

BOLIVIA 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution stipulates the state is independent of religion and provides for “freedom of thought, spirituality, religion, and cult, expressed individually or collectively, in public and in private.” The constitution and other laws give educational institutions the right to teach religion, including indigenous spiritual belief classes. Religious leaders of various Christian and non-Christian groups stated that the country’s registration law had the potential to limit their ability to operate independently and could favor particular religious groups. Church leaders again worked with the government on a legislative proposal exempting churches from the registration requirements with a grace period of five years if the legislation passes. According to evangelical Protestant community sources, several smaller religious communities with “house churches” still preferred not to register their organizations, stating they did not want to provide the government with access to private internal information. In January the congress abrogated revisions of the penal code, including an article criminalizing recruitment into “religious organizations or cults.” In December, following a meeting with evangelical Protestant leaders, the government announced it would introduce a draft religious freedom law in February 2019. Tensions between Christian church leaders, particularly Roman Catholics, and government officials continued. Government officials continued to criticize church representatives for speaking out on presidential term limits and other political issues. Evangelical Protestant leaders again stated the government violated the constitutional separation of religion and state by employing ethnic Aymara rituals and practices during government events and ceremonies.

Evangelical Protestant leaders again cited expulsions by indigenous religious leaders of evangelical pastors from rural areas because the pastors had refused to participate in ancestral practices and rituals.

U.S. embassy access to government officials was still limited despite embassy requests for meetings. Embassy staff regularly met with religious leaders to underscore the importance of religious freedom. The Charge d’Affaires hosted interfaith meetings for religious leaders in October and November.

Representatives from the evangelical Protestant, Catholic, Methodist, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Jewish, and Muslim religious groups participated. Topics discussed included the government’s respect

for religious freedom and practices and the importance of respect for religious freedom, diversity, and tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 11.3 million (July 2018 estimate). According to U.S. government figures, 77 percent of the population identifies as Catholic and 16 percent as Protestant, including evangelical Protestant and Pentecostal groups. According to the leader of the Church of Jesus Christ in La Paz, approximately 300,000 thousand followers reside in the country; the Church of Jesus Christ's central website estimates more than 200,000 followers. Approximately 5 percent identify with smaller religious groups and 5 percent self-identify as nonbelievers. There are approximately 1,500 Muslims and approximately 450 Jews, according to leaders of the respective faiths and news reports. Many indigenous communities, concentrated in rural areas, practice a mix of Catholic and indigenous spiritual traditions.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the constitution, the state respects and provides for “freedom of thought, spirituality, religion and cult,” expressed individually or collectively, in public and in private. The constitution stipulates the state is independent of all religion.

The constitution prohibits religious discrimination, including in access to educational institutions, health services, and employment and protects the right of access to public sport and recreational activities without regard to religion.

The law requires religious groups to register with the Ministry of Foreign Affairs' (MFA) Office of Religion and Nongovernmental Organizations as nongovernmental organizations (NGOs) in order to operate legally. Pursuant to a concordat with the Holy See, the Catholic Church is exempt from the registration law.

According to the MFA's Religion and Nongovernmental Organizations Office, religious organizations must fulfill 14 requirements to register their organization with the government. Organizations must submit their notarized legal documents, including statutes, internal regulations, and procedures; rental agreement

documents, utility invoices for the place(s) of worship, and a site map; detailed information on board members and legal representatives, including criminal background checks; an INTERPOL certificate for foreigners; and proof of fiscal solvency. They must also provide the organization chart, with names, addresses, identification card numbers, and photographs; a full list of members and identifying information; details on activities and services provided by the organization, including the location of the services; and information on their financing source(s), domestic and/or foreign.

The requirements for classification as a spiritual organization or religious organization vary slightly, but the government requires essentially the same type of information from both spiritual and religious entities. The constitution defines a spiritual organization as a group of natural, national, and/or foreign persons who organize themselves to carry out practices that develop their spirituality according to their ancestral worldview. Most spiritual organizations are indigenous in their origins. The constitution defines a religious organization as a group of natural, national, and/or foreign persons who organize themselves with the purpose of carrying out practices of worship and/or belief around a Supreme Being, in order to develop their spirituality and religiosity, and whose purpose does not pursue profit.

The government may revoke a spiritual or religious organization's operating license if the organization does not produce an annual report of activities for more than two consecutive years; does not comply with its stated objectives; carries out activities different from those established in its statute; or carries out activities contrary to the country's constitution, laws, morality, or "good customs." A religious or spiritual organization may also lose its operating license if it does not comply with the deadline for renewing the license.

A 2017 regulation requires religious and spiritual groups to reregister their operating licenses to ensure all documents list the official name of the country as "Estado Plurinacional." Prior to this new requirement, organizations could carry an older version of licenses that listed the name of the state as "Republica de Bolivia." Reregistration also requires any amendments to organizations' bylaws to conform to all new national laws. Organizations must comply with the new registration requirements by 2019. Registered religious groups receive tax, customs, and other legal benefits.

The fees to obtain an operating license differ between "Religious Organizations" and "Spiritual Organizations," with costs of 6,780 bolivianos (\$990) and 4,068 bolivianos (\$590), respectively.

The government reserves the right to revoke an organization's operating permit for noncompliance with the registration requirements. The government may not deny legal recognition to any organization based on its articles of faith.

The constitution and other laws provide educational institutions the option to teach religion classes, including indigenous spiritual belief classes, with the stated aim of encouraging mutual respect among religious communities. While religion classes are optional, schools must teach ethics with curriculum materials that promote religious tolerance. The government does not restrict religious teaching in public or private schools, and it does not restrict a student from attending private, religiously affiliated schools. The law also requires all schools to accept students regardless of their religious affiliation.

The country is a party to the International Covenant on Political and Civil Rights.

Government Practices

Members of the evangelical Protestant community again said several smaller religious communities forming congregations that observe prayer at unofficial worship locations continued to refuse to register their organizations because they preferred not to provide the government with access to internal personal information. Sources stated that these unregistered groups still could neither own property nor have bank accounts in their name; however, the sources said the government did not interfere with these organizations for their refusal to comply with the law.

According to the MFA's Office of Religion and Nongovernmental Organizations, there were approximately 440 registered religious groups, an increase from 434 in 2017. Many religious groups continued to state that the complexity of the registration procedure, including registering the legal name of the organization, required them to seek legal assistance in order to comply. This process generally took four to six months to complete.

Leaders from the Church of Jesus Christ and evangelical Protestant churches continued to work with the government on a legislative proposal exempting churches from the registration requirements for the next five years.

The Bolivian National Association of Evangelicals sent a letter to the foreign minister on September 27, raising what it said was governmental preferential

treatment of indigenous groups and citing the fee structure difference to obtain operating licenses for spiritual and religious groups as an example. The government did not respond to the letter during the year.

On December 24, after a meeting between evangelical Protestant leaders and President Evo Morales, Foreign Minister Diego Pary, and the previous president of congress, Jose Gonzalez, the government announced the congress would introduce a draft Religious Freedom law in February 2019. In January the congress abrogated the revised penal code, which had included an article criminalizing recruitment into “religious organizations or cults.” The action was reportedly in response to civil society protests of the revision, including from members of the evangelical Protestant community.

According to media reports and religious leaders, government leaders continued to criticize religious leaders who publicly commented on political issues. Catholic representatives said the longstanding and public tensions between the Catholic community and the government continued. According to media reports, in June the Bolivian Episcopal Conference of Catholic Bishops’ (CEB) deputy general secretary, Father Jose Fuentes, stated that President Evo Morales’ politics excluded portions of the country’s population. In response to these comments, President Morales accused the CEB of racism. In November Archbishop of Sucre Jesus Juarez stated that the CEB backed the outcome of the 2016 referendum reaffirming term limits for the president and vice president. On November 5, the CEB officially invited President Morales to the Assembly of Bishops. The minister of the Presidency, Alfredo Rada, publicly released a letter rejecting the CEB’s invitation. The letter, signed by Rada, stated that the Office of the President was surprised to receive the invitation because some bishops “attack” the current administration and “persist in using hard and false concepts” such as the accusation that the country’s democracy was at risk.

On December 2, the CEB commented on the November 2017 Plurinational Constitutional Court of Bolivia (TCP) ruling, which invalidated the referendum’s outcome by removing term limits for elected officials, thus allowing President Morales to run for a fourth consecutive term. The CEB stated that the TCP decision “constitutes a serious damage to democracy, and ignores the popular will expressed in the referendum of February 21, 2016.” Father Fuentes of the CEB further stated, “This precedent may undermine the credibility and legitimacy of the authorities and institutions called to preserve the democratic health of our country. It could put us in a situation of violation of the constitutional order of unforeseeable consequences.” President Morales responded to the CEB’s

comments by stating that some bishops and other members of the Catholic Church were “inclined to support the powerful” and were “betraying Jesus” by supporting the opposition.

A representative from the Jewish community stated the Jewish community still had no contact with the president or any other kind of relationship with the Morales administration.

Evangelical Protestant leaders again said the government violated the constitution’s separation of religion and state by favoring an Andean spiritual philosophy, especially the philosophy of the ethnic Aymara community, over other religious beliefs, in public statements and ceremonies.

Section III. Status of Societal Respect for Religious Freedom

Evangelical Protestant leaders again stated that members of indigenous communities continued to expel missionaries and pastors from rural communities for practicing a religion that did not defer to traditional Andean spiritual beliefs. According to leaders in the evangelical Protestant community, indigenous leaders expelled pastors from rural villages for not observing indigenous customs such as making offerings to mother earth.

Section IV. U.S. Government Policy and Engagement

U.S. government access to government officials continued to be limited despite embassy requests for meetings.

Embassy representatives routinely engaged religious leaders to underscore the importance of tolerance and religious freedom. In October and November the Charge d’Affaires hosted interfaith meetings for religious leaders from the evangelical Protestant, Catholic, Methodist, Church of Jesus Christ, Jewish, and Muslim communities to discuss religious freedom issues, such as registration challenges and perceived discrimination, and to engage religious leaders in interfaith dialogue.