

COLOMBIA

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom. Illegal armed groups, including the Revolutionary Armed Forces of Colombia (FARC), killed, kidnapped, and extorted religious leaders and practitioners, inhibiting free religious expression in some areas. The National Liberation Army (ELN) continued to threaten members of religious organizations. Terrorist organizations generally targeted religious leaders and practitioners for political rather than religious reasons. Organized crime groups that included some former members of paramilitary groups also targeted representatives and members of religious organizations.

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

U.S. embassy representatives met with representatives of a wide range of religious groups and the government, and supported preservation of sites of religious and cultural importance.

Section I. Religious Demography

The government does not keep statistics on religious affiliation, and estimates from religious leaders varied. A majority of the population is Roman Catholic. According to the Colombian Evangelical Council (CEDECOL), approximately 15 percent of the population is Protestant, whereas the Catholic Bishops' Conference estimates that 90 percent of the population is Catholic. A 2007 article in the daily newspaper *El Tiempo* stated that 80 percent of the population is Catholic, 14 percent non-Catholic Christian, 2 percent agnostic, and the remaining 4 percent belongs to other religious groups, including Islam and Judaism. Another estimate had the following figures for the non-Catholic population: 261,000 Seventh-Day Adventists, five million other Protestants and evangelicals, 150,000 The Church of Jesus Christ of Latter-Day Saints (Mormons), 10,000 Muslims, and 5,000 Jews. Practitioners of animism and various syncretic beliefs are also present in the country.

Some religious groups are concentrated in certain geographical regions. Most practitioners of syncretic beliefs that blend Catholicism with elements of African animism are Afro-Colombians and reside on the Pacific coast. Most Jews reside in major cities, Muslims on the Caribbean coast, and adherents of indigenous animistic religions in remote rural areas. A small Taoist commune is located in a mountainous region of Santander Department.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. 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.

Although the 1991 constitution mandates separation of church and state, the Catholic Church retains a privileged status. Accession to a 1997 public law agreement between the state and non-Catholic religious groups is required for non-Catholic groups to minister to military personnel, public hospital patients, and prisoners; to provide chaplaincy services; and to 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 factors such as the organization’s statutes and its required behavioral norms.

The Ministry of Interior (MOI) is the government entity responsible for legally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers. A church, religious denomination, federation, or association of ministers can obtain legal recognition directly from the MOI. The entities that have already been legally recognized by

the MOI can then confer legal recognition, called “extended public recognition,” to affiliated churches that share the same beliefs. The MOI keeps a public registry of religious entities. Although the application process is often lengthy, the MOI routinely grants legal recognition; the only 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 MOI may reject requests that do not comply fully with established requirements, or that violate constitutional rights.

The state recognizes as legally binding only those religious marriages celebrated by the Catholic Church and the 13 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.

In November President Santos signed into law an antidiscrimination bill that carries a penalty of one to three years in prison or a fine of 5.3 million to 8 million pesos (\$2,700-\$4,100). The law added a chapter on discrimination to the penal code that includes religious discrimination as a punishable offense.

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 MOI confirming that their religious group is registered with the ministry or have a certificate issued by the Catholic archdiocese. Alternatively, they may produce a certificate issued by a recognized religious organization confirming the applicant’s membership and mission in the country. They also require a letter issued by a legal representative of the religious organization stating the organization accepts full financial responsibility for the expenses of the applicant and 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 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 has 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 that 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 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.

Government Practices

There were no reports of abuses of religious freedom.

During the year the MOI received 2,319 applications for legal recognition as a religious entity and approved 1,116 of them; the remaining 1,203 applications were not approved because they failed to meet constitutionally established requirements. The MOI received 200 applications for extended recognition and approved 65 of them; 135 applications were not approved for failing to meet the legal requirements. Although the MOI has statutory authority over recognizing religious entities, there is no government agency to monitor or enforce laws governing religious freedom.

While all legally recognized churches, seminaries, monasteries, and convents are exempt from national and local taxes and customs duties, CEDECOL asserted 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.

Only Christian religious groups are signatories to the 1997 public law agreement enabling religious groups to provide chaplaincy services and perform marriages. 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, and some complained that

municipal authorities refused to recognize marriages the groups performed. Muslim and Protestant leaders claimed difficulties in acquiring military chaplain positions, gaining access to prisoners, and access to chapels in public cemeteries for services.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

Guerrilla groups and other illegal armed groups killed, kidnapped, threatened, and extorted religious leaders and practitioners. 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 members of the clergy believed to have been targeted because they were outspoken critics of terrorist organizations. The Roman Catholic Church reported the murders of six priests: Rafael Reatiga Rojas, Richard Armando Piffano Laguado, and Gustavo Garcia in Bogota, Luis Carlos Orozco Cardona in Rionegro (Antioquia), Reynel Restrepo Idarraga of Marmato (Caldas), and Gualberto Oviedo Arrieta in Capurgana (Choco). Protestant churches also reported that some religious leaders were killed during the year. For example, unknown assailants stabbed and killed Anglican priest Wilson Fernando Silva Ospina in Cali on June 28. The Prosecutor General's Office is investigating these killings as well.

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. In March, Father Francisco de Roux, a well-known Jesuit priest with a long history of working with communities in the Magdalena Medio region, received death threats that appeared to be tied to his work with communities seeking land restitution.

A human rights organization affiliated with the Mennonite church, Justicia, Paz y Accion Noviolenta (Justice, Peace and Nonviolent Action–Justapaz), and CEDECOL reported that guerrillas and organized crime groups committed violence against evangelical church leaders. Justapaz and CEDECOL reported at

least four evangelical leaders were killed and others were threatened and, in some cases, forced to flee as a result of threats by armed actors in areas including Cordoba, Guajira, Valle del Cauca, and Antioquia.

Justapaz and CEDECOL continued to report threats and forced displacement of pastors and members of churches from the Association of Caribbean Evangelical Churches in Cordoba. These churches work closely with communities who are seeking land restitution. In November, two pastors in Tierralta (Cordoba) were forced to flee after receiving death threats from an illegal armed group that identified itself as the Gaitanist Self-Defense Forces. Other illegal armed groups, including the New Bolivarian Self-Defense Forces, Rastrojos, Urabenos, and the Black Eagles, also targeted human rights organizations and religious workers.

Most religious groups reported that due to threats from guerrillas and other 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 and other 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 organized crime groups that included some former paramilitary members harassed some indigenous groups that practiced animistic or syncretic religions; however, political or economic differences or questions of land ownership generally appear to have motivated such harassment rather than religious concerns.

Section III. Status of Societal Respect for Religious Freedom

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

A number of faith-based and interfaith 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

U.S. embassy representatives, including the ambassador, maintained regular communication with representatives of the Catholic Church and other religious groups. Embassy staff routinely met with American and Colombian faith-based delegations from the Presbyterian, Mennonite, and other churches to discuss human rights issues affecting their communities. Embassy staff reached out to these groups on official trips within the country. Embassy staff also engaged officials in the Prosecutor General's Office, the Ministry of Interior, and the Ministry of Foreign Affairs on religious freedom issues. In addition, the Ambassador's Fund for Cultural Preservation supported the restoration of a site of cultural and religious importance to the indigenous Nasa peoples of Tierradentro by restoring tombs, funerary structures, and statues of pre-Columbian origin in the Alto del Aguacate and the El Marne sectors in the municipality of Inza, Cauca.