

# COLOMBIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution provides for freedom of religion and the right to profess one's religious beliefs, and prohibits discrimination based on religion. There were no reports of government actions affecting constitutional provisions for religious freedom, and the government continued to provide routine recognition to religious groups. In September the Constitutional Court found in favor of a member of the Four Square Church who made a religious exemption claim from obligatory military service. According to the court, individuals may be granted conscientious objector status if they can prove that their beliefs are long and deeply held and unchangeable.

In some areas of the country, illegal armed groups, including designated foreign terrorist organizations known as the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), and organized crime groups or illegal armed groups, including Clan Usuga and Los Rastrojos, killed or threatened the leaders and members of religious groups and targeted them for extortion. These actions often disrupted the activities of religious groups working on behalf of vulnerable populations.

The Jewish community reported an increase in negative comments on social media sites during the summer conflict in Gaza. Catholic, Jewish, and Muslim communities committed publicly to working together to build peace and reconciliation in the country and in the world.

U.S. embassy representatives met periodically with the Ministry of Foreign Affairs, Ministry of Interior (MOI), and attorney general, as well as with representatives from a wide range of religious groups, including the Catholic Church, Jewish community, evangelicals, Baptists, and Mennonites to discuss religious freedom.

## Section I. Religious Demography

The U.S. government estimates the total population at 46.2 million (July 2014 estimate). The national government does not keep statistics on religious affiliation, and estimates from religious leaders varied. The Roman Catholic Bishops' Conference estimates 83 percent of the population is Catholic, while the Colombian Evangelical Council (CEDECOL) states that approximately 15 percent

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of the population is Protestant. According to a 2013 study published by Javeriana University, 70.9 percent of the population is Catholic, 16.7 percent is Protestant, 4.7 percent is atheist or agnostic, 3.5 percent is non-denominational, and 1.3 percent belongs to other religious groups, including Jehovah's Witnesses, Seventh-day Adventists, Jews, and The Church of Jesus Christ of Latter-day Saints (Mormons). Other observers estimate that the non-Catholic population consists of five million Protestants, including evangelical groups; 261,000 Seventh-day Adventists; 150,000 Mormons; 10,000 Muslims; and 5,000 Jews. There is also a small population of followers of various animist and syncretic beliefs.

Some religious groups are concentrated in certain geographical regions. Most of those who blend Catholicism with elements of African animism are African Colombians and reside on the Pacific coast. Most Jews reside in major cities, most Muslims on the Caribbean coast, and most 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 Framework**

The constitution provides for freedom of religion and the right to profess one's religious beliefs. It also prohibits discrimination based on religion. It states there is no official church or religion, but adds that the state "is not atheist or agnostic, nor indifferent to Colombians' religious sentiment." A 1973 concordat between the Holy See and the government remains in effect, although some of its articles are unenforceable because of constitutional provisions on freedom of religion. The law prohibits any official government reference to a religious characterization of the country.

Although the constitution mandates separation of religion and state, the Catholic Church retains a privileged status. Non-Catholic religious groups must gain accession to a 1997 public law agreement with the state to perform state-recognized marriages and provide chaplaincy services to military personnel, public hospital patients, and prisoners. When deciding whether to grant accession, 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.

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Under the 1997 public law agreement, the MOI is responsible for legally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, and keeps a public registry of religious entities. Entities legally recognized by the MOI can then confer legal recognition through an associate status, called “extended public recognition,” to affiliated groups sharing the same beliefs. The application process requires submission of a formal request and basic organizational information. The MOI may reject requests that do not comply fully with established requirements or that violate constitutional rights.

The state recognizes as legally binding religious marriages performed by the Catholic Church, the Jewish Community, and the 13 religious groups that are signatories to the 1997 public law agreement, as well as religious groups holding an associate status with those signatories. Members of religious groups that are neither signatories to the agreement nor affiliates must marry in a civil ceremony for the state to recognize the marriage.

An antidiscrimination law imposes a penalty of one to three years in prison or a fine of 5.3 million to 8.0 million pesos (COP) (\$2,200 to \$3,400) for violations, including discrimination based on religion. The penal code contains a chapter on discrimination that includes religious belief.

A Constitutional Court ruling states that citizens, including members of indigenous communities, may be exempt from compulsory military service if they can demonstrate a serious and permanent commitment to religious principles that prohibit the use of force. Conscientious objectors who are exempted from military service are required to complete alternative, government-selected public service.

The constitution recognizes the right of parents to choose the type of education that their children receive, including religious instruction. It states that no student shall be forced to receive religious education in public schools. There is no religious component in the public school curriculum. Religious groups, including those that have not acceded to the public law agreement, may establish their own schools, provided they comply with Ministry of Education requirements. A Constitutional Court ruling obligates public and private schools to implement alternative accommodations for students based on their religion, following a 2007 petition of a Seventh-day Adventist university student to miss class on Saturday.

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Foreign missionaries must possess a special visa, valid for up to two years. The Ministry of Foreign Affairs issues visas to foreign missionaries and religious group administrators who are members of religious organizations legally recognized and registered with the MOI. Applicants must have a certificate from either the MOI or church authorities confirming that their religious group is registered with the ministry. Alternatively, they may produce a certificate issued by a registered religious group confirming the applicant's membership and mission in the country. The application also requires a letter issued by a legal representative of the religious group stating the organization accepts full financial responsibility for the expenses of the applicant and family, including funds for return to their country of origin or last country of residence. Applicants must explain the purpose of the proposed sojourn and provide proof of economic means. A Supreme Court ruling stipulates that no group may force religious conversion on members of indigenous communities.

### Government Practices

During the year, the MOI received 810 new applications for legal recognition from non-Catholic religious entities and approved 216, while 613 remaining applications were under review or incomplete. Applicants who submitted incomplete applications or incorrect supporting documents were given 30 days to bring their applications into compliance under the law. If they did not do so, the MOI would find the application in non-compliance; however, the applicant could resubmit an application at any time. There was no waiting period to reapply. The MOI reported 30 religious organizations chose to withdraw their applications in order to process charter reforms.

As of October, the government reported charging 57 persons under the antidiscrimination law but did not specify how many of those were related to religious freedom.

There were reports that some religious groups tried to accede to the 1997 public law agreement that enables religious groups to provide chaplaincy services and perform marriages.

The Jewish community reported that Colombian notaries began recognizing traditional Jewish wedding ceremonies without the need for a "civil ceremony" to take place.

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In September a theology student and member of the Four Square Church who had been drafted into military service in 2013, despite his request for an exemption on conscientious objection grounds, was detained for 13 days in the Barrancabermeja military base after the government issued a warrant for his arrest because he failed to return to the base. The Constitutional Court ordered the military to release the student following its decision in favor of the student's conscientious objector claim. The ruling overturned a 2013 decision rejecting the student's claim and found that individuals may claim conscientious objection to military service if they can prove that their beliefs are deeply held, long-held, and unchangeable. According to religious groups, many individuals had difficulty obtaining exemptions from military service on religious grounds.

The government permitted missionaries to proselytize among the indigenous population, provided the indigenous community welcomed proselytism and visitors did not induce members of indigenous communities to adopt changes that endangered their survival on traditional lands.

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

Guerrillas including the FARC and ELN terrorist groups, as well as other illegal armed or organized crime groups such as Clan Usuga (formerly los Urabenos) and Los Rastrojos, killed, kidnapped, and threatened leaders and members of religious groups and targeted them for extortion. These actions disrupted the human rights work of religious groups, such as advocacy on behalf of displaced populations and other vulnerable groups.

The Human Rights Unit of the Attorney General's Office continued to investigate previous years' murders of clergy reportedly targeted as outspoken critics of terrorist organizations and illegal armed groups. The Attorney General's Office reported the homicide of a clergy member in Arauca and another in Medellin. The Christian Evangelical Church reported two pastors were killed and two others suffered extortion. The Baptist Theological Seminary in Cali reported an increase in the number of extortions of pastors in Cali and Valle del Cauca.

Protestant leaders stated that isolation and fear of retribution in rural communities generally led to underreporting of clergy assault, harassment, and murder. Some religious leaders reported they chose not to seek government protection because of pacifist beliefs and fear of retribution by terrorist groups.

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The nongovernmental organizations (NGOs) Justapaz and CEDECOL continued to report threats from terrorist groups and criminal bands and forced displacement of clergy and church members of the Association of Caribbean Evangelical Churches in Cordoba. The Attorney General's Office reported seven cases of threats to religious workers, including one in Cali, one in Cartagena, two in Medellin, and three in Villavicencio, as well as one case of forced displacement in Villavicencio. There was no mention of presumed perpetrators. Association of Caribbean Evangelical Churches' member churches worked closely with communities seeking land restitution.

Most religious groups reported that religious leaders refrained from publicly discussing the armed conflict between government forces and the FARC and ELN because of threats from guerrillas and other illegal armed groups. These groups, especially the FARC, threatened, displaced, or attacked religious leaders for opposing the forced recruitment of minors, promoting human rights, assisting internally displaced persons, and discouraging coca cultivation.

Religious groups reported that armed groups further restricted religious freedom by limiting freedom of movement and preventing people from attending religious services. In some areas, armed groups limited the time of day that religious or other groups could meet, and occasionally prohibited worship and other religious activities.

### **Section III. Status of Societal Respect for Religious Freedom**

The Jewish community reported an increase in negative comments on social media sites and critical columns in media publications during the conflict in Gaza in July and August. An individual was harassed prior to a domestic flight from Cali to Bogota when he was verbally attacked, and the assailant intentionally knocked his *kippah* (yarmulke) off his head. Airline personnel requested the assailant exit the plane prior to take-off; police were not involved.

A number of faith-based and interfaith NGOs promoted religious freedom and tolerance through their programs and community engagements. Catholic, Jewish, and Muslim communities signed a peace declaration as a commitment to continue working together to build peace and reconciliation in the country and the world. The initiative coincided with the papal meeting in Rome of Pope Francis, Israeli President Shimon Peres, and Palestinian Authority President Mahmoud Abbas on June 8.

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CEDECOL and Justapaz advocated on behalf of conscientious objectors, documented cases of religious intolerance, and participated in various interfaith dialogues that encouraged religious tolerance.

### **Section IV. U.S. Government Policy**

U.S. embassy officials discussed with the government issues of religious freedom, such as conscientious objection to military service. Embassy representatives also maintained regular communication with representatives of the Catholic Church and other religious groups. They routinely met with visiting U.S. and local leaders of the Jewish community and Presbyterian, Mennonite, and other religious groups to discuss issues affecting their communities, including religious freedom and tolerance. Embassy officers met with these groups on official trips within the country. Embassy representatives also discussed religious freedom issues periodically during working group sessions organized with religious organizations and attended by government representatives, civil society, and religious leaders.