



Colombia

International Religious Freedom Report 2005

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

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Roman Catholic Church retains a de facto privileged status.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. The Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) regularly targeted religious leaders and practitioners, killing, kidnapping, extorting, and inhibiting free religious expression. Terrorist organizations generally targeted religious leaders and practitioners for political rather than religious reasons; guerrillas of these two organizations committed the vast majority of these abuses. Paramilitaries, including the United Self-Defense Forces of Colombia (AUC), occasionally targeted representatives and members of religious organizations.

The generally amicable relationship among religions in society contributed to religious freedom, although some indigenous leaders reportedly were intolerant of nonsyncretistic forms of worship.

The U.S. Government discusses religious freedom issues 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 its population is estimated at 42 million. Although the Government does not keep official statistics on religious affiliation, a 2001 poll commissioned by the country's leading newspaper, *El Tiempo*, indicated that the population was 81 percent Roman Catholic. Ten percent identified themselves as nonevangelical Christians and 3.5 percent as evangelicals. Another 1.9 percent professed no religious beliefs. An estimated 60 percent of respondents to the poll reported that they do not practice their faith actively.

According to the Colombian Evangelical Council of Churches (CEDECOL), there are 5 to 6 million evangelical Christians. The Bishops' Conference of the Roman Catholic Church estimated that 90 percent of the population is Roman Catholic. According to data provided by their respective national headquarters, the Seventh-day Adventist Church, the Church of Jesus Christ of Latter-day Saints (Mormons), and Jehovah's Witnesses have 180,000, 130,000, and 110,000 members respectively, totaling approximately 1 percent of the population. Other religious faiths and movements with a significant number of adherents include Judaism, estimated at between 5,000 and 10,000, Islam, animism, and various syncretistic belief systems.

Adherents of some religions are concentrated in specific geographic regions. For example, the vast majority of practitioners of syncretistic beliefs that blend Roman Catholicism with elements of African animism are Afro-Colombian residents in the western department of Choco. Jews are concentrated 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.

Jewish leaders estimate that as many as one-third of their community had emigrated by the end of 2000. The principal cause was economic hardship caused by the country's recession, which resulted in increased violence against Jewish businesses. However, since the security situation has improved throughout the past 4 years, it is believed that several members of the community have returned, although specific numbers are not available.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The

Constitution specifically prohibits discrimination based on religion.

The Constitution states there is no official church or religion, but it 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 Roman Catholicism, which was the country's 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 now 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 (personería jurídica) and special public recognition as a religious entity. Although the application process is often lengthy, the Ministry of Interior and Justice 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 Ministry of Interior and Justice may reject requests that do not comply fully with established requirements or that violate fundamental constitutional rights.

Since 1995, the Ministry of Interior and Justice has approved 776 of the approximately 2,435 applications for special public recognition as a religious entity that it received; an estimated 90 percent of the approvals were for evangelical churches. 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 have asked the Government to sponsor legislation establishing less exacting standards for special public recognition and formally codifying religious freedoms provided for in the Constitution. In response to a Constitutional Court decision, the Human Rights Ombudsman submitted draft legislation to Congress during the period covered by this report. In addition to implementing less exacting standards for special public recognition and formally codifying tax exempt status for non-Roman Catholic churches, the draft legislation calls for limits on the noise levels of worship services and restrictions on the condemnation of homosexuality from the pulpit, while granting municipal governments the authority to close churches that do not comply. Some evangelical churches believed the latter restrictions would limit their freedom of religious expression. Congress had not approved the legislation by the end of the period covered by this report.

Accession to a 1997 public law agreement between the State and non-Roman Catholic religions or denominations is required for such organizations to minister to their adherents in public institutions such as hospitals or prisons, to provide chaplaincy services and religious instruction in public schools, and to perform marriages recognized by the State. When deciding whether to grant accession to the 1997 agreement, the Government considers a religion's total membership, its degree of popular acceptance within society, and other relevant factors, such as the content of the organization's statutes and its required behavioral norms. As of the end of the period covered by this report, 13 non-Roman Catholic churches had been granted accession. No non-Christian religious group is a signatory to the 1997 public law agreement. Some prominent non-Christian religious groups, such as the Jewish community, have not sought to accede to the 1997 public law. Many churches that are signatories reported that some local authorities have failed to comply with the accord. The Ministry of Interior and Justice has stated that it reprimands local authorities when it receives complaints of such noncompliance.

The Ministry of Foreign Relations issues visas to foreign missionaries and religious administrators of denominations that have received special public recognition. Foreign missionaries are required to possess a special visa that is valid for a maximum of 2 years. Applicants must have a certificate issued by the Ministry of Interior and Justice confirming that the religion is registered with the Ministry, a certificate issued by the religious organization itself confirming the applicant's membership and explaining the purpose of the proposed sojourn, and proof of economic means. Some evangelical missionaries reported difficulties obtaining visas because some government officials do not recognize their churches as legitimate. The Government permits proselytizing among the indigenous population provided it is welcome and does not induce members of indigenous communities to adopt changes that endanger their survival on traditional lands.

The Constitution recognizes parents' right 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. However, the Roman Catholic Church and religious groups that have acceded to the 1997 public law agreement may provide religious instruction in public schools to students who wish to receive it, but students may opt out of sectarian religious instruction. Religious groups that have not acceded to the public law agreement may establish parochial schools, provided they comply with Ministry of Education requirements. For example, the Jewish community operates its own schools.

The Roman Catholic Church has a unique agreement with the Government to provide education in rural areas that have no state-run schools. The schools are tax-exempt.

In 2001, the Supreme Council of the Judiciary ruled that the Colombian Institute of Higher Education, which administers the country's college entrance examination, must provide alternate examination dates for evangelicals whose beliefs preclude them from taking examinations on Sunday. In 2002, the Constitutional Court ruled that university instructors could not force students to reveal their religious beliefs or require them to take courses that might obligate them to do so.

Restrictions on Religious Freedom

Although the 1991 Constitution mandated the separation of church and state, the Roman Catholic Church retains a de facto

privileged status. Accession to the 1997 public law agreement is required for non-Catholic groups to minister to soldiers, public hospital patients, and prisoners, and to provide religious instruction in public schools. The State recognizes religious marriages celebrated only by the Roman Catholic Church and the 13 non-Roman Catholic churches that are signatories to the 1997 public law agreement. Members of churches that are not signatories to the agreement must first marry in a civil ceremony. Some signatories to the agreement have complained of discrimination at the local level, such as refusal by municipal authorities to recognize marriages performed by these churches. The Ministry of Interior and Justice does not have the authority to recognize a marriage; however, it has the power to investigate claims of discrimination and to reprimand local authorities.

All legally recognized churches, seminaries, monasteries, and convents are exempt from national and local taxes and customs duties. However, some Protestant churches reported that municipal governments required them to pay property and other local taxes. The Ministry of Interior and Justice states that it reprimands local authorities when it receives such complaints. Local governments may exempt religiously affiliated organizations such as schools and libraries. However, according to the Christian Union Movement, an association of evangelical Christian churches, only 10 municipalities have exempted non-Roman Catholic churches from local taxes.

City planning restricts the number of churches in residential areas. Protestant denominations often are forced to locate their churches in commercial and industrial zones, and they have complained that new zoning laws showed de facto favoritism toward Roman Catholicism, since most Roman Catholic cathedrals were constructed before zoning laws were instituted and were therefore exempt from the laws' requirements. Due to its historical presence in the country, the Roman Catholic Church has a large number of churches that are centuries old, some of which are historic monuments, in central locations throughout the country.

In November 2004, a team of prosecutors and investigators raided a small Taoist commune in a mountainous rural region of Santander Department based on information provided by eight former commune members that the commune's leadership was engaged in illegal activities. The commune's leaders claimed the government raid was part of a larger plot to close down the community. However, the capture of Diego Leon Agudelo (or "Saidamandan") on February 21 was key to clarifying the alleged murders and crimes committed by the commune's leaders. Investigators have evidence that Agudelo headed an illegal armed group linked to paramilitary organizations and took orders from Taoist community founder, Luis Gustavo Morales Sierra (or "Kelium Zeus Indeseus"). Seven killings between 1989 and 2004 were believed connected to the group, including that of the main prosecution witness, slain in November 2004. That witness enabled prosecutors to find 10 men and women who testified to suffering rape, extortion, and kidnapping at the hands of Morales and his collaborators.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor United States 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 Terrorist Organizations

The FARC, ELN, and AUC have been designated foreign terrorist organizations by the U.S. Secretary of State, under Section 219 of the Immigration and Nationality Act. Terrorist organizations generally targeted religious leaders and practitioners for political or financial, rather than religious, reasons. Guerrilla groups were responsible for the vast majority of such attacks and threats; the FARC and ELN regularly target religious leaders and practitioners, killing, kidnapping, extorting, and inhibiting free religious expression. The Human Rights Unit of the Prosecutor General's Office continued to investigate the killings of 31 members of the clergy believed to have been killed because they were outspoken critics of terrorist organizations. Paramilitaries occasionally targeted representatives and members of religious organizations.

Religious leaders generally chose not to seek government protection because of their pacifist beliefs and fear of retribution from terrorist groups.

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. For example, Roman Catholic priest Javier Francisco Montoya, who in December 2004 disappeared in the jungles of Choco, was killed by the FARC on the shores of the Tamana River. Religious authorities reported he was kidnapped as he went to preside over a religious celebration in Novita. Guerrillas reportedly told those looking for him that he was dead. According to the nongovernmental organization (NGO) Centro Cristiano Para Justicia, Paz y Accion Noviolenta (or Justapaz) and La Comision de Restauracion Vida y Paz, an evangelical Christian NGO, at least 133 evangelical church leaders were killed in the past 4 years. Roman Catholic and Protestant church leaders state that killings of religious leaders in rural communities are generally underreported because of the communities' isolation and fear of retribution. According to the Christian Union Movement, the FARC is responsible for 90 percent of the murders of Protestant religious leaders. Justapaz and CEDECOL claim that violence against evangelical church leaders is committed equally by paramilitaries and guerrillas.

In response to the increased risks faced by church members, more than 750 local security fronts made up of citizens who live close to churches have been organized to protect Roman Catholic priests and officials. The National Police designed the

program following the assassination of Monsignor Isaias Duarte Cancino in 2002. This protection plan has not been extended to include other religious groups.

Unknown perpetrators believed to be affiliated with terrorist groups killed a number of religious leaders.

There was no ruling in the criminal trial of FARC commander John Fredy Jimenez and hired gunman Alexander de Jesus Zapata for the 2002 killing of Isaias Duarte, the Roman Catholic Archbishop of Cali. In October 2004, paramilitary Jimmy Matutte was sentenced to 32 years in prison for his involvement in the 1999 murder of Catholic priest Jose Luiz Maso and Spanish aid worker Inigo Eguiluz Telleria.

According to CEDECOL, as of September 30, 2004, illegal armed groups had killed 18 evangelical church leaders. The FARC was responsible for 11 of these killings. For example, on September 4, 2004, three suspected FARC guerrillas opened fire during a prayer service in the Christian and Missionary Alliance Church of Puerto Asis, Putumayo Department. The gunmen killed 3 persons and injured 14 others, including 2 children. The FARC inhibited the right to free religious expression in areas it controlled, forcing the closure of hundreds of evangelical churches, particularly in the southwestern part of the country.

According to Bogota newspaper El Tiempo, FARC guerrillas killed a "Mamo" (top civil and religious authority) of the Arhuaca indigenous group in November 2004. The attack occurred in the La Estacion settlement in the Sierra Nevada de Santa Maria region. Mariano Suarez Chaparro was dragged from his home and killed; however, indigenous leaders stated that he had not been threatened. They attributed the act to the native group's efforts to have their rights recognized by working with the international community and human rights organizations. Local authorities also claimed that the FARC have been pushed into their areas by military offensives, where guerrillas have appropriated the natives' food, animals, and farm produce.

Justapaz reported that on March 28, 2005, a pastor in Cali was killed by two unknown armed youth who broke into his home, physically assaulted him, and fractured his skull. On April 14, 2005, a 10-year-old boy and member of an evangelical church in Toribio, Cauca Department, was killed in a firefight between members of the military and the FARC; 600 church members were hurt, 5 were seriously injured, and 3 places of worship were destroyed in the attack.

Religious leaders and practitioners were the targets of threats and kidnappings, primarily by guerrilla groups.

On July 25, 2004, members of the ELN kidnapped Miscal Vacca, the Roman Catholic bishop of Yopal in Casanare Department. The ELN attempted to justify the kidnapping by claiming it had a political message for him to deliver to the Government. Vacca was released 3 days later following an army rescue operation that cut his captors off from the ELN commanders who allegedly prepared the message. Vacca had been involved in peace efforts among the Government, ELN, and right-wing paramilitary groups in the department.

On April 2, 2005, Cali newspaper El Pais reported that suspected FARC members in Choco Department kidnapped five members of the religious organization Justicia y Paz. A commission made up of representatives of government human rights officers and NGOs went to the area to investigate the disappearance of the five persons working with the peace communities. Vice President Francisco Santos condemned the action and called for their immediate release.

Bogota Caracol Colombian Radio reported that in July 2004, the Roman Catholic Church asked the FARC to clarify whether they were holding priest Cesar Dario Pena, who was kidnapped in March 2004. The bishop of his parish in Santa Rosa de Osos indicated that the guerrillas had in the past accused the priest of maintaining ties to paramilitary groups. At the end of the period covered by this report, efforts to obtain his release had been unsuccessful.

The Catholic Bishops' Conference reported that 63 Catholic churches had been seriously damaged or destroyed in the last decade. Roman Catholic churches generally were not attacked intentionally, but often they were affected by guerrilla attacks on police stations and mayors' offices located nearby.

According to the Christian Union Movement, advances by government security forces against the FARC have resulted in the re-opening of approximately 350 of the more than 450 evangelical churches closed since 2002. However, guerrillas and paramilitaries continued to attack rural evangelical churches and schools because they suspected the churches were fronts for U.S. Government activities. Mormon Church leaders and facilities remained under threat for the same reason.

Due to threats from guerrillas or paramilitaries, many religious authorities were forced to refrain from publicly discussing the country's 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 Bishops' Catholic Conference also reported that paramilitaries and guerrillas issued death threats against rural priests who spoke out against them. In response to such threats, some religious leaders relocated to other communities.

Guerrillas or paramilitaries harassed some indigenous groups that practice animistic or syncretistic 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 Attitudes

The generally amicable relationship among religions in society contributed to religious freedom. The Roman Catholic Church and some evangelical churches reported that some indigenous leaders were intolerant of nonsyncretistic forms of worship.

There were isolated reports of anti-Semitism, including graffiti painted on exterior walls of synagogues and anti-Semitic statements in pamphlets published by small xenophobic organizations. The Government condemned these acts and worked with members of the Jewish community to investigate these incidents.

The Jewish community in the country has taken a number of steps to combat anti-Semitism by advancing dialogue with other religious groups and by holding educational forums on Judaism at Christian churches, private and public schools, and universities.

A number of faith-based NGOs promote human rights, social and economic development, and a negotiated settlement to the country's armed conflict. The most influential of these organizations either are affiliated with the Roman Catholic Church or were founded by Roman Catholic Church officials. The Roman Catholic Church continues to be the only institutional presence in many rural areas, and it conducts important social work through its Social Pastoral Agency.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintains regular communication with representatives of the Roman Catholic Church, other Christian denominations, and other religions.

Released on November 8, 2005

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