

COLOMBIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion and the right to profess one's religious beliefs. It prohibits discrimination based on religion. The Ministry of Interior (MOI) is responsible for legally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, among other responsibilities. Christian groups said laws granting indigenous groups legal autonomy, including the right to prevent proselytization on indigenous reserves, led to discrimination as well as arrests, forced displacement, and forced conversion. In May Christian groups held protests and public prayers outside of Cartagena City Hall following a ban on prayer at the start of public government activities. The Mennonite Association for Justice, Peace and Nonviolent Action (Justapaz), a nongovernmental organization (NGO) that monitors human rights and religious freedom regardless of religious affiliation, reported an increase in requests for conscientious objector status. Justapaz said the military had been increasingly responsive in creating internal committees to respond to these requests, but had not been able to do so within the mandated 15 days.

NGOs reported that in some areas of the country, illegal armed groups threatened leaders and members of religious organizations and such actions disrupted the activities of religious groups working on behalf of vulnerable populations. A Christian group stated that the killing of a pastor by an illegal armed group suggested the act was religiously motivated as it took place inside his church.

The Attorney General's Office reported no confirmed religiously motivated killings, compared to six the previous year. The Jewish community reported continued comments promoting anti-Semitism on some social media sites. During the year, religious groups conducted a range of programs focused on religious tolerance, indigenous land rights, peace, and reconciliation, particularly with former guerilla combatants.

U.S. embassy officials discussed issues of religious freedom, including conscientious objection to military service and the effect of illegal armed actors on religious practice, with the government and civil society. In July the U.S. Special Envoy to Monitor and Combat Anti-Semitism met with Jewish leaders and religious group representatives in Bogota to discuss their concerns about anti-Semitism and the Jewish community's relationship with other religious

communities. U.S. embassy officials met with the Ministry of Foreign Affairs, the Attorney General's Office, and the MOI, as well as with representatives from a wide range of religious groups, including the Jewish community, Catholics, evangelicals, Baptists, and Mennonites, to discuss issues related to eliminating institutionalized discrimination and promoting freedom of religion and of association, conscientious objection, peace, and tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 47.2 million (July 2016 estimate). The Catholic Church estimates 75 percent of the population is Catholic but notes the government has never taken a precise census. According to a November 2014 study by the Pew Research Center, 79 percent of the population is Catholic, 13 percent Protestant, and 6 percent atheist and agnostic. Groups that together constitute less than 5 percent of the population include nondenominational worshipers or members of other religious groups, including Jews, Muslims, Jehovah's Witnesses, Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints (Mormons), and Mennonites. The Colombian Confederation of Jewish Communities estimates there are approximately 4,200 Jews in the country. There is also a small population of adherents to animism and various syncretistic beliefs.

Some religious groups are concentrated in certain geographical regions. Most of those who blend Catholicism with elements of African animism are African Colombians and reside on the Pacific coast. Most Jews reside in major cities, most Muslims on the Caribbean coast, and most adherents of indigenous animistic religions in remote rural areas. A small Taoist community is located in a mountainous region of Santander Department.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion and the right to profess one's religious beliefs. It prohibits discrimination based on religion. There is no official state church or religion, but the law says the state "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment." The constitution states all religions and churches are equal before the law. A 1998 Constitutional Court ruling upheld the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices on indigenous reserves.

More recent rulings have referred to the 1998 decision to reaffirm the right of indigenous governors to prohibit the practice of certain religions on indigenous reserves. A concordat between the Holy See and the government, made into law, recognizes marriages performed by the Catholic Church, allows the Church to provide chaplaincy services, and prohibits members of the clergy from being compelled into public service, including military service. The law prohibits any official government reference to a religious characterization of the country.

The MOI is responsible for legally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, as well as keeping a public registry of religious entities. Entities legally recognized by the MOI can then confer legal recognition, called “extended public recognition,” to affiliated groups sharing the same beliefs. The application process requires submission of a formal request and basic organizational information, including copies of an act of constitution and an estimation of the number of members, to obtain legal recognition. The government considers a religious group’s total membership, its degree of acceptance within society, and other factors, such as the organization’s statutes and its required behavioral norms, when deciding whether to grant the religious group legal recognition. The MOI is authorized to reject requests that are incomplete or do not fully comply with established requirements. The MOI provides a free web-based registration process for religious and faith-based organizations seeking recognition. Legally recognized entities may collect funds and receive donations, establish religious education institutions, and perform religious services not including marriages. Unregistered entities may still perform religious activities without penalty, but may not collect funds or receive donations.

The state recognizes as legally binding religious marriages performed by the Catholic Church, the Jewish community, and the 13 religious groups that are signatories to the 1997 public law agreement. This agreement enables non-Catholic religious groups to engage in a number of activities previously restricted to the Catholic Church, such as marriages, funeral services, and spiritual assistance in prisons, hospitals, military facilities, and educational institutions. Under this agreement members of religious groups that are neither signatories to the agreement nor affiliates must marry in a civil ceremony for the state to recognize the marriage. Non-Catholic religious groups seeking to provide chaplaincy services and conduct state-recognized marriages must also solicit formal state recognition from the MOI.

The constitution recognizes the right of parents to choose the education their child receives, including religious instruction. No religious component exists in the public school curriculum. Religious groups, including those that have not acceded to the public law agreement, may establish their own schools, provided they comply with Ministry of Education requirements. A Constitutional Court ruling obligates schools to implement alternative accommodations for students based on their religion, which could include students at religious institutions opting out of prayers or religious lessons.

The law imposes a penalty of one to three years in prison and a fine of approximately 5.3 million to eight million Colombian pesos (COP) (\$1,770 to \$2,670) for violations, including discrimination based on religion. The penal code also contains a chapter prohibiting discrimination, including on the basis of religious beliefs.

A Constitutional Court ruling states citizens, including members of indigenous communities, may be exempt from compulsory military service if they can demonstrate a serious and permanent commitment to religious principles that prohibit the use of force. Conscientious objectors who are exempt from military service are required to complete alternative, government-selected public service.

Foreign missionaries must possess a special visa, valid for up to two years. The Ministry of Foreign Affairs issues visas to foreign missionaries and religious group administrators who are members of religious organizations legally recognized and registered with the MOI. Foreign missionaries must have a certificate from either the MOI or church authorities confirming their religious group is registered with the ministry when they apply for the visa. Alternatively, they may produce a certificate issued by a registered religious group confirming the applicant's membership and mission in the country. The visa application also requires a letter issued by a legal representative of the religious group stating the organization accepts full financial responsibility for the expenses of the applicant and family, including funds for return to their country of origin or last country of residence. Applicants must explain the purpose of the proposed sojourn and provide proof of economic means. A Constitutional Court ruling stipulates that no group may force religious conversion on members of indigenous communities.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The MOI reported it received 574 applications for legal recognition of religious entities, approved 311, and archived 17 due to failure to complete the required documentation during the year. The MOI continued to review the remaining applications, some of which awaited additional information to be supplied by applicants. The MOI said almost all of the applications were from evangelical Christian churches; the remaining were from Orthodox or Anglican churches. Applicants who submitted incomplete applications or incorrect supporting documents were given 30 days to bring their applications into compliance. If an application was deemed incomplete, the MOI could deny the application; however, the applying organization was able to resubmit an application at any time. There was no waiting period to reapply. The MOI reported it only rejected applications because they were determined to be incomplete.

Christian Solidarity Worldwide (CSW) reported that, in some communities, traditional authorities used the 1998 decision allowing traditional leaders to enforce the observation of and participation in traditional religious beliefs on indigenous reserves as justification for forced church closures, threats of violence, threats of forced displacement, and the use of corporal punishment on individuals who refused to reconvert to traditional belief systems. When CSW representatives met with members of indigenous groups, one group in Huila expressed concern that the situation was tense on their reserve as one large group of Nasa Christians was at risk for forced displacement.

The Traditional Episcopal Church and International Ministerial Church of Jesus Christ filed petitions to accede to the 1997 public law agreement enabling religious groups to provide chaplaincy services and perform marriages. The petitions remained pending at year's end.

A May 10 administrative court ruling discontinued prayer at the start of plenary sessions of the District Council in Cartagena, as well as in public schools and other public activities. The decision overturned an article of a 2014 District Council agreement, which ordered prayer at the beginning of daily local government functions. More than 1,000 Christians held a protest in front of Cartagena City Hall, performing public prayers and picketing.

According to religious groups, individuals continued to have difficulty obtaining exemptions from military service on religious grounds. Justapaz reported an increase in requests for conscientious objector status. It said the military had been increasingly responsive in creating internal committees to respond to these requests but had been unable to do so within the mandated 15 days.

According to a CSW report, the army detained a member of the Mennonite Church travelling by bus in January and asked him to provide identity documents. He was forced to board an army truck when he could not provide papers proving prior military service, even though he told the army that he was a conscientious objector and a religious studies student. Although he had previously voluntarily presented himself to the military base to declare his conscientious objector status, he was informed that he had broken the law for not defining his military situation and was declared fit for service. He was allowed to leave only after proving that he was a student, but had no resolution of his conscientious objector status, leaving him vulnerable to future arbitrary detention and recruitment. The Association of Conscientious Objectors of Colombia (ACOOOC) said indigenous peoples were often unaware of their rights to object on religious grounds because of language differences.

An article added to the National Development Plan in May 2015 required the MOI to develop a public policy on freedom of religion. The MOI was called upon to work with religious groups to develop a policy to guarantee freedom of religion and equal treatment among religious groups. The MOI worked during the year to collect data from religious organizations throughout the country that would allow it to develop informed policy, and said it expected to release a report of its findings and a final public policy in 2017. In addition, the MOI worked to provide extra security for religious sites under threat.

President Juan Manuel Santos declared July 4 as the National Day of Religious Freedom, to be observed each year. The president signed the declaration in the presence of 110 religious leaders as well as representatives from national and international religious organizations.

Abuses by Rebel or Foreign Forces and Nonstate Actors

There were reports that guerrillas, illegal armed groups, and organized crime groups threatened leaders and members of religious groups and targeted them for extortion. According to Global Ministries, Pastor Oscar Leonardo Rodriguez Ariza was killed while inside his Baptist church in Bucaramanga on June 22. While the motives and perpetrators of this killing were unknown, Global Ministries stated the location suggested it was motivated by the pastor's religious beliefs.

Pentecostal leaders reported the Church had to close 18 congregations in four departments because of threats and forced displacement from illegal armed actors.

Protestant leaders continued to state that isolation and fear of retribution in rural communities led to underreporting of clergy assault, harassment, and killings. Some religious leaders said they chose not to report cases formally to law enforcement or seek government security assistance because of fear of retribution by illegal armed groups. Global Ministries reported that one pastor was afraid to report threats from illegal armed groups because the Attorney General's Office had been unresponsive regarding prior threats.

Justapaz continued to report threats from criminal groups and forced displacement of clergy and parishioners of the Baptist Church, Presbyterian Church, Anglican Church, Mennonite Church, and House on the Rock Church. Global Ministries reported threats, forced displacement, and arbitrary detentions by illegal armed groups against members of the Catholic Church, Anglican Church, and Baptist Church in Santander and Antioquia. As of late November, the Human Rights and International Humanitarian Law Directorate of the Attorney General's Office reported 17 open investigations of religious leaders threatened, harassed, or harmed as a result of their religious affiliations, compared to 11 open cases at the end of 2015. In addition, the Attorney General's Office reported two open investigations into the killing of religious leaders allegedly targeted due to their religious affiliations.

The NGO Witness for Peace reported guerillas and illegal armed groups threatened, displaced, or attacked religious leaders for promoting human rights, assisting internally displaced persons, assisting with land restitution claims, and discouraging coca cultivation. Religious groups, including Justapaz and Global Ministries, reported armed groups further restricted religious freedom by limiting freedom of movement and preventing people from attending religious services.

Section III. Status of Societal Respect for Religious Freedom

The Attorney General's Office reported no religiously motivated killings, compared with six in 2015.

Bogota's Israelite Center reported instances of anti-Israel rhetoric that emerged around events in the Middle East and were accompanied by anti-Semitic graffiti near synagogues, as well as demonstrations in front of the Israeli Embassy that were sometimes accompanied by anti-Semitic comments on social media. In February vandals hurled rocks at a mosque in Bogota, breaking several windows. The government subsequently provided extra security for religious sites.

A number of faith-based and interfaith NGOs promoted religious freedom and tolerance through their programs and community engagements. ACOOC, Justapaz, Pastoral Social, and the Colombian Confederation of Jewish Communities advocated for conscientious objectors, regardless of their religious affiliation. The groups reported they were working together to document cases of religious intolerance and violence resulting from the armed conflict with the Revolutionary Armed Forces of Colombia (FARC), with the stated purpose of truth and reconciliation. They also participated in interfaith dialogues that encouraged religious tolerance.

Section IV. U.S. Government Policy

U.S. embassy officials discussed issues of religious freedom, including conscientious objection to military service and the effect of guerrilla and illegal armed groups on religious freedom, with the Ministry of Foreign Affairs, the Attorney General's Office, and the MOI. In July, the U.S. Special Envoy to Monitor and Combat Anti-Semitism met with Jewish leaders and representatives from other religious groups in Bogota to discuss their concerns about anti-Semitism and the Jewish community's relationship with other religious communities. The Special Envoy also met with national religious and civic leaders, including MOI Acting Vice Minister Pedro Posada, who said anti-Semitism in the country was usually linked to the Israeli-Palestinian conflict and manifested itself through political discourse as opposed to systemic discrimination. The Ambassador in May discussed discrimination against the Jewish community with representatives of Global Jewish Advocacy and the Colombian Confederation of Jewish Communities.

Embassy representatives maintained regular communication with representatives of the Catholic Church, Justapaz, Witness for Peace, and faith-based NGO Pastoral Social to discuss the effect of ongoing internal conflicts on religious practice. Given the presence of illegal armed actors in many parts of the country, religious leaders and faith-based NGOs reported in meetings with embassy officials that they continued to focus much of their efforts on ensuring the safety of their communities as they sought to practice their faith. Embassy representatives discussed religious freedom issues during an embassy-hosted working group session attended by government representatives, civil society, and religious leaders that emphasized the importance of continued interfaith dialogue and coordination with government partners as the country worked toward finalizing and implementing its peace accord with the FARC.