

Suggested recommendations for the UPR of Cuba

The situation of religious minorities in Cuba
The case of registered and non-registered Evangelical Churches

UPR 16th Session, Geneva, 1 May 2013

According to the Cuban national UPR report, *“all beliefs are respected in Cuba without discrimination and religious freedom is protected. The right of all citizens to full freedom of religion is guaranteed and promoted and, on this basis, the Government maintains and cultivates good relations with all creeds and religious institutions in the country.”*¹ This comment is in line with Cuba’s acceptance of recommendation 130.46 of the 2009 UPR review, on freedom of religion or belief.² The reports from our constituencies in Cuba however show a different picture.

Of the 11.2 million inhabitants, there is an impressive Christian Church growth in Cuba, particularly amongst the 1 million evangelical Christians. But the respect for freedom of religion or of these believers strongly depends on administrative registration procedures. According to the Special Rapporteur on freedom of religion or belief however,³ *“ The respect for freedom of religion or belief as a human right does not depend on administrative registration procedures, as it has the status of a human right, prior to and independent of any acts of State approval. States should furthermore offer appropriate options for religious or belief communities to achieve the status of legal personality, which may be needed to undertake important community functions relevant for the full enjoyment of freedom of religion or belief, which is a right of individuals to be exercised either alone or together with others. »*

Only the **28 registered religious denominations** of the Cuba Council of Churches – CCC (*Consejo de Iglesias de Cuba – CIC*) have relatively freedom but are under strong supervision of the Cuban authorities. They have to give total openness about their records, sermons, bookkeeping, etc. They are allowed to meet in approved houses, receive foreign visitors, import religious materials, and apply for international travel for religious purposes and have the possibility of broadcasting television programs.

Non registered churches however are considered as illegal and thus face more restrictions, particularly related to their growth and their resourcing. It is estimated that about 70% of Evangelical Christians belong to non-registered Churches. The Ministry of Justice has not accepted to register any new evangelical Church denomination since 1959. To register, these Churches would have to join the Cuban Council of Churches (CCC). Considering the high level of State scrutiny into existing registered Churches, many Churches prefer to stay independent.

Unregistered Churches are tolerated de facto, but hindered and restricted to grow. No new construction

¹ A/HRC/WG.6/16/CUB/1, S100

² Maintain its efforts to continue ensuring respect for freedom of religion and belief for all Cubans and maintain its policy of respect and tolerance for all religions without discrimination (Pakistan), including the right to choose one’s belief at one’s own discretion or not to profess any religion of any sort (Russian Federation; Azerbaijan) - A/HRC/11/22 para 130.46.

³ Annual report, A/HRC/19/6022, December 2011

of Church buildings has been authorized since 1959. Existing seminaries and church buildings may be used, but the property cannot be registered in the name of the Church. Unregistered churches are not allowed to rebuild their properties or to build new properties. This situation implies that Churches cannot rent places, organize larger celebrations and events. They thus often meet in private houses called “**House Churches**” (Casa Culto). House Churches are not allowed to be composed of more than 12 people.

Unregistered Churches face restrictions to organize events to share their faith, to import literature and to maintain contacts with foreigners and all mail is checked and censored. The Cuban government has systematically refused to give permission for the creation of evangelical Christian radio stations. The production of Bibles is controlled through fixed quota on printing and importation, leading to a real shortage of Bibles.

RECOMMENDATIONS:

- 1. To respect the freedom of religion or belief of all and to change the current system of registration of religious communities that entails inference into the internal affairs of communities;**
- 2. To have quick, transparent, fair, inclusive and non-discriminatory registration procedures for obtaining legal personality status ;**
- 3. To allow independent churches to register without the need of joining the Cuban Council of Churches (CCC) (Consejo de Iglesias de Cuba - CIC);**
- 4. Respect the right to issue and disseminate religious publications;**
- 5. Issue a standing invitation to all special procedures and positively respond to the Special rapporteur for freedom of religion or belief’s request to visit Cuba;**
- 6. Ratify the ICCPR and ICESCR which Cuba signed in 2008 and to ensure the full implementation of the protections included in the two conventions into Cuban law.**