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USCIRF Hearing: “Deteriorating Religious Freedom Conditions in Cuba”

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Mr. Chairman, Commissioners, thank you organizing this hearing on deteriorating religious freedom conditions in Cuba. Religious freedom is indeed under attack in Cuba, and I appreciate the commission shining a light on this reality, one that the Cuban regime frequently denies against all evidence to the contrary.

I especially want to commend you for recommending that the U.S. Department of State designate Cuba a “country of particular concern,” the category for the world’s worst violators of religious freedom. Cuba doesn’t get the headlines the way countries like China and Iran do, but it certainly has earned its place on this list. Thankfully the State Department has recognized this when it designated Cuba a CPC in November of last year.

It is an honor for me to appear before you as a witness and as President and CEO of Outreach Aid to the Americas, a faith-based organization dedicated to serving vulnerable people in the Americas. In Cuba, OAA focuses on humanitarian relief - including for individuals persecuted or imprisoned for their religious beliefs, support for defenders of religious freedom and other human rights, and other programs that advance the role of the faith community within Cuba’s repressed civil society. Being headquartered in Miami, OAA works closely with the Cuban diaspora community - including recently exiled activists - to expand awareness of on-island needs and current trends and tactics of repression, and to encourage the continued engagement of the Cubans in exile in on-island human rights advocacy and democracy building programs.

OAA is pleased to have assisted USCIRF with logistics for this hearing, including in identifying the venue at the American Museum of the Cuban Diaspora, an outstanding facility dedicated to showcasing and documenting the history, culture, and contributions of the Cuban exile community.

In Cuba, as in other countries whose populations suffer rule by predatory authoritarians, the downtrodden often find comfort and practical help through their faith. Despite the constant harassment by the regime, millions of Cubans regularly worship and receive spiritual guidance from their religious leaders – though often they must do so from the shadows.

Even as they suffer the systematic violation of their religious freedom and constant attempts at division by a hostile regime, Cuba’s faith communities have for many years been filling a crucial role within the island’s civil society – providing hope and spiritual support as well as social services to a beleaguered people deprived of liberty and material resources. Faith leaders,

moreover, have frequently stood and continue to stand at the front lines of human rights defense, promoting peaceful dialogue and advocating for non-violent change.

They do all this at great risk, however. As anyone who understands Cuba knows, the communist regime does not tolerate any criticism or challenge to its authority. As a Jewish leader said in a webinar that we hosted recently: “The communists tell you, 'You can believe in whatever you want, but you have to kneel in front of the dictatorship. You are going to believe, but I am going to put the limits on your belief.'”

To begin to understand the issue of religious freedom in Cuba, one must first know a little about the history of the Cuban communist regime’s treatment of religion on the island. Following the 1959 revolution, Cuba declared itself an atheist state under the constitution and severely persecuted churches and other religious actors, expelling many of them from the island.

In time, the communist government took a more pragmatic position on the “religion problem,” in part because it recognized that almost all Cubans professed religious faith. During Castro’s rule, Cuba was visited by three Roman Catholic pontiffs – more than any other Latin American country – and in 1992, the regime relaxed restrictions on religious communities and, under a new constitution, declared Cuba a “secular state.”

Despite the regime’s relaxing some of its restrictions, it has continued to systematically violate Cubans’ fundamental right to freedom of religion or belief. Indeed, the regime’s policy toward religion is one of repression and tight control. This is especially the case with regard to unregistered (the regime considers them “illegal”) religious groups, many of which are openly critical of the regime.

The Cuban constitution contains FoRB protections. Article 15 reads, “The State recognizes, respects, and guarantees religious freedom,” and according to article 57, “Every person has the right to profess or not profess religious beliefs, to change these and to practice his or her religion of preference, with due respect to the others and in conformity with the law.” This is in Cuba’s new constitution, approved by referendum in 2019. It is in fact weaker on religious freedom because it omits language protecting this right that had been in the last constitution, from 1992, such as the term “freedom of conscience.”

Cuba does not have a constitutionally based rule of law. In practice, the constitution is subordinate to a battery of administrative and legal codes and decrees used to violate FoRB and other fundamental rights under the cover of punishing crime and of upholding “revolutionary ideals.” In fact, the regime sees not only religious activists, but any religious leader who publicly criticizes it, as “counter-revolutionaries” who must be controlled and made an example of.

The primary vehicle of repression is the government’s Office of Religious Affairs (ORA), which is responsible for regulating religious activity on the island. ORA is part of the Central Committee of the ruling Communist Party, and it has authority on all matters related to religious groups, including their registration, travel outside the country, and building and construction permits. ORA applies rules in an arbitrary manner, showing favoritism to religious groups that are seen as

cooperative or supportive of the government, while harassing those that are critical of the regime and that insist on maintaining their organizational independence.

Other tactics used to repress religious groups are: harassment, threats and physical attacks on faith leaders and parishioners; confiscation of property; frequent police summons; defamation and accusations of illegal or immoral behavior; denial of rights of employment or education, including for family members; acts of repudiation; the use of “public opinion agents” to sow rumors; creation of enmity and division between faith groups; restrictions on free movement; and fabrication of alleged crimes followed by fines and detention. The authorities also used the COVID-19 pandemic as a pretext to infringe on FoRB rights.

OAA’s RECOMMENDATIONS TO THE U.S. GOVERNMENT

1. Maintain Cuba on the State Department's list of “countries of particular concern” unless religious freedom conditions improve.
2. Consider new sanctions on officials orchestrating FoRB repression. These sanctions include denial of visas for travel to the U.S., EU, and other destinations, and restrictions on international banking and investment. The U.S. Government may also urge other governments in the region and internationally to apply sanctions.
3. Fund programs that address the religious community's lack of knowledge. The U.S. Government should consider programs that increase the religious community's awareness of the specific tactics and repercussions of the state's crackdown on FoRB. The electronic survey indicated that religious leaders are not fully aware of some of the specific acts of repression against other churches and religious associations. Greater awareness of the challenges faced by other religious groups will increase the demand for interfaith unity around key issues.
4. Support better targeted and informed regional and international advocacy on FoRB-related issues in Cuba. Inherent in any comprehensive approach to monitoring and reporting on the human rights situation in Cuba is official and diplomatic engagement by the U.S. government and complementary investment in regional and international advocacy strategically targeted at key bilateral and multilateral stakeholders. This includes governments in Latin America, Canada, the United Kingdom and Europe, and Arab, Caribbean and West African countries, given the harsh treatment of Muslim and Yoruba communities in Cuba.
5. Provide support to the human rights advocacy training program for multi-faith stakeholders. These trainings are used in many countries where human rights are repressed. Advocacy training ensures that the stakeholder uses strategic approaches and employs prudent risk management to limit vulnerability to state repression.

6. Support initiatives that increase the capacity of NGOs to monitor human rights violations. The monitoring of human rights violations is a critical part of international advocacy and the formalization of cases brought against NGOs.