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Colombia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Terrorist organizations, especially the Revolutionary Armed Forces of Colombia (FARC), killed, kidnapped, and extorted religious leaders and practitioners, inhibiting free religious expression. Terrorist organizations generally targeted religious leaders and practitioners for political rather than religious reasons. The National Liberation Army continued to threaten members of religious organizations but generally adhered to its agreement to cease killing religious leaders. New illegal armed groups, which included some former paramilitary members, including the Aguilas Negras (Black Eagles) also targeted representatives and members of religious organizations.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Some indigenous leaders reportedly were intolerant of nonsyncretic forms of worship.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 439,735 square miles and a population of 45 million. The government does not keep statistics on religious affiliation, and estimates from religious leaders varied. A large percentage of the population is Catholic, although not all are practicing, with varying estimates on the exact percentage. According to the Colombian Evangelical Council (CEDECOL), approximately 15 percent of the population is Protestant, while the Catholic Bishops' Conference

estimates that 90 percent of the population is Catholic. A 2007 article in the daily newspaper *El Tiempo* claimed that 80 percent of the population is Catholic, although not all are practicing; 13.5 percent of the population belongs to non-Catholic Christian groups; 2 percent is agnostic; and the remaining 4.5 percent belongs to other religious groups, such as Islam and Judaism. Other membership estimates include Seventh-day Adventists, 261,000; Anglicans and Presbyterians, 50,000 each; Mennonites, 4,000; Methodists, 5,350; other Protestants and evangelicals, five million; The Church of Jesus Christ of Latter-day Saints (Mormons), 150,000; Muslims, 10,000; and Jews, 5,000. Practitioners of animism and various syncretic beliefs are also present.

Some religious groups tended to be concentrated in certain geographical regions. For example, most practitioners of syncretic beliefs that blend Catholicism with elements of African animism are Afro-Colombian residents of the Chocó Department on the Pacific coast. Jews reside in major cities, Muslims on the Caribbean coast, and adherents of indigenous animistic religions in remote, rural areas. A small Taoist commune exists in a mountainous region of Santander Department.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections. The constitution specifically prohibits discrimination based on religion.

The constitution states that there is no official church or religion but adds that the state "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment." Some interpret this statement to mean that the state unofficially sanctions a privileged position for Catholicism, which was the official religion until the adoption of the 1991 Constitution. A 1973 concordat between the Vatican and the government remains in effect, although some of its articles are unenforceable because of constitutional provisions on freedom of religion. A 1994 Constitutional Court decision declared unconstitutional any official government reference to a religious characterization of the country.

The government extends two different kinds of recognition to religious organizations: recognition as a legal entity (*personeria juridica*) and special public recognition as a religious entity. Although the application process is often lengthy, the Ministry of Interior and Justice (MOIJ) readily grants the former recognition; the only legal requirements are submission of a formal request and basic organizational information. In addition any foreign religious group that wishes to establish a presence must document official recognition by authorities in its home country. The MOIJ may reject requests that do not comply fully with established requirements or that violate fundamental constitutional rights. Some non-Catholic religious leaders complained that their applications were unnecessarily delayed and that their petitions for recognition as legal entities were denied for trivial reasons. They stated that for this reason some non-Catholic religious groups chose not to apply for legal recognition and instead operated as nongovernmental organizations (NGOs) or as informal religious entities.

During the year the MOIJ approved 708 applications for special public recognition as a religious entity (for a total of 1,650 entities); an estimated 90 percent of the approvals were for evangelical churches. According to the MOIJ, 636 applications failed to meet constitutionally established requirements and thus were not approved. In cases in which individual churches or schools affiliated with a nationally registered church applied separately for special public recognition, the government granted 80 organizations affiliate or associate status, but the MOIJ denied 33 applications for failure to meet statutory requirements. Although the MOIJ has statutory authority over recognizing religious entities, there is no government agency

to monitor or enforce laws governing religious freedom. In 2009 the MOIJ created the Interfaith Advisory Committee on Religious Affairs to study and make recommendations on religious affairs. Those responsible for religious affairs at the MOIJ work closely with representatives of religious institutions throughout the country.

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Accession to a 1997 public law agreement between the state and non-Catholic religious groups is required for such organizations to minister to their adherents in public institutions such as hospitals or prisons, provide chaplaincy services and religious instruction in public schools, and perform marriages recognized by the state. When deciding whether to grant accession to the 1997 agreement, the government considers a religious group's total membership; its degree of acceptance within society; and other relevant factors, such as the organization's statutes and its required behavioral norms. No non-Christian religious group was a signatory to the 1997 public law agreement. Some prominent non-Christian religious groups, such as the Jewish community, chose not to accede to the 1997 public law, declaring that the agreement was designed for Protestant groups. Many churches that are signatories reported that some local authorities failed to comply with the accord.

The Ministry of Foreign Relations issues visas to foreign missionaries and religious group administrators who have received special public recognition. Foreign missionaries are required to possess a special visa, valid for up to two years. Applicants must have a certificate from the MOIJ confirming that their religious group is registered with the ministry or a certificate issued by the Catholic archdiocese. Alternatively, they may produce a certificate issued by the religious organization confirming the applicant's membership and mission in the country, as well as a letter issued by a legal representative of the religious organization stating that the organization accepts full financial responsibility for the expenses of the applicant and his family, including return to their country of origin or last country of residence. In both cases, applicants must explain the purpose of the proposed sojourn and provide proof of economic means. The government generally permits missionaries to proselytize among the indigenous population, provided that the indigenous group welcomes proselytism and visitors do not induce members of indigenous communities to adopt changes that endanger their survival on traditional lands. The Supreme Court stipulated that no group may force religious conversion on members of indigenous communities.

The constitution recognizes the right of parents to choose the type of education their children receive, including religious instruction. It also states that no student shall be forced to receive religious education in public schools. Religious groups that have not acceded to the public law agreement may establish their own schools, provided they comply with Ministry of Education requirements. For example, the Jewish community operates its own schools. The Catholic Church has an agreement with the government to provide education in rural areas that have no state-operated schools. These schools are tax-exempt. Leaders of non-Catholic religious groups claimed that local authorities in many municipalities did not grant their schools the same tax-exempt status Catholic schools enjoyed.

The government observes the following religious holidays as national holidays: Epiphany, Saint Joseph Day, Palm Sunday, Holy Thursday, Good Friday, Easter, the Ascension, Corpus Christi, Sacred Heart Day, Saints Peter and Paul Day, the Feast of the Assumption, All Saints' Day, the Immaculate Conception, and Christmas.

Restrictions on Religious Freedom

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

Although the 1991 constitution mandates separation of church and state, the Catholic Church retains a privileged status. Accession to the 1997 public law agreement is required for non-Catholic groups to minister to military personnel, public hospital patients, and prisoners, and to provide religious instruction in public schools. Muslim and Protestant leaders claimed difficulties in acquiring military chaplain positions and gaining access to prisoners.

The state recognizes as legally binding only those religious marriages celebrated by the Catholic Church and the 13 non-Catholic religious organizations that are signatories to the 1997 public law agreement, as well as religious groups with an associate status. Members of religious groups that are neither signatories to the agreement nor associates must marry in a civil ceremony for the state to recognize the marriage. Some signatories to the agreement complained of discrimination at the local level, such as municipal authorities' refusal to recognize marriages the groups performed.

All legally recognized churches, seminaries, monasteries, and convents are exempt from national and local taxes and customs duties; however, CEDECOL claimed that this was not respected in practice, and municipal governments required some non-Catholic religious groups to pay property and other local taxes on their places of worship and schools. The treasury department reportedly required non-Catholic places of worship to pay a 4 percent tax on all tithes, offerings, and charitable contributions. According to CEDECOL, non-Catholic missionaries and religious leaders also must pay a 17 percent tax on all financial assistance received from abroad.

In 2006 the Bogotá municipal government passed a city planning ordinance that restricted the number of churches in residential areas and imposed stringent building codes on church facilities. The city granted congregations until 2015 to implement fire safety, disabled access, and other security standards. CEDECOL indicated that the ordinance was a positive step and did not show favoritism toward the Catholic Church, and that Catholic churches are usually older and are exempt from some of the standards due to their historical and architectural status.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Religious leaders and practitioners were the targets of threats and kidnappings by guerrilla groups, former United Defense Forces of Columbia (AUC) members that refused to demobilize, and illegal armed groups, generally for political or economic rather than religious reasons. These groups were responsible for the majority of such attacks and threats, killing, kidnapping, extorting, and inhibiting free religious expression. In general the motive for crimes against religious leaders was not their religious beliefs, but rather their human rights work, advocacy on behalf of the displaced or other vulnerable groups, and involvement in helping vulnerable groups with their land claims.

The Human Rights Unit of the Prosecutor General's Office continued to investigate the killings in past years of 14 members of the clergy believed to have been targeted because they were outspoken critics of terrorist organizations. While the government reported no killings of religious leaders during the year, the Catholic Church reported the murders of three priests: Father Román de Jesús Zapata in Urabá (Antioquia), Father Carlos Gonzalez in Villamaría (Caldas), and Father Herminio Calero in Soacha (Cudinamarca). The Presidential Program for Human Rights reported that nearly all killings of priests by terrorist groups in previous years could be attributed to leftist guerrillas, particularly the FARC. Catholic and Protestant church leaders noted that killings of religious leaders in rural communities were generally underreported because of the communities' isolation and fear of retribution. Religious leaders generally chose not to seek government protection because of their pacifist beliefs and fear of retribution from terrorist groups. Two priests received threats, including Catholic priest Javier Giraldo, spiritual leader of the San José de Apartadó (Antioquia) "peace" community, who continued to receive death threats for his human rights defenders work, his community involvement, and his efforts to bring military personnel to justice for human rights violations. Three priests were subjected to physical violence.

A human rights organization affiliated with the Mennonite church, Justicia, Paz y Acción Noviolenta (Justapaz), and CEDECOL claimed that guerrillas and new illegal armed groups, which included some former paramilitary members, equally committed violence against evangelical church leaders. Between January and October 2009 in the Department of Córdoba, Justapaz and CEDECOL reported that six evangelical leaders were killed, resulting in the displacement of 1,230

individuals from 265 families in five communities. According to Justapaz, there was no progress on these cases during the reporting period.

During the reporting period, Justapaz and CEDECOL reported the forced displacement of Christ Church's pastor (part of the Association of Caribbean Evangelical Churches) due to death threats from unknown assailants. During the year Justapaz reported the murders of two pastors and community leaders, and three were threatened and displaced. Most of these cases were located in the Caribbean Coast department of Córdoba. The NGO referenced the assault and injury of Pastor Alejandro Angulo. On December 16, armed intruders entered Angulo's house in San Jacinto del Cauca (Córdoba). He was beaten by the intruders and threatened under allegations he was a police informant; the next day Angulo and his family moved to a different department. The NGOs reported the displacement of 36 evangelical families from the town of Villa Carmiña in Córdoba due to threats from the Black Eagles following a June 29 massacre in the community. Illegal armed groups, including the New Bolivarian Self-Defense Forces and the Black Eagles, targeted human rights organizations. Religious workers involved in human rights activities received death threats. The Methodist Church reported their pastors received threats in the municipalities within the Montes de María region (departments of Bolívar and Sucre) due to their work on land recuperation efforts.

Most religious groups reported that due to threats from guerrillas, former AUC members that refused to demobilize, and illegal armed groups, many religious authorities were forced to refrain from publicly discussing the internal conflict. Illegal armed groups, especially the FARC, threatened or attacked religious officials for opposing the forced recruitment of minors, promoting human rights, assisting internally displaced persons, and discouraging coca cultivation. The Catholic Bishops' Conference also reported that guerrillas, former AUC members that refused to demobilize, and illegal armed groups issued death threats against rural priests who denounced them. In response to such threats, some religious leaders relocated to other communities.

Guerrillas and new illegal armed groups that included some former paramilitary members harassed some indigenous groups that practiced animistic or syncretic religions; however, political or economic differences (whether real or perceived) or questions of land ownership generally motivated such harassment rather than religious concerns.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. The Catholic Church and some evangelical churches reported that some indigenous leaders were intolerant of nonsyncretic forms of worship.

A number of faith-based NGOs promoted human rights, social and economic development, and a negotiated settlement to the internal armed conflict. The most influential of these organizations were either affiliated with the Catholic Church or founded by church officials. The Catholic Church was the only institutional presence in many rural areas, and its Social Pastoral Agency conducted important social work.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy representatives maintained regular communication with representatives of the Catholic Church and other religious groups.

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