



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

# COUNTRY UPDATE: CUBA

December 2022

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### USCIRF's Mission

*To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.*

## Religious Freedom Conditions in Cuba

*By Zack Udin, Research Analyst*

### Overview

This country update provides an overview of recent religious freedom conditions in Cuba. Throughout 2022, the Cuban government continued to tightly control religious activity, using many of the same repressive tactics as in previous years, such as surveillance, harassment of religious leaders and laypeople, forced exile, fines, and ill treatment of religious prisoners of conscience.

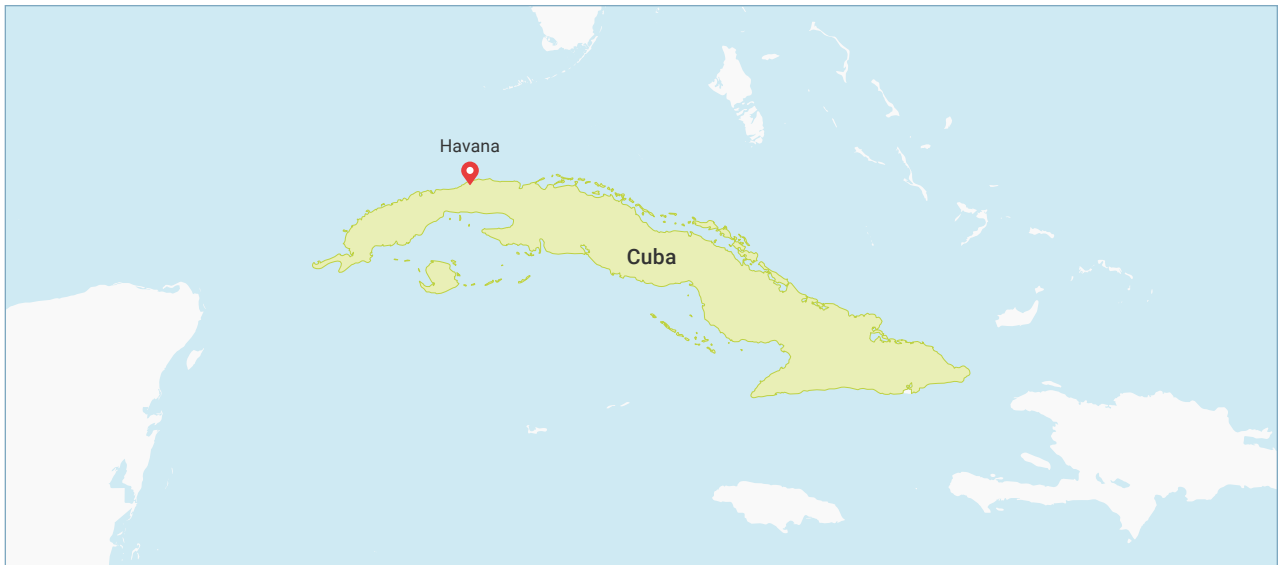
The state regulates and controls religious institutions through the Office of Religious Affairs (ORA) of the Central Committee of the Cuban Communist Party. The Law of Associations requires religious organizations to apply to the Ministry of Justice, where the ORA is housed, for registration. Unregistered religious groups are particularly vulnerable, as membership or association with an unregistered religious group is a crime. The ORA exercises direct and arbitrary control over the affairs of registered religious organizations, requiring permission for virtually any activity other than regular worship services. Religious leaders and groups that are unregistered or conduct unsanctioned religious activity faced relentless oppression from the ORA and state security forces throughout the year.

### Targeting Religious Leaders and Laypeople

#### Harassment and Detainment

The Cuban government regularly targets members of religious communities who refuse to abide by the strict regulations set out by the ORA. Authorities often threaten pastors with prison sentences on false charges, confiscation of property, and fines, while some are compelled to leave the country under duress.

On July 11, 2021, Cubans all over the country held unprecedented, large-scale “J11” [protests](#), initially in response to the deepening economic and COVID crises and eventually encompassing criticisms of the Cuban government’s rule and crackdown on human rights. The Cuban authorities responded by detaining, often violently, an [estimated](#) 700 demonstrators and activists. Those detained included several [religious leaders](#) and members of religious communities. Cuban authorities charged some of the detained individuals with [crimes](#) such as inciting unrest and disobedience and held mass “trials” that lacked any semblance of [due process](#). Some individuals faced criminal charges, including “disrespect” and “public disorder,” while others were placed



under [house arrest](#) or fined. Several religious leaders who participated in the protest remain in prison and are included in USCIRF's [Freedom of Religion or Belief Victims List](#) (FoRB Victims List), including Christian pastors and Santería practitioners. These leaders are from unregistered organizations and were previously targeted by the Cuban government before their participation in the protests.

In February authorities [detained](#) Reverend Yordanys Díaz Arteaga, the President of the Christian Reformed Church of Cuba, after an extensive search of his home and the confiscation of phones and computers belonging to his church. He was later interrogated and threatened with criminal charges at an unknown location and held incommunicado under effective house arrest. Christian Solidarity Worldwide (CSW) [reported](#) that Reverend Díaz Arteaga became a target of the government after his denomination withdrew from the regime-aligned Cuban Council of Churches. In March, three plainclothes policemen arbitrarily [detained](#) and interrogated Catholic priest Father Amed Acosta Hernández as he was traveling to his local parish. They questioned him about his association with the Dominican Order and his relationship with a fellow priest. He was released after several hours.

In April, evangelical couple Pastors Mario Jorge Travieso and Velmis Adriana Medina Mariño planned an April 29–30 prayer event called “Breaking the Chains” to focus on the wives and mothers of political prisoners. In the weeks preceding the event, the regime made repeated [threats](#) to Pastors Travieso and Medina Mariño and several members of their church who planned to participate. Authorities arbitrarily detained the pastors,

interrogated them for six hours, and threatened them with imprisonment if they did not cancel the event. Additionally, state security agents [called](#) Maridilegnis Carballo, wife of imprisoned pastor Reverend Lorenzo Rosales Fajardo, accusing her of organizing the prayer event and threatened her with imprisonment if she participated. The organizers canceled the event on April 26 due to the regime's various threats.

USCIRF has received numerous reports indicating that Cuban authorities detained and interrogated citizens who traveled or planned to travel to the United States in 2022. In March, state security agents summoned and interrogated Catholic layman Dagoberto Valdés and his son, Javier Valdés Delgado, following the elder Valdés's trip to the United States to participate in a Catholic conference organized by the think tank he leads, Centro de Estudios Convivencia. Also in that month, state security agents summoned and interrogated Mildrey Betancourt Rodríguez, a member of the Alliance of Non-Registered Churches, the day before she traveled to the United States to participate in church and ministry activities. They told her they knew of her travel plans and warned her to stop associating with people deemed to be working to subvert the Cuban government or she would not be allowed to enter the country upon her return.

In October, the Office of the Directorate of Identification, Immigration, and Foreigners of Cuba arbitrarily [barred](#) Imam Abu Duyanah, imam of the Cuban Association for the Dissemination of Islam, from traveling to Mecca for “reasons of public interest” without any specifications. The regime is also in the process of confiscating several Muslim houses of prayer established by Imam Duyanah.

## The Ladies in White

The *Ladies in White* (*Damas de Blanco*) is an organization of wives and relatives of dissidents imprisoned in 2003. Cuban authorities actively surveil and violently detain members of the Ladies in White and prevent them from attending religious services on Sunday.

The Cuban regime has aggressively targeted the leader of the movement, Berta Soler. In January, Soler and her husband Ángel Moya announced a campaign seeking the release of all political prisoners from the J11 protests. Subsequently, authorities again subjected Soler and Moya to *repeated* arbitrary detentions. These detentions often *included* interrogations at police stations and *fines*. Such offenses occurred on 15 consecutive Sundays between January and May. In September, Soler detailed that government agents parked a large container in front of her house, reportedly to *obscure* when authorities arrest her or her husband when they leave their home.

In September, the Inter-American Commission on Human Rights (IACHR) *issued* follow-up precautionary measures to its 2013 decision in favor of the Ladies in White, appealing to the Cuban government to maintain “necessary measures to protect the rights to life and personal integrity of the members of the Ladies in White.” The decision also *documents* numerous cases of harassment, detentions, and fines up to September 2022.

## Forced Exile

Threats and persecution by the government caused several religious leaders to leave Cuba in 2022. In February, Pastor Carlos Sebastián Hernández Armas, secretary general of the Baptist Convention of Western Cuba and pastor of the Ebenezer Baptist Church in Havana, *fled* the country with his two sons to escape government persecution after he spoke out against the regime’s suppression of civil and political rights. A few days later, Salvadorian immigration officials granted the trio entry into the country after they were threatened with deportation and *denied* access to a plane flying to Nicaragua. In May, the pastor and his sons *reunited* with his wife in the United States. In March, Pastor Enrique de Jesús Fundora Pérez of the Apostolic Movement fled the country to seek asylum in Switzerland after state security officials *threatened* him with up to 30 years in prison for “sedition” and “incitement to commit a crime.” He drew the ire of authorities when he gave monetary and spiritual aid to families of political prisoners from the July 11 protests. As of the release date of this report his asylum case is still pending.

Pastor Alain Toledano, a prominent Cuban religious leader of the unregistered Emmanuel Church of the Apostolic Ministry, has experienced severe harassment from the Cuban government for over 20 years. Cuban authorities *subjected* Toledano and his family to several arrests, interrogations, and threats over the years. In January, Pastor Toledano was traveling with his family when state security agents stopped and searched his car, and later asked him to get into their car to drive him to the local police station. The pastor refused and instead followed them in his car. After holding the family at the police station, police later released them. In June, the Cuban state security presented Toledano with an ultimatum: leave the country within 30 days or face imprisonment. The United States *granted* him and his family emergency parole in July.

In September, Father David Pantaleon, head of Cuba’s Jesuit Order and president of the Conference of Religious Men and Women in Cuba (CONCUR), had to leave the country after the government *refused to renew his residence permit*. During an interview in his native Dominican Republic, Father Pantaleon *reported* that the ORA cited his support for political prisoners and the Jesuits’ critical position towards the regime as the main reasons for his expulsion. In his five years in Cuba, Father Pantaleon was *known* for his critiques of the government, *solidarity* with the *San Isidro Movement*, and protesters detained during the J11 protests.

## Religious Prisoners of Conscience

Several religious leaders and laypeople are currently in prison for their participation in the J11 protests in 2021. Select cases are included in USCIRF’s FoRB Victims List, including Christian pastors and Santería practitioners.

*Pastor Lorenzo Rosales Fajardo* of the Monte de Sion Independent Church participated in the J11 protests and was detained that day. The government claims that Pastor Rosales Fajardo was involved in perpetrating a violent attack during the protest, despite *evidence* to the contrary. In the months since his detention, Pastor Rosales Fajardo endured beatings, degrading treatment by prison guards, and the denial of *familial contact*. The Cuban government tried him in December on charges of “disrespect,” “assault,” “criminal incitement,” and “public disorder” and sought to *impose* a 10-year sentence. Pastor Rosales Fajardo was told he would be sentenced in January 2022, but the process was repeatedly delayed until he was *sentenced* to eight years in prison in April. In May, the government notified the pastor’s family that his previously communicated sentence of eight years had been *reduced*

to seven years, with no additional explanation. In June, a court upheld his sentence. [According](#) to CSW, only the prosecution was allowed to provide evidence, which included testimony from at least 12 policemen.

Five select cases of Santería practitioners are included in the FoRB Victims List due to their participation in the widespread J11 protests. President of the Free Yorubas, Donaida Pérez Paseiro, and the community's vice president, Loreto Hernández García, were detained and charged with "public disorder," "disobedience," "spreading the epidemic," and "incitement," and eventually sentenced to eight years in prison. Others arrested around the same time include Elizabeth Cintra García, and twin sisters Lisdiani Rodríguez Isaac and Lisdani Rodríguez Isaac.

Donaida Pérez Paseiro and Loreto Hernández García have been repeatedly harassed by prison authorities because of their religious leadership role in an unregistered Santería community, the Free Yoruba Association of Cuba (*Asociación de Yorubas Libres de Cuba*, or "Free Yorubas"). Pérez Paseiro has experienced multiple medical emergencies while in prison and authorities have reportedly tried to force her to renounce her faith. Hernández García reportedly suffers from several health conditions, including asthma, hypertension, diabetes, and other cardiac issues that put his health at risk. Prison authorities have also reportedly tried to force him to renounce his faith.

In May 2022, Radio Televisión Martí [reported](#) that Hernández García's health has severely deteriorated in prison, as authorities fail to provide him food that takes into consideration his diabetes. He received medical treatment in a hospital, but state security [forced](#) him back into prison in June.

## Laws Impacting Religious Freedom

### Legal Background

Cuba is a one-party system under the ruling Cuban Communist Party, with no independent judiciary. A new [constitution](#) adopted in April 2019 [protects](#) the freedom of religion or belief and prohibits religious discrimination, but [provisions in the penal and administrative codes](#) [contravene](#) these protections, such as Decree-Law 35. A [timetable](#) was set to review and amend corresponding legislation to codify the constitutional changes, including the Law of Associations. However, this [process](#) has been [delayed](#), [resulting](#) in some constitutional rights existing

only on paper. In July, USCIRF released a report, [Constitutional Reform and Religious Freedom in Cuba](#), which analyzed the ways in which Cuba's newly approved constitution dilutes freedom of religion or belief guarantees compared with the previous constitution.

### Family Code Referendum

In September, Cubans [approved](#) a new Family Code in a referendum. Before the vote, observers noted that several of the 474 articles are [highly problematic](#) and "have the potential to violate the fundamental rights of all Cubans and would give the authorities another, and very effective, way of silencing independent or critical voices."

For example, [Article 191](#) allows for the removal of children from their homes if their parents fail to fulfill a list of criteria detailed in [Article 138](#), such as a love of the homeland, respect for its symbols, and respect for the authorities. Cuban authorities often use the alleged crime of "disrespect" against the regime as a context to detain and imprison citizens. Religious communities fear that the new family code could be used to take children away from parents whose religious activity or religious home education is seen as a threat to the Cuban regime.

CSW [documented](#) two cases of government authorities threatening parents with the removal of their children because of the parents' religious activity. Though these incidents occurred before the referendum passed, they illustrate the hardships parents face if their religious activity is seen as incongruent with regime dogma.

### Prosecution of Independent Journalists

The Cuban government frequently [targets](#) independent journalists who report on religious freedom by threatening criminal charges and fines, often under [Decree Law 370](#), and imposing travel restrictions. Decree Law 370 criminalizes the exercise of freedom of expression, information, communication, and independent press on the internet.

Cuban authorities have twice interrogated and fined young Catholic layman and journalist Adrián Martínez Cádiz this year. Martínez is active with his local Catholic community and recently began working with EWTN news as a correspondent. In October, police [summoned](#) and interrogated Martínez for an hour, and later fined him about \$125 (3,000 Cuban pesos) for violating Decree Law 370 based on posts he authored on social media. In November, he was again [summoned](#) by Cuban police for an interrogation at the police station.



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

USCIRF [previously highlighted](#) the plight of Yoe Suárez, an independent journalist the government regularly targeted for his reporting on religious freedom issues. Suárez faced arrests, confiscation of his property, fines, and two and a half years of travel restrictions. This ongoing harassment prompted the IACHR to [request](#) that the Cuban government protect the rights to life and personal integrity of Suárez and his family and allow him to “carry out his activities as an independent journalist without being subjected to acts of violence, intimidation, harassment and detention.” Suárez [moved](#) to the United States in September and now lives with his family.

### Conclusion

Religious freedom conditions in Cuba remained dire in 2022. While the government [professes](#) to value freedom of religion or belief, its actions indicate that its main objective is to control all aspects of religious expression. The government of Cuba exercises this extraconstitutional control over religious groups, arbitrarily limiting the exercise of FoRB without regard for constitutional guarantees. Religious communities and individuals who do not submit to government control face persistent acts of persecution from the ORA and security forces.

On December 5, 2022, the U.S. State Department for the first time [designated](#) Cuba as a “country of particular concern,” or CPC, for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom, as set forth by the International Religious Freedom Act. Cuba previously had been on the State Department’s Special Watch List since 2019.

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