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## Peru

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **July-December, 2010 International Religious Freedom Report**

Report

**September 13, 2011**

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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.

There were no 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 496,225 square miles and a population of 29.5 million. Among the major religious groups are Roman Catholics, evangelicals, and traditional Protestant denominations (including Baptist, Anglican, Assemblies of God, and Seventh-day Adventists), The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Jews, Bahais, Hare Krishnas, and Muslims. Some indigenous peoples in the remote eastern jungles practice traditional faiths. There also are indigenous communities practicing syncretic (blending Christian and pre-Colombian) beliefs, such as some Catholics in the Andean highlands.

The 2007 national census conducted by the National Statistics Institute found that 81.3 percent of the population is Catholic; 12.5 percent Protestant (mainly evangelical); and 3.3 percent includes Seventh-day Adventists, Mormons, Jehovah's Witnesses, and Israelites of the New Universal Pact, a local religious group that is unrelated to Israel or Judaism. In the last 20 years, according to some estimates, Protestant (mostly evangelical) representation in the population grew from approximately 2 percent to 12.5 percent; however, the National Evangelical Council (CONEP)

estimates that evangelicals represent at least 15 percent of the population. Historically, evangelicals resided in smaller communities outside of Lima and in rural areas; however, in recent years their presence in urban areas increased significantly. The Israelites of the New Universal Pact has adherents situated in or near Lima. There are approximately 4,000 Jews, residing primarily in Lima and Cuzco. There are small Muslim communities in Lima (mainly of Palestinian origin) and Tacna (mainly of Pakistani origin).

## 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. Article 50 of the constitution establishes separation of church and state but recognizes the Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation."

On December 20 the president signed a law whereby the state recognizes an individual's fundamental right of freedom of religion, as recognized by the constitution and international treaties that the country has ratified. This law assures that registered religious organizations enjoy many of the same tax benefits already granted to the Catholic Church. In accordance with a 1980 agreement with the Holy See, the Catholic Church receives preferential treatment in education, tax benefits, immigration of religious workers, and other areas. The new law codified this arrangement. Several evangelical groups did not favor this version of the law, claiming it did not address the problem of inequality and maintained preferential status for the Catholic Church by enacting into law the 1980 agreement with the Holy See.

All work-related earnings of Catholic priests and bishops are exempt from income taxes. Some Catholic clergy and laypersons receive remuneration from the state in addition to the stipends paid to them by the church. This applied to the 50 active bishops, as well as to some priests whose ministries were located along the borders, representing approximately one-eighth of the clergy and pastoral agents. In addition, the government provided each diocese with a monthly institutional subsidy.

The executive branch formally interacts with religious communities on matters of religious freedom through the Ministry of Justice (MINJUS). MINJUS implements laws and interacts with the public through the Office of Catholic Affairs and through the Office of Interconfessional Affairs, which deals with non-Catholic groups. Both offices maintain a continuing dialogue on religious freedom with the Catholic Church and other organized religious groups.

Regulations permit the major evangelical umbrella organizations, CONEP and the Union of Evangelical Christian Churches of Peru (UNICEP), to advise MINJUS on registration of churches. Registration does not amount to official recognition, but registered religious groups are entitled to exercise their rights before government agencies. Non-Catholic churches that have operated in the country for at least seven years are able to register and thereby receive state benefits similar to those of the Catholic Church; however, many evangelical churches lacked central lines of authority and doctrinal unity, which complicated the process of registration. Non-Catholic church groups that were more hierarchical and established met the strict registration requirements and were able to register. There were 139 religious groups and 14 religious missionary entities registered at the end of the reporting period.

Foreign missionary groups operated freely; however, they do not receive the same privileges as the Catholic Church with respect to customs, immigration, and taxation.

The law mandates that all schools, public and private, provide religious education as part of the curriculum (primary and secondary), "without violating the freedom of conscience of the student, parents, or teachers." Catholicism is the only religion taught in public schools. Many non-Catholic religious or secular private schools were granted exemptions from this requirement. The Ministry of Education mandated that the presiding Catholic bishop of an area approve religious education teachers in all public schools. Parents may request that the principal exempt their children from mandatory public school religion classes.

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The government observes the following religious holidays as national holidays: Holy Thursday, Good Friday, Saints Peter and Paul Day, Saint Rose of Lima Day, All Saints' Day, the Feast of 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.

MINJUS officials stated that the government pays stipends to the Catholic cardinal, six archbishops, and other Catholic Church officials. According to the Office of Catholic Affairs, the government gave the Catholic Church approximately 2.6 million PEN (\$923,700) annually. Catholic and non-Catholic religious charities do not pay customs duties on items purchased; however, non-Catholic groups with extensive charitable activities complained that goods donated from abroad continued to be taxed at commercial rates. Some non-Catholic missionary groups claimed that the law discriminated against them by taxing their imported religious materials, including Bibles, whereas the Catholic Church was not taxed. Catholics and non-Catholics were subject to equal taxation in most activities. All are exempt from paying taxes on places of worship. Buildings, houses, and other real estate owned by the Catholic Church are exempt from property taxes; other religious groups (depending on the municipal jurisdiction) may pay property taxes on schools and clergy residences. Catholic religious workers are exempt from taxes on international travel.

Non-Catholic organizations complained that although their adherents were exempted from attending Catholic instruction, students who did so lost academic credits. Students who graduated from primary and secondary schools without these credits could not be at the top of their class, regardless of other academic achievement, and were thus disadvantaged in competition for scholarships and admission to universities.

By law the military may employ only Catholic clergy as chaplains. A government decree that created 40 Catholic military positions obliges members of the armed forces and the police, as well as relatives and civilian coworkers, to participate in Catholic services. There were no reports of discrimination or denials of promotion for non-Catholic members of the military, nor of personnel refusing to participate in Catholic services. Some non-Catholic soldiers, however, complained that it was difficult to find and attend Protestant religious services because of the lack of chaplains.

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

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

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

Religious groups occasionally joined forces on ecumenical projects on behalf of the poor. The Catholic Church and evangelical churches collaborated closely in the area of human rights. Nongovernmental organizations such as the Episcopal Commission for Social Action (CEAS) of the Catholic Church and the Peace and Hope Evangelical Association conducted joint national campaigns on behalf of prison inmates and detainees wrongly charged or sentenced for terrorism and treason. Major political figures promoted religious freedom, and non-Catholic politicians held high-profile positions.

#### 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 staff met with leaders of numerous religious communities, including representatives of the Catholic Church, Protestant groups, and Mormon, Muslim, and Jewish communities. The embassy also continued regular contact with religious organizations including Caritas, CEAS, the Interreligious Committee of Peru, CONEP, UNICEP, the Peace and Hope Evangelical Association, and the Freedom of Conscience Institute.

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