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2018 Report on International Religious Freedom: Colombia

Executive Summary

The constitution provides for freedom of religion and the right to profess one's religious beliefs. It prohibits discrimination based on religion. The Ministry of Interior (MOI) is responsible for formally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, among other responsibilities. In March the MOI introduced a new policy, titled “Comprehensive Public Policy of Religious Freedom and Worship,” establishing a Religious Freedom Directorate in the MOI and providing technical assistance to corresponding entities at the regional level. The MOI started developing protective tools for religious groups as part of its ongoing implementation of the new public policy. The Mennonite Association for Justice, Peace, and Nonviolent Action (Justapaz) expressed continued concern over a law requiring interagency commissions to evaluate requests for conscientious objector status. The minister of interior and the high commissioner for peace launched an interagency working group in April on the role of religious organizations in the peace and reconciliation process to strengthen respect for religious diversity. The Episcopal Catholic Conference of Colombia (ECC) expressed concern about new requirements for tax-exempt status implemented during the year, which the ECC said limited the ability of religious nonprofit organizations to deliver social services in their communities.

Nongovernmental organizations (NGOs) continued to report that guerillas and organized illegal armed groups threatened leaders and members of religious organizations in many areas of the country.

The ECC stated that on March 10, unidentified individuals tortured and killed 68-year-old Father Dagoberto Noguera Avendano in Santa Marta. Justapaz reported that an unidentified illegal armed group threatened the organization via a pamphlet issued on July 14, due to its efforts to promote human rights and reconciliation. Justapaz reported the threat to the Attorney General's Office and the MOI. The Jewish community reported continued comments promoting anti-Semitism on some social media sites, including aggressive actions by Boycott, Divestment, Sanctions (BDS) Colombia, an anti-Israel protest movement that used anti-Semitic slogans such as “Jews control the media.” During the year, the Catholic Church, Mennonite Church, and other religious groups continued to conduct programs focused on religious tolerance, land rights, peace, and reconciliation.

U.S. embassy officials raised issues of religious freedom, including conscientious objection to military service and the effect of illegal armed actors on religious practice, with government officials. Embassy officials met with the Human Rights Directorate of the Ministry of Foreign Affairs (MFA), the International Affairs Directorate of the Attorney General's Office, and the Religious Affairs Directorate of the MOI. Embassy officials discussed with the MOI the new public policy on religious freedom and worship, including support for victims of conflict and other vulnerable populations at the national and local levels. Embassy officials also met with representatives from a wide range of religious groups,

including the Jewish and Muslim communities, Catholics, evangelical Protestants, Baptists, Seventh-day Adventists, Presbyterians, and Mennonites. In these meetings, embassy officials discussed issues related to the government’s new policy on religious freedom, conscientious objection, and the importance of eliminating institutionalized discrimination.

Section I. Religious Demography

The U.S. government estimates the total population at 48.1 million (July 2018 estimate). The Roman Catholic Church estimates 75 percent of the population is Catholic. According to a 2017 survey by NGO Latinobarometer, 73 percent of the population is Catholic, 14 percent Protestant, and 11 percent atheist or agnostic. Groups that together constitute less than 2 percent of the population include nondenominational worshipers or members of other religious groups, including Jews, Muslims, Jehovah’s Witnesses, Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints, the Church of God Ministry of Jesus Christ International, and Mennonites. The Colombian Confederation of Jewish Communities (CJCC) estimates there are approximately 5,000 Jews. There is also a small population of adherents to animism and various syncretic beliefs.

Some religious groups are concentrated in certain geographical regions. Most of those who blend Catholicism with elements of African animism are Afro-Colombians and reside on the Pacific coast. Most Jews reside in major cities (approximately 60 percent in Bogota), most Muslims on the Caribbean coast, and most adherents of indigenous animistic religions in remote rural areas. A small Taoist community 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 prohibits discrimination based on religion. There is no official state church or religion, but the law says the state “is not atheist or agnostic, nor indifferent to Colombians’ religious sentiment.” The constitution states all religions and churches are equal before the law. A 1998 Constitutional Court ruling upholds the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices on indigenous reserves. Recent rulings refer to the 1998 decision to reaffirm the right of indigenous governors to prohibit the practice of certain religions on indigenous reserves. A concordat between the Holy See and the government, recognized and enforced by law, recognizes marriages performed by the Catholic Church, allows the Church to provide chaplaincy services, and exempts members of the Catholic clergy from compulsory public service, including military service. According to a court ruling, these provisions are constitutional as long as they apply to all religious groups. The law prohibits any official government reference to a religious affiliation for the country.

The MOI is responsible for formally recognizing churches, religious denominations, religious federations and confederations, and associations of religious ministers, as well as keeping a public registry of religious entities. Entities formally recognized by the MOI may then confer this recognition, called “extended public recognition,” to affiliated groups sharing the same beliefs. The application process requires submission of a formal request and basic organizational information, including copies of an act of the constitution and an estimate of the number of members. 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, when deciding whether to grant it formal recognition. The MOI is authorized to reject requests that are incomplete or do not fully comply with established requirements. The MOI provides a free, web-based registration process for religious and faith-based organizations seeking recognition. Formally recognized entities may collect funds and receive donations, establish religious education institutions, and perform religious services, excluding marriages. Unregistered entities may still perform religious activities without penalty but may not collect funds or receive donations.

The state recognizes as legally binding religious marriages performed by the Catholic Church, the Jewish community, and 13 non-Catholic Christian denominations that are signatories to the 1997 public law agreement. This agreement enables these religious groups to engage in activities such as marriages, funeral services, and spiritual assistance in prisons, hospitals, military facilities, and educational institutions. Under this agreement, 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. Non-Catholic religious groups seeking to provide chaplaincy services and conduct state-recognized marriages must also solicit formal state recognition from the MOI.

The constitution recognizes the right of parents to choose the education their child receives, including religious instruction. The law states religious education shall be offered in accordance with laws protecting religious freedom, and it identifies the Ministry of Education as responsible for establishing guidelines for teaching religion within 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 requirements. A Constitutional Court ruling obligates schools to implement alternative accommodations for students based on their religion, which could include students at religious institutions opting out of prayers or religious lessons. The government does not provide subsidies for private schools run by religious organizations.

The law imposes a penalty of one to three years in prison and a fine of 10 to 15 times the monthly minimum wage, approximately 8.3 million to 12.4 million Colombian pesos (\$2,600 to \$3,800), for violations of religious freedom, including discrimination based on religion. The penal code also prohibits discrimination based on religious beliefs, including physical or moral harm.

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 exempt from military service are required to complete alternative, government-selected public service. The law requires that regional interagency commissions (Interdisciplinary Commissions on Conscientious Objection, or ICCOs), under the Ministry of Defense, evaluate requests for conscientious objector status; commission members include representatives from the armed forces, the Inspector General's Office, and medical, psychological, and legal experts. By law, the National Commission of Conscientious Objection reviews any cases not resolved at the regional level.

According to a law issued in 2016, as of January 2018, all associations, foundations, and corporations declared as nonprofit organizations, including foundations supported by churches or religious organizations recognized by the MOI, must pay taxes. Churches and religious organizations recognized by the MOI continue to be tax-exempt, but now they must report their incomes and expenses to the National Tax and Customs Authority (DIAN).

Foreign missionaries must possess a special visa, valid for up to two years. The MFA issues visas to

foreign missionaries and religious group administrators who are members of religious organizations officially recognized and registered with the MOI. When applying for a visa, foreign missionaries must have a certificate from either the MOI or church authorities confirming registration of their religious group with the MFA. Alternatively, they may produce a certificate issued by a registered religious group confirming the applicant's membership and mission in the country. The visa 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 Constitutional Court ruling stipulates that no group may force religious conversion on members of indigenous communities.

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

GOVERNMENT PRACTICES

In February the ECC objected to the Pereira municipal government's denial of a permit application from members of the Catholic Church to organize a public march as part of the 40 Days for Life campaign. The ECC stated it believed the government had discriminated against citizens opposed to abortion and “confined their right to exercise their religious beliefs.” The ECC also expressed concern that new taxes on religious nonprofit organizations were limiting those organizations' ability to deliver social services in their communities.

The MOI reported there were 7,292 formally recognized religious entities in the country at year's end. It received 966 applications for formal recognition of religious entities, approved 632, and denied 21 due to the applying entity's failure to meet the legal requirements and/or because the applying entity failed to provide missing information during the year. The MOI stated it continued to review the remaining applications. According to the MOI, the majority of applications were from evangelical Christian churches. The MOI gave applicants who submitted incomplete applications or incorrect supporting documents 30 days to bring their applications into compliance. If the MOI deemed an application incomplete, it could deny the application; however, the applying organization could resubmit an application at any time, and the MOI indicated that there was no waiting period to reapply.

As part of the drafting process of the new comprehensive public policy on religious freedom and worship, the government reviewed petitions submitted in 2017 from the Traditional Episcopal Church and the Church of God Ministry of Jesus Christ International to adhere to the 1997 public law agreement. The government determined that the regulations governing the 1997 agreement were incomplete. As of the end of the year, the two petitions were still in abeyance. The MOI reported the public policy would prioritize coordination with the different religious groups, including the Traditional Episcopal Church and the Church of God Ministry of Jesus Christ International, to update the agreement, which would require a legislative change.

According to the MOI, the government provided technical assistance in all 32 departments across the country to raise awareness of the role of religious groups in supporting victims of conflict and other vulnerable populations, as well as to strengthen interreligious cooperation and tolerance at the local level. This assistance was part of the government's implementation of its new public policy on religious freedom and worship. As of September four major cities (Bogota, Manizales, Santa Marta, and Villavicencio) and four departments (Meta, Santander, Caqueta, and Valle del Cauca) had adopted these new public policies on religious freedom. To implement these new public policies, two cities (Bogota and Manizales) and two departments (Caqueta and Valle del Cauca) established local interreligious

committees that met at least monthly and included representatives from civil society and a wide range of local institutions. In May the Bogota mayor's office introduced its public policy on religious freedom and awareness to protect individual and collective rights to worship and reduce religious discrimination. The new policy also established a Religious Freedom Committee, which includes a diverse range of religious denominations and faith-based communities.

According to religious groups, individuals continued to have difficulty obtaining exemptions from military service on religious grounds. Justapaz reported another increase in requests for conscientious objector status, which the organization believed was likely due to a 2017 law's inclusion of conscientious objector status as a valid exemption from compulsory military service, as well as increased outreach by teachers and administrators in public and private schools. The National Army Reserve Recruitment and Control Command reported that 324 recruits were granted conscientious objector status since the law passed in August 2017. Justapaz stated that the ICCOs, which are lawfully established interagency commissions for evaluating requests for conscientious objector status, were staffed disproportionately by members of the armed forces. Justapaz said this staffing pattern ran counter to a 1998 UN resolution requiring that independent and impartial bodies evaluate objection requests to protect the rights to freedom of worship and of conscience.

The Colombian National Police, through the Protection and Special Services Directorate, continued to provide security for religious sites and leaders at risk and/or under threat, including a meeting of Catholic bishops, a conference of Muslim community leaders, and a Christian television station.

According to the MOI and religious leaders of several groups, the MOI started implementing its new public policy through structured interfaith dialogues and increased technical assistance. The MOI carried out 32 departmental workshops to assist local authorities and religious organizations on various aspects of the public policy, with a focus on taxes, religious facilities, and education.

The Bogota mayor's office held roundtable discussions focused on children's issues with leaders of religious organizations in February and June, and in July collaborated with the MOI to host a symposium on religious freedom and human dignity. The Bogota mayor's office also highlighted its programs aimed at integrating the religious community into public policy discussions, including how to respond to the humanitarian crisis in Venezuela and the increasing number of Venezuelans residing in Colombia.

ABUSES BY FOREIGN FORCES AND NONSTATE ACTORS

As in past years, there were media and NGO reports that guerrillas and organized illegal armed groups threatened leaders and members of religious groups and targeted them for extortion.

The NGO Witness for Peace reported that guerrillas and illegal armed groups continued to threaten, displace, or attack religious leaders for promoting human rights, assisting internally displaced persons, assisting with land restitution claims, and discouraging coca cultivation.

Section III. Status of Societal Respect for Religious Freedom

A 2016 joint study by the Bogota mayor's office and the National University of Colombia investigated cases of intolerance, discrimination, and religious persecution against religious leaders in the capital. Their study showed that, among those surveyed, 13 percent had received threats of violence,

kidnapping, or extortion due to their religious beliefs. The ECC reported several cases of vandalism of religious property during the year, including during an April 28 attack by members of “satanic sects” on a Catholic church in Soacha Diocese, south of Bogota, during which the attackers burned the tabernacle holding consecrated hosts. The ECC also reported an attack on a Catholic church in the Castilla neighborhood of Bogota on May 22, which included death threats against Father Jesus Hernan Orjuela. According to media reports, the assailants entered the church during Mass, physically damaged the windows and doors of the church, took photos, and verbally harassed the congregants.

The ECC stated that on March 10, unknown assailants tortured, gagged, and killed 68-year-old Father Dagoberto Noguera Avendano in Santa Marta. According to the Attorney General’s Office, at year’s end, a homicide investigation continued in Santa Marta. The Attorney General’s Office awaited a response to its request for international judicial assistance.

Protestant leaders again stated that isolation and fear of retribution in rural communities led to underreporting of assault, harassment, and killings of clergy. Justapaz reported that an illegal armed group threatened Justapaz via a pamphlet issued on July 14, due to the organization’s efforts to promote human rights and reconciliation. Justapaz reported the threat to the Attorney General’s Office and the MOI. In response, the MOI said it was developing protective tools for pacifist religious groups as part of its ongoing implementation of the new public policy, including awareness campaigns involving protective and preventive security measures for religious leaders.

Given the presence of illegal armed actors in many parts of the country, religious leaders and faith-based NGOs said they continued to focus their efforts on ensuring the safety of their communities and assisting community members, many of them displaced persons or victims of conflict, with victim registration and restitution.

Justapaz continued to report threats from illegal armed groups and forced displacements of clergy and parishioners. Justapaz said pastors in Bajo Cauca, Antioquia Department, received threats from illegal armed groups that forced them to conclude their pastoral activities no later than 5:00 p.m., limiting the pastors’ ability to perform their religious duties in the community. Justapaz expressed concern that illegal armed groups were attempting to recruit minors with financial incentives, and that rival groups were in turn placing unofficial curfews on potential recruits, which restricted the Mennonite Church’s ability to conduct youth activities in Choco Department.

The Presbyterian Church reported forced displacements of its missionaries in Uraba, Antioquia Department, and threats by an illegal armed group against a Presbyterian pastor due to his work on peace initiatives. According to local media outlet *El Tiempo*, a Catholic priest in Ciudad Bolivar, a neighborhood in the south of Bogota, was forced to relocate in September after receiving four death threats in pamphlets most likely issued by members of criminal gangs.

The ECC expressed concern that a French high school in Pereira refused to allow three students, ages eight, nine, and 12, to enter on February 14 because they were wearing a Christian cross. The ECC also stated that the Colombia Humana citizens’ movement used religious symbols such as the Catholic stole and the Ten Commandments in a disrespectful manner during its presidential election campaign. The ECC expressed concern over an evangelical Christian pastor who destroyed an image of the Virgin Mary in Santa Cruz de Mompox, Bolivar, on July 16, during a Catholic holy day celebration, which the ECC said was “an offensive, violent act against Catholics.”

According to leaders of many religious groups, illegal armed groups were hindering peace and

reconciliation programs, including those led by religious leaders, in rural areas where the state's presence is weak.

Justapaz said it was working with the Truth Commission to raise awareness about violence and threats against social leaders, including from faith-based communities, and the Presbyterian Church highlighted its focus on education and youth-based peace programs.

A number of faith-based and interfaith NGOs continued to promote religious freedom and tolerance through their programs and community engagement. The Colombian Confederation of Religious Freedom, Conscience, and Worship (CONFELIREC), which includes Protestant churches, the Islamic Cultural Center, and the Jewish community, continued to advocate for equality across all religious denominations through legal, social, and educational programs. Justapaz collaborated with the Catholic and Mennonite Churches, based on their shared commitment to religious diversity, to deliver humanitarian assistance in conflict-affected Bajo Cauca and Choco in October.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed conscientious objection to military service and the effect of guerrilla and illegal armed groups on religious freedom with the Human Rights Directorate of the MFA, the International Affairs Directorate of the Attorney General's Office, and the Religious Affairs Directorate of the MOI. In celebration of International Religious Freedom Day on October 27, the embassy highlighted on social media U.S. collaboration with the government and civil society to promote respect for religious pluralism and diversity of belief. Embassy representatives participated in government-sponsored religious freedom events, including a forum hosted by the Bogota mayor's office May 14.

Embassy officials met with representatives from the Catholic Church, Protestant churches, Justapaz, Witness for Peace, the CJCC, and other faith-based NGOs –including Global Ministries, the Colombian Mennonite Foundation for Social Development, the Colombian Evangelical Council's Peace Commission, and CONFELIREC. They discussed the impact of the post-peace accord period on religious freedom. At an annual embassy-hosted working group meeting in September, government representatives committed to work with all denominations to strengthen religious freedom across the country and underscored the critical role of religious groups in helping achieve sustainable peace and reconciliation. Religious community leaders outlined ways in which their organizations were participating in peacebuilding efforts, including through programs to improve and promote the human rights of social leaders.

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