

COLOMBIA 2017 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 formally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, among other responsibilities. The MOI established in June the National Table of the Religious Sector, which, along with corresponding entities at the regional level, offers religious organizations direct participation in policy formulation related to religious freedom. The Mennonite Association for Justice, Peace, and Nonviolent Action (Justapaz), a nongovernmental organization (NGO) monitoring human rights and religious freedom regardless of religious affiliation, expressed concern over a new law requiring interagency commissions to evaluate requests for conscientious objector status. Justapaz representatives said that because of the disproportionate staffing of these commissions by members of the armed forces, the commissions were not independent and impartial.

NGOs continued to report that in many areas of the country, illegal armed groups threatened leaders and members of religious organizations. The Episcopal Conference of Colombia (ECC) stated that on July 27, unknown assailants killed Father Diomer Eliver Chavarria Perez in the Santa Rosa de Osos diocese in Antioquia Department. On October 3, unknown attackers robbed and killed Father Abelardo Antonio Munoz Sanchez in Rionegro. The Jewish community reported continued comments promoting anti-Semitism on some social media sites, including aggressive actions by Boycott, Divestment, Sanctions (BDS) Colombia, an anti-Israel protest movement. During the year, the Catholic Church, Mennonite Church, and other religious groups continued to conduct programs focused on religious tolerance, land rights, peace, and reconciliation, including a series of talks in Bogota in October and November with former guerrilla combatants.

U.S. embassy officials raised issues of religious freedom, including conscientious objection to military service and the effect of illegal armed actors on religious practice, with government officials. Embassy officials met with the Human Rights Directorate of the Ministry of Foreign Affairs (MFA), the International Affairs Directorate of the Attorney General's Office, and the Religious Affairs Directorate of the MOI. Embassy officials also met with representatives from a wide range of religious groups, including the Jewish and Muslim communities, Catholics, and evangelical Protestants, Baptists, and Mennonites. In these meetings, embassy

officials discussed issues related to eliminating institutionalized discrimination and the importance of promoting freedom of religion and association, conscientious objection, peace, and tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 47.6 million (July 2017 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 2014 study by the Pew Research Center (the most recent), 79 percent of the population is Catholic, 13 percent Protestant, and 6 percent atheist or 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 (CJCC) estimates there are approximately 4,200 Jews. 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. Recent rulings 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 Catholic clergy from compulsory public service, including military service. A court ruling determined these provisions were constitutional so long as they apply to all religious groups. The law prohibits any official government reference to a religious affiliation for the country.

The MOI is responsible for formally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, as well as keeping a public registry of religious entities. Entities formally recognized by the MOI can then confer this 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 formal 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 formal 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. Formally 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 13 additional non-Catholic Christian denominations 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. The law states religious education shall be offered in accordance with laws protecting religious freedom, and it identifies

the Ministry of Education as responsible for establishing guidelines for teaching religion within 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 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 government does not provide subsidies for private schools run by religious organizations.

The law imposes a penalty of one to three years in prison and a fine of 7.4 million to 11 million Colombian pesos (\$2,500 to \$3,700) for violations of religious freedoms, including discrimination based on religion. The penal code also prohibits discrimination based on religious beliefs, including physical or moral harm.

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. A law passed in August reinforces protections for conscientious objectors and expands options for compulsory military service exemptions by removing the prior distinction between times of war and peace. It also requires that regional interagency commissions (Interdisciplinary Commissions on Conscientious Objection, or ICCOs), under the Ministry of Defense, evaluate requests for conscientious objector status; commission members include representatives from the armed forces, the Inspector General's Office, and medical, psychological, and legal experts. According to the new law, the National Commission of Conscientious Objection reviews any cases not resolved at the regional level.

Foreign missionaries must possess a special visa, valid for up to two years. The MFA issues visas to foreign missionaries and religious group administrators who are members of religious organizations officially recognized and registered with the MOI. When they apply for a visa, foreign missionaries must have a certificate from either the MOI or church authorities confirming registration of their religious group with the MFA. 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

Justapaz said there were two cases of arbitrary arrest related to military service targeting members of evangelical Christian churches. The army detained a high school student and member of the Foursquare Church on January 26 for what the army said was the student's failure to complete compulsory military service in Tolima Department's municipality of Honda. The student, who said he objected to military service because of his religious beliefs, was in detention for eight days and then released. On May 4, the army detained a displaced victim and member of the United Pentecostal Church of Colombia in Bogota and informed him he would be required to complete compulsory military service. The Inspector General's Office interceded on the man's behalf, securing his release after six hours in detention.

The ECC objected to the Ministry of Education's mention of sexual orientation and gender identity in an antidiscrimination campaign in public schools, as well as the government's decision to omit the Te Deum liturgical service from the July 20 independence celebration. The ECC perceived these actions as "ignoring the religious dimension of the individual" and infringing upon one's right to express in public one's religious beliefs.

The MOI reported it received 1,243 applications for formal recognition of religious entities, approved 581, and archived 95 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 from applicants. The MOI said the majority of applications were from evangelical Christian churches. The MOI gave applicants who submitted incomplete applications or incorrect supporting documents 30 days to bring their applications into compliance. If the MOI deemed an application incomplete, it 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 rejected applications only if they were determined to be incomplete.

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; however, the government proposed interim agreements to allow the two groups to perform marriages and provide chaplaincy services.

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, likely due to increased outreach and the August law's inclusion of conscientious objector status as a valid exemption from compulsory military service. The National Army Reserve Recruitment and Control Command stated it had received 140 requests for recognition of conscientious objector status. Of those, it approved 86 by the end of the year. Justapaz stated that the ICCOs interagency commissions established by the August law to evaluate requests for conscientious objector status were staffed disproportionately by members of the armed forces, which it said ran counter to a 1998 UN resolution requiring that independent and impartial bodies evaluate objection requests to protect the rights to freedom of worship and of consciousness.

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 2014-18 National Development Plan required the MOI to develop new guidelines on freedom of religion. Specifically, the new article mandated the MOI work with religious groups to develop policies to guarantee freedom of religion and equal treatment among religious groups. The MOI issued a resolution in June guaranteeing religious groups' participation in the formulation and implementation of this policy through the creation of the National Table of the Religious Sector and corresponding entities at the regional level. The final version, which entered into force on December 12, focused on the promotion of religious rights and the social and institutional inclusion of the country's religious plurality. It also emphasized the importance of reducing social, cultural, and institutional factors that fuel intolerance, exclusion, and persecution; guaranteed conditions of equality among the various religions and denominations; and proposed implementing strategies to create and strengthen peace initiatives and social projects with religious entities.

The Colombian National Police, through the Protection and Special Services Directorate, continued to provide security for religious sites under threat. Some religious groups filed reports of threats with the police; however, they said they had not received updates related to follow-up investigations or charges.

In accordance with a declaration signed by President Juan Manuel Santos in 2016, the country again observed July 4 as the National Day of Religious Freedom. In connection with the observance, the MOI and regional governments held various forums and presentational events to educate the public on the significance of the holiday and build bridges with religious organizations.

Abuses by Rebel or Foreign Forces and Nonstate Actors

On July 27, the ECC reported the killing of 31-year-old Father Diomer Eliver Chavarria Perez, “in the exercise of his mission” in the Santa Rosa de Osos diocese in Antioquia Department. According to the ECC, unknown assailants killed Father Chavarria during the night in his home. In a separate incident, unknown attackers robbed and killed Father Abelardo Antonio Munoz Sanchez, 41, in Rionegro on October 3.

As in past years, there were media and NGO reports that guerrillas, illegal armed groups, and organized crime groups threatened leaders and members of religious groups and targeted them for extortion. A recent study by the Bogota mayor’s office and National University of Colombia, which investigated cases of intolerance, discrimination, and religious persecution against religious leaders in the capital, showed that 13 percent of respondents had received threats of violence, kidnapping, or extortion due to their religious beliefs.

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. Justapaz continued to report threats from criminal groups and forced displacements of clergy and parishioners of the 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 evangelical Christian churches in Santander and Antioquia. According to Global Ministries, suspected National Liberation Army guerrillas forced a pastor of an independent Christian church

along with his family out of their community in El Bagre, Antioquia, following threats of violence on February 28. The motive behind this displacement was unknown.

The NGO Witness for Peace continued to report guerrillas 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 continued to restrict religious freedom by limiting freedom of movement and preventing individuals from attending religious services.

Section III. Status of Societal Respect for Religious Freedom

The Bogota mayor's office and National University of Colombia's study showed that, among those surveyed, 13 percent had received threats of violence, kidnapping, or extortion due to their religious beliefs.

The CJCC continued to report instances of anti-Israel rhetoric connected to events in the Middle East, 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 particular, the CJCC expressed concern over the presence of BDS Colombia, which it said aggressively promotes the boycott of Israeli products, culture, and travel, and does not actively counter the conflation of anti-Israel policies with anti-Semitic rhetoric.

A number of faith-based and interfaith NGOs continued to promote religious freedom and tolerance through their programs and community engagement. On October 30, the Episcopal Conference of Latin America, Latin American Jewish Congress, Latin American Council of Churches, and the Islamic Organization for Latin America and the Caribbean signed the Cordoba Declaration, which promotes religious coexistence and pluralism in the region. ACOOC, Justapaz, Pastoral Social, and the CJCC advocated for new cases of conscientious objectors, regardless of their religious affiliation.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials discussed conscientious objection to military service and the effect of guerrilla and illegal armed groups on religious freedom with the MFA, the Attorney General's Office, and the MOI.

Embassy representatives continued to meet with representatives from the Catholic Church, Justapaz, Witness for Peace, the CJCC, the Muslim Charity Association, faith-based NGO Pastoral Social, and others to discuss religious freedoms in the post accord period. 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 their efforts on ensuring the safety of their communities and assisting community members – many of them displaced persons or victims of the conflict – with victim registration and restitution. Embassy representatives discussed religious freedom issues during an annual 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. Among the results of the working group were the establishment of a direct line of communication between NGOs and religious organizations and the Attorney General’s Office to report religiously motivated crimes, and discussions between the MOI and Attorney General’s Office to convene a technical working group to monitor religious freedom issues.