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2012 International Religious Freedom Report - Peru

Executive Summary

The constitution and other laws and policies protect religious freedom, and in practice the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. Some religious groups continued to assert that registration requirements discriminated against non-Roman Catholic religious groups.

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

The U.S. embassy staff met with the government, religious groups, and non-governmental organizations (NGOs) to discuss and promote religious freedom and tolerance.

Section I. Religious Demography

The population is 29.5 million, according to a 2010 National Statistical Institute (NSI) estimate. The 2007 NSI census reports 81 percent of the population is Roman Catholic, 13 percent is Protestant (mainly evangelical), and 3 percent belongs to other religious groups, including Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Israelites of the New Universal Pact Baptists, Assemblies of God, Jews, Bahais, Hare Krishnas, and Muslims. The Israel Information Center for Latin America estimates there are 3,000 Jews, residing primarily in Lima and Cuzco. There are small Muslim communities in Lima and Tacna. Some inhabitants of the remote eastern jungles adhere to traditional indigenous beliefs. There are also indigenous communities adhering to a combination of Christian and pre-Colombian beliefs, including some Catholics in the Andean highlands.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. The constitution establishes separation of church and state but recognizes the Roman Catholic Church's role as "an important element in the historical, cultural, and moral development of the nation."

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

A December 2010 religious freedom law recognizes an individual's fundamental right of freedom of religion, as stated in the constitution and international treaties the country has ratified. Under the law, registered religious groups gain many of the same tax benefits previously granted to the Catholic Church. In accordance with a 1980 agreement with the Holy See, the Catholic Church receives preferential treatment in education, taxation, immigration of religious workers, and other areas. The new law codifies this arrangement. October 2011 revisions of the law's implementing regulations attempt to address some of the complaints of minority religious groups, who criticized the law as maintaining preferential status for the Catholic Church.

The July 2011 regulations require non-Catholic religious groups to re-register with the Ministry of Justice within 360 days, and require that a religious group have at least 10,000 adult members. The membership lists must be certified by the National Elections Board, a requirement some critics said was contrary to the constitution, which provides for the right to privacy of religious conviction.

Registration is necessary for religious groups to receive the benefits of tax exemption and exercise their rights before government agencies. This includes the ability to form a legal entity that may own property, create a hierarchy and set of rules, operate religious schools, and solicit and receive voluntary donations.

Catholic and non-Catholic religious charities do not pay customs duties on items purchased. All religious groups are exempt from taxes on places of worship. Buildings, houses, and other real estate owned by the Catholic Church are exempt from property taxes. Other religious groups may be required, depending on the municipal jurisdiction, to pay property taxes on schools and clergy residences. The government permits non-Catholic organizations to buy land only in commercially zoned areas while Catholic churches may locate in either residential or commercially zoned areas. Catholic religious workers are exempt from taxes on international travel. All work-related earnings of Catholic priests and bishops are exempt from income taxes.

The government pays stipends to Catholic Church officials, including the cardinal and six archbishops. These stipends total approximately 2.6 million nuevo soles (\$923,700) annually. Some Catholic clergy and laypersons employed by the church receive remuneration from the state in addition to the church stipends. This applies to the 44 active bishops, as well as to some priests along the borders, representing approximately one-eighth of the clergy and pastoral agents. The government provides each diocese with a monthly institutional subsidy.

By law the military may employ only Catholic clergy as chaplains.

By law, all public and private schools must provide religious education as part of the curriculum through the primary and secondary level, "without violating the freedom of conscience of the student, parents, or teachers." Public schools may teach only Catholicism. The government exempts many non-Catholic religious or secular private schools from this requirement. The Ministry of Education mandates 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.

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.

Government Practices

There were no reports of abuses of religious freedom.

Minority religious groups continued to criticize the July 2011 regulations implementing the 2010 religious freedom law, calling them discriminatory and unconstitutional. The requirement that a religious group have at least 10,000 adult members effectively disqualified most religious groups. Some critics said the regulatory requirement that the National Elections Board certify religious group membership lists was contrary to the constitutional provision of the right to privacy of religious conviction. In response to concerns expressed about the implementing regulations, MINJUS published a revised text in October 2011 which it posted online for comments. The revisions left the requirements for re-registration unchanged, and controversy continued.

Before implementation of the 2010 religious freedom law, non-Catholic churches operating in the country for at least seven years were able to register and receive state benefits similar to those of the Catholic Church. No non-Catholic religious groups were able to meet the strict new registration requirements. Many evangelical churches lacked a central line of authority and doctrinal unity, further complicating the process of registration. At year's end, only the Catholic Church was registered with MINJUS.

Evangelical groups together had a sufficient number of members to qualify for registration, but refused to register out of principle and solidarity with other groups that could not meet the qualifications. In October, the government extended the registration window until January 13, 2013. Evangelical groups expressed concern that their missionaries risked losing visa eligibility after closure of the registration period. The government discussed revising the regulations, but by year's end there was no indication that revisions had advanced.

While the government taxed Catholics and non-Catholics equally in most activities, non-Catholic groups with extensive charitable activities reported that the government continued to tax goods donated from abroad at commercial rates. Some non-Catholic missionary groups stated that the law discriminated against them by taxing their imported religious materials, including Bibles, whereas the Catholic Church was not taxed.

Some non-Catholic members of the military complained that it was difficult to find and attend Protestant religious services because of the lack of chaplains.

The government permitted foreign missionary groups to operate freely; however, they did not receive the same privileges as the Catholic Church with respect to customs, immigration, and taxation.

Non-Catholic religious groups complained that although their members were exempt from attending Catholic religious instruction, exempted students lost academic credits. Without these credits, student could not be at the top of their class, regardless of other academic achievement, and thus were disadvantaged in competition for scholarships and admission to universities. MINJUS officials stated that the new religious freedom law addressed this issue and that the revised regulations provided clear instructions to prevent such disadvantages.

Section III. Status of Societal Respect for Religious Freedom

There were instances of societal discrimination based on religious affiliation, belief, or practice.

The Andean Peru National Socialism Movement (APNSM), an anti-Semitic group claiming 70 members, made public calls for the expulsion of the Jewish community and statements of Holocaust denial. APNSM was not an official political party. The Jewish community expressed concern to the government and asked it to halt the APNSM's incitement to racial and religious hatred.

Conservative Catholic groups criticized as "blasphemous" an October art exhibit at a public art gallery in Lima featuring a naked Christ statue. These conservative groups successfully pressed the district mayor to close the exhibit and fire the gallery director. Artistic community representatives and NGOs expressed concern over censorship and freedom of speech.

Religious groups occasionally joined forces on projects on behalf of the poor. The Catholic Church and Protestant evangelical churches collaborated closely in the area of human rights. NGOs such as the Episcopal Commission for Social Action (CEAS) of the Catholic Church, and Paz y Esperanza (Peace and Hope), an organization linked to the evangelical church, participated in national campaigns on behalf of prison inmates and detainees. The interreligious council Religions for Peace, which worked on social justice problems, represented all of the principal religious groups. Major political figures promoted religious freedom. Non-Catholic politicians held high-profile positions.

Section IV. U.S. Government Policy

U.S. embassy officers engaged with the government, religious groups, and NGOs to discuss and promote religious freedom and tolerance, and to encourage the government to revise the Religious Freedom Law's implementing regulations.

Embassy officials met with evangelical religious groups to discuss their concerns about missionaries losing visa eligibility when the January 18, 2013 religious organization registration period closes.

Embassy officials held discussions with the MINJUS directorate of interfaith affairs and the directorate of Catholic affairs, with the human rights office in the Ministry of Foreign Affairs, and with the ombudsman. Embassy staff also met with leaders of numerous religious groups, including representatives of the Catholic Church, Protestant groups, and the Mormon, Muslim, and Jewish communities.

The embassy continued regular contact with religious and religiously affiliated organizations including Caritas, the CEAS, the Interreligious Committee of Peru, the National Evangelical Council of Peru, the Evangelical group Path of Life (Camino de Vida), the Union of Christian Evangelical Churches of Peru, the Paz y Esperanza Evangelical association, and the Freedom of Conscience Institute.

