



## Colombia

### International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors. There is no state religion; however, the Roman Catholic Church retains a de facto privileged status.

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. 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 (ELN) continued threatening members of religious organizations but generally adhered to its agreement to cease killing religious leaders. Former paramilitary and new criminal groups, including the Aguilas Negras, also targeted representatives and members of religious organizations. Some indigenous leaders reportedly were intolerant of nonsyncretic forms of worship.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

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 41.2 million. The Government does not keep statistics on religious affiliation, and estimates from religious leaders varied. 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*, claims that 80 percent of the population is Catholic, although not all are practicing; 13.5 percent belong to non-Catholic forms of Christianity, 2 percent are agnostic, and the remaining 4.5 percent belong to other religious groups, such as Islam and Judaism. The Seventh-day Adventist Church and the Methodist Church have 261,000 and 1,500 members respectively. The Anglican Church and the Presbyterian Church have approximately 50,000 members each. Other Protestant and Evangelical Churches have an estimated 5 million followers. The Church of Jesus Christ of Latter-day Saints (Mormons) claims approximately 150,000 members. Other religious groups with a significant number of adherents include Judaism, estimated at 5,000 members; Islam, with an estimated 10,000 followers; animism; and various syncretic belief practitioners.

Adherents of some religious groups are concentrated in specific geographical regions. For example, the vast majority of practitioners of syncretic beliefs that blend Catholicism with elements of African animism are Afro-Colombian residents of the western department of Choco. Jews are found 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 Religious Freedom

## Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors. The Constitution specifically prohibits discrimination based on religion.

The Government observes 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 as national holidays.

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 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 a legal entity were denied for trivial reasons. They stated that for this reason many non-Catholic religious groups chose not to apply for legal recognition and instead operated as nongovernmental organizations (NGOs) or as informal religious entities.

Since 1995 the MOIJ has approved 1,182 applications for special public recognition as a religious entity; an estimated 90 percent of the approvals were for evangelical churches. A 2007 article in *El Tiempo* quoted Bogotá's mayor as stating that there were now 700 non-Catholic places of worship in the capital city, compared to 450 Catholic churches. According to the MOIJ, 1,859 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 those organizations affiliate or associate status. More than 40 churches asked the Government to sponsor legislation establishing less exacting standards for special public recognition, formally codifying religious freedoms provided in the Constitution, and creating a special office for religious affairs. Although the MOIJ has statutory authority over recognizing religious entities, there is no government agency to monitor or enforce laws governing religious freedom.

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 content of the organization's statutes and its required behavioral norms. At the end of the period covered by this report, 13 non-Catholic churches had been granted accession. 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 administrators of religious groups that received special public recognition. Foreign missionaries are required to possess a special visa, valid up to 2 years. Applicants must have a certificate from the MOIJ confirming that their religion 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 proselytization 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 enjoyed by Catholic schools. These leaders also alleged that a decree by the Minister of Education to include education about religion in public schools was interpreted in many municipalities as a mandate to teach about Catholicism only, while offering no alternative instruction to students of other religious groups. CEDECOL, however, noted significant progress and that problems remained only in rural areas.

#### Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

Although the 1991 Constitution mandates separation of church and state, the Catholic Church retains a de facto 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 gaining military chaplain positions and 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 not signatories to the agreement must marry in a civil ceremony in order for the state to recognize the marriage. Some signatories to the agreement complained of discrimination at the local level, such as refusal by municipal authorities to recognize marriages performed by these groups.

CEDECOL claimed that two state-operated television channels refused to allow evangelical groups to buy or receive airtime, while the Catholic Church received 1 minute daily without cost.

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 that reportedly municipal governments required some non-Catholic religious groups to pay property and other local taxes on their places of worship and schools. According to a 2006 article in the daily newspaper *El Espectador*, the Treasury Department issued a decree requiring all 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 must also 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 placed stringent building codes on church facilities. The city granted congregations until 2015 to implement fire safety, disabled access, and other security aspects. The Executive Secretary of CEDECOL stated that the ordinance was a positive step and did not show favoritism toward the

Catholic Church. He added that Catholic churches are usually older and are exempt from some of the standards due to their historical and architectural status.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U. S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Abuses by Rebel or Foreign Forces or Terrorist Organizations

Religious leaders and practitioners were the targets of threats and kidnappings by guerrilla groups, former paramilitaries, and new criminal groups, generally for political or financial rather than religious reasons. These groups were responsible for the majority of such attacks and threats, killing, kidnapping, extorting, and inhibiting free religious expression.

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. The Presidential Program for Human Rights reported that nearly all killings of priests by terrorist groups could be attributed to leftist guerrillas, particularly the FARC. Since July 1, 2005, according to the Catholic Bishops' Conference, terrorist groups killed seven priests. 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. A human rights organization affiliated with the Mennonite church, Justicia, Paz y Acción Noviolenta (Justapaz), and CEDECOL claimed that guerrillas, former paramilitaries, and new criminal groups equally committed violence against evangelical church leaders. New criminal groups, including the New Bolivarian Self-Defense Forces and the Aguilas Negras, targeted human rights organizations. Religious workers involved in human rights activities received death threats.

Most religious groups reported that due to threats from guerrillas, former paramilitaries, and new criminal 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 paramilitaries, and new criminal groups issued death threats against rural priests who spoke out against them. In response to such threats, some religious leaders relocated to other communities.

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

#### Section III. Societal Abuses and Discrimination

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. The U.S. Embassy maintained regular communication with representatives of the Catholic Church and other religious groups.

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