

JURISPRUDENCE AND LEGISLATION

Legal status of the right of religious freedom
in Cuba after the 2019 Constitutional reform

Situación jurídica del derecho a la libertad religiosa
en Cuba tras la reforma Constitucional de 2019

Teresa I. Flores ^{1 2}

How to cite:

Flores, T.I. (2024). Legal status of the right of religious freedom in Cuba after the 2019 Constitutional reform. *Derecho en Sociedad*, 18(2), PP. 257-271. DOI: 10.63058/des.v18i2.248

Submission received: 27 July 2024. Accepted: 10 August 2024.

1 Teresa I. Flores is a Peruvian lawyer, with experience in the research and study of religious freedom in the region and current director of the Observatory of Religious Freedom in Latin America. ORCID 0009-0001-6817-8062. Email: tfloresch@gmail.com.

2 This manuscript builds upon a publication that originally appeared in *Canopy Forum*, a digital platform from the Center for the Study of Law and Religion at Emory University: <https://canopyforum.org/2024/09/02/the-cuban-legal-framework-and-its-impact-on-religious-freedom/>.

Abstract

This article aims to provide a comprehensive examination of the legal status of religious freedom in Cuba, focusing on the 2019 constitution and related secondary laws. The goal is to evaluate the degree to which this fundamental right is protected within the Cuban legal system. The analysis covers various aspects of religious freedom, including how it interacts with and is influenced by other human rights. Although the right to religious freedom is formally acknowledged in the constitution, certain provisions place substantial restrictions on its exercise. These limitations are tied to adherence to communist principles and directives set by the Communist Party of Cuba, creating significant barriers to the full practice of religious freedom. This situation raises concerns about the Cuban government's compliance with its international human rights obligations. By exploring these legal constraints and their impact, the article highlights the discrepancies between constitutional promises and the practical realities faced by individuals seeking to exercise their religious freedoms in Cuba.

Keywords:

Cuba; Constitution; Communist party; Religious freedom; Legislation

Resumen

Este artículo pretende ofrecer un examen exhaustivo de la situación jurídica de la libertad religiosa en Cuba, centrándose en la Constitución de 2019 y las leyes secundarias relacionadas. El objetivo es evaluar el grado de protección de este derecho fundamental en el ordenamiento jurídico cubano. El análisis cubre varios aspectos de la libertad religiosa, incluyendo cómo interactúa con otros derechos humanos y cómo se ve influenciada por ellos. Aunque el derecho a la libertad religiosa está formalmente reconocido en la Constitución, ciertas disposiciones imponen restricciones sustanciales a su ejercicio. Estas limitaciones están vinculadas a la adhesión a los principios comunistas y a las directrices establecidas por el Partido Comunista de Cuba, lo que crea importantes barreras a la plena práctica de la libertad religiosa. Esta situación suscita preocupación sobre el cumplimiento por parte del gobierno cubano de sus obligaciones internacionales en materia de derechos humanos. Al explorar estas limitaciones legales y su impacto, el artículo pone de relieve las discrepancias entre las promesas constitucionales y las realidades prácticas a las que se enfrentan las personas que tratan de ejercer su libertad religiosa en Cuba.

Palabras clave:

Cuba; Constitución; Partido Comunista; Libertad religiosa; Legislación

1. Introduction

Cuba has been under Castroism's rule since 1959, initially led by Fidel and Raúl Castro and currently by the regime's successor, Miguel Díaz-Canel. Their governments have followed what was first established in the 1976 Constitution, that is, the socialist character of the Cuban Revolution. Not to mention this document was also the first socialist constitution in the Western Hemisphere.

While the Cuban Constitution has undergone different reforms over the years, this article will focus on the reform made in 2019. Although there were important changes regarding the economic design, the governance structure, the electoral design, and the procedure of the constitutional reform, among others; in this article, our focus will be on matters concerning human rights, especially how the reform has impacted the right to religious freedom, not only directly, but also through subordinate legislation.

In this article, we will explore the provisions of the 2019 Constitution of the Republic of Cuba regarding the right to religious freedom. Following this, we will identify the secondary laws and regulations that further govern aspects of religious freedom in alignment with the constitution. Finally, we will discuss how these regulations influence the full exercise of this right.

2. Regulation of the right to religious freedom in the current Cuban Constitution

The current Cuban constitution (hereinafter the Constitution) entered into force on April 10, 2019 (National Assembly of People's Power, 2024). It maintains a language that proclaims communism as the guiding column in Cuban society or as the only means by which the human being will attain his full dignity, while asserting the Cuban Communist Party (hereinafter CCP) as the sole legal political party³.

3 On June 2, 2018, the National Assembly of People's Power agreed to initiate the process of Constitutional Reform and created a Commission composed of 33 deputies to prepare the preliminary draft of the new Constitution of the Republic of Cuba. On July 22, 2018, the first version of the draft of the new Constitution was analyzed, and it was agreed to submit it to Popular Consultation, which was held between August 13 and November 15, 2018. In December 2018, the contents of the Constitution were approved and submitted to Popular Referendum. The Referendum was held on February 24, 2019, and 6, 816 169 citizens voted affirmatively, representing 78.30% of the total number of people entitled to vote. Finally, the Magna Carta entered into force on April 10, 2019. National Assembly of People's Power, 2024.

Regarding the right to religious freedom, article 15 recognizes, respects and guarantees religious freedom and declares that the Cuban state is secular, maintaining the separation between church and state. Similarly, states that different beliefs and religions enjoy equal consideration, and in article 42, it establishes that no person should be discriminated against because of his or her religious beliefs.

However, other constitutional provisions represent a limit to the various freedoms that are part of the right to religious freedom. For instance, according to article 54, conscientious objection cannot be invoked to avoid compliance with the law. In this sense, compulsory military service in Cuba as stated in article 220 cannot be evaded by virtue of conscientious objection. With respect to the rights of assembly, demonstration and association, indispensable rights for religious communities to interact and organize among themselves to express, promote, seek and defend collectively their religious beliefs, article 56 states that said rights will be recognized by the state if they are exercised with respect for public order and in compliance with the precepts established by law.

Although article 73 states that society and families are responsible for education, article 84 stipulates that mothers and fathers have essential responsibilities and functions in the education and integral formation of the new generations in moral, ethical and civic values that are in correspondence with life in a socialist society. What this means in practice is that all educative efforts given or required by parents or guardians, if any, must be aligned with the social communist principles that inspire the constitutional order.

In this sense, as long the Constitution place the communist principles and the CCP as the fundamental pillars and guarantors of the political, economic and social order of the country (as stated in the preamble), every dimension of life in society - including the religious one - will have to be structured in the context of that “superior ruling force”.

In view of the above, we can affirm that the constitutional text conflicts with the right of religious freedom as established in Article 3 of the American Declaration of the Rights and Duties of Man, article 12 of the American Convention on Human Rights (hereinafter ACHR)⁴,

⁴ Even though Cuba has not signed the American Convention on Human Rights, because it has signed the American Declaration and the OAS Charter, it must comply with certain human rights obligations. In addition, in the view of the IACHR, since Cuba participated in the OAS Meeting of Consultation of Ministers of Foreign Affairs and approved the OAS Charter, the instrument that created the IACHR, such action legitimizes, under the protection of international and inter-American Law the legitimacy of the pronouncements of regional bodies, the issuance by the IACHR of general or thematic reports on the human rights situation in Cuba, as well as the treatment of this issue in the reports that this body prepares each year to be presented to the OAS General Assembly.

article 18 of the Universal Declaration of Human Rights (hereinafter UDHR) and Article 18 of the International Covenant on Civil and Political Rights (hereinafter ICCPR)⁵.

According to these documents, the right to religious freedom has both an internal and an external dimension. In its internal subjective dimension, religious freedom supposes every person's capacity to self-determine according to one's convictions and beliefs or religious faith. It has to do with a space of self-determination of the religious phenomenon, consisting of believing, not believing, changing, or abandoning religious beliefs. These religious conceptions of individuals cannot be subject to control, sanction, prohibition, or restriction if they remain in the plane of pure intellectual adherence.

In its external dimension, religious freedom involves the freedom to practice religion in all its manifestations, individual or collective, public, and private, with freedom for teaching, worship, observance, and change of religion. Article 6 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief states that the right to freedom of thought, conscience, religion or belief encompasses multiple freedoms, and a whole range of activities that constitute manifestations or expressions of the religious phenomenon, among them to found and maintain places of worship, to found and maintain charitable or humanitarian institutions, to write, publish and disseminate publications related to religious doctrine, to teach religion or convictions in places suitable for such purposes, to solicit and receive voluntary financial and other contributions from private individuals and institutions, etc. (General Assembly, 1981). In this context, given that the external manifestation implies social action in coherence with the religious conception of a person or a group, it can be subject to legal regulation and, therefore, can be rightly protected or widely limited by both state and non-state actors.

In this sense, as we will explain below, the 2019 constitutional reform, far from expanding the spectrum of protection of the right to religious freedom, has limited it further.

5 Cuba signed the UDHR in 1948 and although in 2008 the government signed the ICCPR, it did not ratify the document (ratification is the international act by which a State indicates its consent to be bound by a treaty), nor did it accept the individual communications procedure regarding its optional protocol.

3. Other legal provisions that regulate the right to religious freedom and intersecting rights

Below we will briefly present the secondary or subordinate laws that regulate different dimensions of the right to religious freedom in the country:

3.1 Freedom to manifest one's religion or beliefs, individually or collectively, both in public and in private, and the right to write, publish, and disseminate publications relevant to religion or beliefs

The manifestation of beliefs individually or collectively, both in public and in private, covers opinions, as well as the dissemination and propagation of ideas of a religious nature. It also protects beliefs of a political nature, since it is a derivation of religious freedom to promote social and political doctrines that are linked to the theological vision supported by a religious community. In this sense, the State's prohibition of religious ministers from carrying out political propaganda or criticizing laws, the Government, or public officials is incompatible with religious freedom (Interamerican Commission of Human Rights, 1983). The same could be applied to the right to write, publish, and disseminate publications relevant to religion or beliefs to the extent that such writings or publications refer not only to doctrinal contents but also to political doctrines inspired by each person's set of religious beliefs.

However, in Cuba, the legal framework enables the restriction of the use of any means of communication that can be used to disseminate faith-based beliefs, ideas, or opinions, if they are not in conformity with the socialist State. Article 501 of the *Social Communication Law* establishes that the projection and development of the Social Communication System strengthen the political and ideological foundations following the principles enshrined in the Constitution, that is, the communist principles. In this sense, and following article 13.1, the contents shared in physical or digital public spaces may in no case be used to subvert the constitutional order and destabilize the socialist State of Law and social justice or sustain the communicational aggression that is being developed against the country, defaming, slandering or insulting persons, agencies and entities of the State, political, mass, and social organizations of the country (Social Communication Law, 2023).

Articles 120, 272 and 274.1 of the reformed *Penal Code*, which provides that anyone who exercises his freedoms but thereby endangers the constitutional order and the normal functioning of the State and the Cuban Government is liable to lose his freedom. Likewise, it

criminalized the exercise of religious freedom whenever the profession or practice of religion is opposed to the objectives of education, to the duty to work, to defend the Homeland, to respect its symbols, or to any other duty established by the Constitution (Penal Code, 2022). In other words, it attempts to condition the broad scope of the content of the right to religious freedom to the guidelines of the CCP. Article 185 also criminalizes and punishes with imprisonment any writing or gesture made against the Government or its authorities, as it could be considered a threat, slander, libel, defamation, insult, or offense.

For its part, article 3 of the *law of Telecommunications, Information, and Communication Technologies, and the use of the Radio Spectrum* emphasizes that the use of telecommunications services must be an instrument for the defense of the Revolution and in no case may they undermine national security and defense, or the internal order. Additionally, in Annex II of the law it is determined that the dissemination of false news, offensive messages, defamation with an impact on the prestige of the country, and the dissemination of contents that attempts against constitutional precepts or incite mobilizations or other acts that alter public order, are typified as cybersecurity incidents with a high level of danger (Decree-Law No. 35, 2021). Also, article 70 of the law *on the Computerization of the Society in Cuba* determines that disseminating, through public data transmission networks, information contrary to the social interest can be punished with fines, confiscation of the equipment, suspension or cancellation of the license, or closure of the facilities (Law on the Computerization of the Society in Cuba, 2018).

In this context, any manifestation or expression critical of the party or the Government made by religious leaders, in their messages, homilies, communiqués, and those transmitted through networks, is considered contrary to the interests of society or national security and defense, and therefore criminalized.

On the other hand, the freedom to manifest one's religion beliefs collectively also presupposes the right of assembly and association. However, article 274.1 of the Penal Code states that the promoters, organizers, or directors of an association not authorized to be established, as well as its associates or affiliates, and whoever, knowing their illegality, participates in meetings or demonstrations may be imprisoned. That is, in all cases in which members of a religious community of an unregistered religious association decide to meet, they incur the crime of illicit associations, meetings, or demonstrations. The illegality increases even more so when such a gathering is perceived by authorities as a risk of a demonstration against the

Government, though it may be a peaceful demonstration. The participation or support of demonstrators by religious leaders in marches for the protection and guarantee of human rights is also criminalized.

3.2 The right to establish religious and educational centers and establish and maintain places for worship related to religion or belief or humanitarian institutions

In the public sphere, religious freedom encompasses respect for the norms of each religious tradition, that is, respect for autonomy, with the consequent expectation of non-interference in the internal functioning of each religious organization or group to fulfill its central mission. Since religious communities exist in organized structures, safeguarding associative life against unjustified interference by the State or other non-state actors is essential (European Court of Human Rights, 2014). However, there is an important legislative gap regarding the associative life of religious communities. The current *Association Law* excludes the regulation of ecclesiastical or religious associations. It indicates that those that already exist will retain their current legal status until a new law regulates their operation. Nonetheless, to date, this law has not been developed. The Association Law also establish that the Ministry of Justice will be the office that will address legal issues related to ecclesiastical or religious institutions and those based on the religious creed of their members (Association Law, 1985). In practice, the Ministry of Justice registers religious denominations as associations on a similar basis to how it officially registers civil society organizations. The application process requires religious groups to identify the location of their activities, their proposed leadership, and their funding sources, among other requirements (U.S. Department of State, 2023). But not just the registry. The procedure for constructing places of worship is excessively bureaucratic, not to mention that approval depends on compliance with ideological requirements. This scenario has led many religious groups to operate illegally, which means facing sanctions. According to some religious leaders, worship services are held in private homes in communities where temples do not exist (Instituto Patmos, 2023). According to articles 274.1 and 275.1 of the Penal Code, such meetings, especially with unregistered or unauthorized groups, are considered illegal and are criminalized.

Other way in which this central mission is externalized is through religious educational centers or organizations. Hence, prohibiting or hindering in any way religious communities from establishing educational centers or teaching courses even if they have political or ideological implications constitute the restriction of education as a means of disseminating

religious beliefs (European Court of Human Rights, 2014). In the country, at the time of nationalizing education back in 1961, many private schools, especially those run by Catholic religious orders, directors and teachers were considered as actively carrying out counterrevolutionary propaganda to the detriment of the intellectual, moral, and political education of the children and adolescents in their charge (Law on the general and free nationalization of education, 1961). For this reason, all educational centers and their assets were awarded to the Cuban Government, a situation that continues to this date.

It is imperative to respect the religious identity of religious communities, groups, or faith-based organizations and enable and maximize by all possible means their ability to serve the common good according to their principles. Thus, the impediment by any means, of activities of social assistance to people in need, also constitutes a violation of the right to religious freedom (Interamerican Commission of Human Rights, 1981).

Obstacles to the registration of these organizations also entail limitations to obtaining the necessary permits to carry out their activities or not being eligible for funding, contributions, or donations at both the national and international levels. Even for organizations with registration, the impediments or excessive bureaucracy required for the development of their purposes represent a burden that, if not duly justified, violate this dimension of the right to religious freedom.

In Cuba, article 143 of the Penal Code establishes that anyone who receives or has in their possession funds, material, or financial resources to defray activities against the Cuban State and its constitutional order shall be punished by imprisonment. Previously, with the *Law Against Terror Acts*, the Government had also established in article 25.1 that anyone who by any means, directly or indirectly, collects, provides, or has in their possession funds or financial or material resources to be used in whole or in part in the commission of crimes considered as terrorist, i.e., that endanger the security and internal order of the country, shall be punished by imprisonment (Law Against Terror Acts, 2001). This criminalization of the receipt of funds further limits the activities of faith-based organizations, especially if their representatives or members are perceived or known critics of the regime.

Even more so, the *Law of Expropriation for Reasons of Public Utility or Social Interest* establishes that for purposes of expropriation, the securing of internal order or the interest of guaranteeing national defense and security and others expressly declared by the Council of Ministers are of public utility or social interest (Law of Expropriation for Reasons of Public

Utility or Social Interest, 2023). This implies that the authorities may occupy the real estate or land when required by the internal order or the due guarantee of national defense and security. The *Criminal Procedure Law* also states that concerning the entry and search in public places, the police, the instructor of the criminal procedure, or the prosecutor may decree the entry and search by day or night in all public buildings and places when there are indications that merit it. For entry and search in a temple or other place of religious worship, it is sufficient to notify the person in charge of the place (Criminal Procedure Law, 2021). In other words, even registered and authorized places of worship do not have the legal security to continue operating without interference because, according to the regulations, the criteria for expropriating or breaking into them are ambiguous and largely arbitrary.

3.3 The right to conscientious objection

The right to conscientious objection derives from freedom of conscience. Faced with a situation in which freedom of conscience is compromised by a legal obligation imposed against one's convictions, a person has the right to act under conscience. In other words, this right can be understood as the freedom we have not to engage in conducts or actions contrary to our most intimate personal convictions and beliefs. We can consider not only religious but also ethical or moral motivations to assert this right (Navarro, R., Martínez, J, et al., 2022). The United Nations Human Rights Committee considers that this right may derive from Article 18 of the ICCPR, insofar as the obligation to use deadly force may seriously conflict with freedom of conscience and the right to manifest and express religious or other beliefs (United Nations, 2012, p. 11).

In the Cuban case, this right is recognized but with severe limitations and is not applicable for military service. Article 220 of the Constitution states that one of the duties of Cuban citizens is to provide military and social service following the Law. Article 68 of the *Code of Children and Youth* also establishes that Children and young people prepare for the defense of the Homeland through patriotic-military education, acquiring military knowledge, pre-recruit courses, and incorporating young people into Active Military Service (Code of Children and Youth, 1978).

As mentioned in the previous section, according to the Constitution, conscientious objection cannot be invoked to evade compliance with the Law or prevent another from complying with it or exercising their rights. Hence, if the right to conscientious objection cannot

be used to evade a law whose content conflicts with one's beliefs, said right is, in practice, inoperative. In the same spirit, articles 29.1, 30.1, 41.1 and 44 of the *Military Criminal Code* sets that anyone receiving an order from a superior related to the service or military discipline and expressly refuses to comply with it, or anyone to evade military service definitively, may be punishable with imprisonment (Ministry of Justice, 2023).

But, beyond military service, the right to conscientious objection also implies immunity from coercion, according to which no person may be forced to act contrary to his or her religious beliefs, even if he or she is legally obliged to act in a certain way (Constitutional Court of Peru., 2011, considering 15). The same right could also be invoked in other fields. Even the ideological conditions imposed in practice for access to university or scholarships, access to public and private employment, etc., violate this right.

3.4 The right of parents to have their children receive religious and moral education following their convictions

Different regional and universal documents recognize that parents have a prior right to choose the kind of education that shall be given to their children and to promote their moral development of their children. In this sense, states should respect the freedom of parents and, where appropriate, legal guardians to guarantee that children receive the required religious and moral education according to their convictions. This approach is an acknowledgment that the genuine recognition of, and respect for, diversity and the dynamics of cultural traditions, identities, and religious convictions are essential to achieve social cohesion (Parliamentary Assembly, 2017).

Nevertheless, the current Constitution establishes that education is a function of the State; this provision is an echo of what was already considered in the *Law for the General and Free Nationalization of Education*, that is, as a non-delegable and non-transferable duty of the Revolutionary State (Law on the general and free nationalization of education, 1961).

The Constitution stipulates that mothers and fathers have essential responsibilities and functions in the education and integral formation of the new generations if they correspond with the socialist society. In the same order, article 138 of the *Family Code* reads that the parental co-responsibility of mothers and fathers concerning their minor children includes ensuring their attendance at the educational center where they are enrolled, instilling in them the love of the Homeland and respect for the rules of social coexistence, among others (Family

Code, 2022). In other words, homeschooling is illegal. Furthermore, article 191 states that authorities may deprive parents of parental responsibility when they seriously or repeatedly fail to comply with the duties listed in article 138.

Hence, under the Cuban landscape, neither parents nor legal guardians have the right to choose different or independent schools for their children, as these do not exist and are not permitted in Cuba. Education is the exclusive prerogative of the State, given that it has formalized this monopoly. In general, educational, and moral teaching is given by the State and not by parents, at least in the schools, contrary to parents' right to choose their children's religious education (Interamerican Commission of Human Rights, 1983).

4. Conclusion

Despite the constitutional reform and general changes in the power structure, the communist leadership remains in power, as the single-party model has not changed. In this scenario, in terms of human rights, the constitutional reform does not represent significant progress in guaranteeing and promoting them. On the contrary, it does little to expand the civil and political rights of its citizens.

Even when the Cuban government repeatedly and categorically assures that the right to religious freedom is respected in the country (it is enough to review the government's responses to the communications sent by different special rapporteurs of the United Nations regarding the situation of religious leaders and members of religious associations and groups), the review of both the constitution and the revised norms is sufficient to identify that the exercise of the right to religious freedom and intersecting rights is totally conditioned to the guidelines of socialist life and the interests of the single party.

In this scenario, the right to religious freedom continues to be seriously limited. The 2019 Constitution has had a direct impact on the exercise of the right to religious freedom and has also caused both the old and the new legislation as well as its intersecting rights (such as the right of assembly, association, objection of conscience, freedom of expression, education, etc.), to be modified, applied and interpreted in accordance with the revolutionary program that inspired the constitution. This openly contradicts what is established in different instruments for the protection of human rights at the inter-American and international level, of which, with nuances, Cuba is still a part.

5. Bibliography

American Convention on Human Rights (1969).

Constitution of the Republic of Cuba (2019). <http://www.cubadebate.cu/noticias/2019/04/09/descargue-la-constitucion-de-la-republica-de-cuba-pdf/>

Constitutional Court of Peru. (2011). Exp. No. 06111-2009-PA/TC. <https://img.lpderecho.pe/wp-content/uploads/2022/04/Expediente-06111-2009-AA-LPDerecho.pdf>

European Court of Human Rights. (2024). *Fernández Martínez v. Spain*. <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22002-9564%22%5D%7D>

European Parliament. (2021). Resolution of the European Parliament on human rights and the political situation in Cuba. https://www.europarl.europa.eu/doceo/document/TA-9-2021-0292_ES.html

General Assembly. (1981). Resolution 36/55, Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>

Inter-American Commission on Human Rights. (1978). *Report on the Situation of Human Rights in Nicaragua*. https://www.cidh.org/countryrep/Nicaragua78eng/intro.htm#_ftnref2

Inter-American Commission on Human Rights. (1981). *Report on the Situation of Human Rights in the Republic of Guatemala*, Chapter VI: Freedom of Conscience and Religion. <https://www.cidh.org/countryrep/Guatemala81sp/Cap.6.htm>

Inter-American Commission on Human Rights. (1983). *Seventh Report: The Situation of Human Rights in Cuba*, Chapter VII: Right to Freedom of Religion and Worship. <https://cidh.oas.org/countryrep/Cuba83sp/capitulo7.htm>

International Covenant on Civil and Political Rights (1966).

Law against terror acts of 2001. <https://www.granma.cu/granmad/secciones/verdad/a019.htm>

Law No. 143 of Criminal Proceedings (2021). https://www.gacetaoficial.gob.cu/sites/default/files/goc-2021-o140_0.pdf

Law No. 156 of the Family Code (2022). <https://www.mined.gob.cu/wp-content/uploads/2022/08/goc-2022-o87.pdf>

Law No. 159 on Expropriation for Reasons of Public Utility or Social Interest (2022). https://www.gacetaoficial.gob.cu/sites/default/files/goc-2023-o46_0.pdf

Law No. 16 of the Children and Youth Code (1978). <http://juriscuba.com/wp-content/uploads/2016/07/Ley-No.-016-C%C3%B3digo-de-la-Ni%C3%B1ez-y-la-Juventud.pdf>

Law No. 162 of Social Communication (2023). <https://www.trabajadores.cu/20240605/publica-la-gaceta-oficial-ley-de-comunicacion-social/>

Law No. 35 on Telecommunications, Information and Communication Technologies, and the Use of the Radio Spectrum (2021). <http://media.cubadebate.cu/wp-content/uploads/2021/08/goc-2021-o92-comprimido.pdf>

Law No. 370 on the Computerization of Society in Cuba. https://www.mincom.gob.cu/sites/default/files/marcoregulatorio/dl_370-18_informatizacion_sociedad.pdf

Law No. 54 of Cuban Associations (1985). <https://instituciones.sld.cu/socientificas/ley-de-asociaciones-ley-5485/>

Law No. 151 of the Penal Code (2022). https://www.parlamentocubano.gob.cu/sites/default/files/documento/2022-09/goc-2022-o93_0.pdf

Law on the General and Free Nationalization of Education (1961). https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/ley_de_nacionalizacion_de_la_educacion.pdf

Ministry of Justice. (2023). Agreements. <https://www.gacetaoficial.gob.cu/sites/default/files/goc-2023-o75.pdf>

- National Assembly of People's Power. (2024). 2019 Constitution. <https://www.parlamento-cubano.gob.cu/node/1125>
- Navarro, F. (2015). *Libertad religiosa y de conciencia en Cuba: una aproximación*. <https://repositorio.uca.edu.ar/bitstream/123456789/5533/1/libertad-religiosa-conciencia-cuba.pdf>
- Navarro, R., Martínez, J., et al. (2022). *Eutanasia y objeción de conciencia*. Editorial Palabra.
- Parliamentary Assembly. (2017). Resolution 2163, The Protection of the Rights of Parents and Children Belonging to Religious Minorities. <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23719&lang=en>
- Patmos Institute. (2023). *Annual Report 2022 of the Patmos Institute on Religious Freedoms in Cuba*. <https://institutopatmos.wordpress.com/2023/04/24/reporte-anual-2022-del-foropatmos-sobre-libertades-religiosas-en-cuba-2022-annual-report-of-the-patmos-institute-on-religious-freedoms-in-cuba/>
- U.S. Department of State. (2023). Report on International Religious Freedom: Cuba. <https://www.state.gov/reports/2022-report-on-international-religious-freedom/cuba/#:~:text=According%20to%20Outreach%20Aid%20to,detentions%2C%20and%20acts%20of%20repudiation.>
- United Nations. (2012). Conscientious Objection to Military Service. https://www.ohchr.org/sites/default/files/Documents/Publications/ConscientiousObjection_en.pdf
- Universal Declaration of Human Rights (1948).
- Valdivia, T. (2016). La dimensión colectiva del derecho a la libertad religiosa, comentario a la sentencia del caso “Burwell Secretary of Health and Human Services, et al. v. Hobby Lobby Stores, Inc.”, de la Corte Suprema Norteamericana desde la perspectiva de los derechos humanos. *Prudentia Iuris* 81. <https://repositorio.uca.edu.ar/bitstream/123456789/2976/1/dimension-colectiva-derecho-libertad.pdf>