havana were empty and news of Castro's retirement from politics had not reached Cubans yet by radio or the printed edition of Granma. Castro, who has not appeared in public for the last 19 months, handed over power "temporarily" to his brother, Raul, in July 2006 when he underwent intestinal surgery.

The 81-year-old has ruled Cuba since leading a communist revolution in 1959. He said in a letter in December already that he did not want to stay in power forever. Castro added that his duty is not to hold on to positions or block the path of younger people, but to share the experiences and ideas from his life.

BROTHER PRESIDENT

The National Assembly or legislature was expected to nominate his brother and designated successor Raul Castro, 76, as president. It was a major decision for Castro, who created the title "Comandante en Jefe" or commander-in-chief in 1958 as supreme leader of the guerrilla forces that swept down from the mountains of eastern Cuba to overthrow US-backed dictator Fulgencio Batista.

Analysts said Castro's retirement draws the curtain on a political career that spanned the Cold War and survived US enmity, CIA assassination attempts and the demise of Soviet Communism.

A charismatic leader famous for his long speeches delivered in his green military fatigues, Castro is admired in the Third World for standing up to the United States but considered by his opponents a tyrant who suppressed freedom. His illness and departure

from Cuba's helm have raised doubts about the future of the Western Hemisphere's only Communist state.

STILL SUPPORT

"Fortunately, our Revolution can still count on cadres from the old guard and others who were very young in the early stages of the process," Castro said in his statement. "They have the authority and the experience to guarantee the replacement," he said.

However rights groups and dissidents have long said they hope his resignation, or death, will lead to democratic changes and the release of at least hundreds of dissidents, including many Christians. In one of the most published developments, over 70 Christian and other activists were detained in a massive government crackdown in March 2003 on dissidents demanding more religious and political freedom.

Many were sentenced to long prison terms to charges that included "acts against the independence and the territorial integrity of the Cuban State". There have since been reports of torture and other abuse endured by prisoners. Castro has always denied human rights abuses and the existence of dissidents, saying most people detained were "mercenaries of the United States."