

COLOMBIA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

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. The MOI continued efforts to develop protective tools for religious groups. Religious leaders expressed continued concern about a law requiring interagency commissions to evaluate requests for conscientious objector status. MOI officials and High Commissioner for Peace Miguel Ceballos met in August to study the role of religious organizations in the peace and reconciliation process. Religious leaders reported arbitrary enforcement of the tax law, and in particular, confusion regarding the taxability of donations to religious organizations. The Ministry of Foreign Affairs (MFA) and the United Nations Development Program signed an agreement to pursue a study of the social contribution and sustainable development goals of religious organizations, within the framework of the implementation of the country's public policy of religious freedom and worship, launched in March 2018. By year's end, 14 major cities had adopted new public policies on religious freedom, up from four at the close of 2018.

Nongovernmental organizations (NGOs) continued to report that illegal armed groups threatened and committed violence against leaders and members of religious organizations in many areas of the country. Because many religious leaders were also involved in politics and social activism, it was often difficult to categorize many incidents as being solely based on religious identity. For example, there were media reports covering the killings of Pastors Tomas Francisco Estrada and Leider Molina, allegedly for their opposition to illegal armed groups. The Episcopal Conference of Colombia (ECC) reported that in March a pastor fled his community in Armenia, Antioquia, after receiving threats of violence.

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 continued to use 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. Faith-based and interfaith NGOs, including DiPaz and the Inter-ecclesiastical Commission on Justice and Peace, continued to promote religious freedom and tolerance through their programs and community engagement.

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 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 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 48.6 million (midyear 2019 estimate). The Roman Catholic Church estimates 75 percent of the population is Catholic. According to a 2017 survey by the 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 5,500 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 70 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. Subsequent 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, but the legal framework is not in place to extend them 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 the organization's 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 marriages performed by the Catholic Church, the Jewish community, and 13 non-Catholic Christian denominations that are signatories to a 1997 public law agreement. The agreement authorizes 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 affiliated with signatories must marry in a civil ceremony for the state to recognize the marriage. Religious groups not signatories to the 1997 public law may not provide chaplaincy services or conduct state-recognized marriages.

The constitution recognizes the right of parents to choose the education of their child, 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 (\$2,500 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 may complete alternative, government-selected public service. The law requires that regional interagency commissions (Interdisciplinary Commissions on Conscientious Objection, 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. The law requires that every

battalion or military unit designate an officer in charge of processing conscientious objector exemptions.

According to the law, 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 are tax-exempt, but they must report their incomes and expenses to the National Tax and Customs Authority. According to an August Constitutional Court ruling, the state may not seize the assets of non-Catholic churches in legal proceedings if the church meets the requirements for formal government recognition. Previously this benefit was available only to the Catholic Church and 14 other Christian churches.

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 impose religious conversion on members of indigenous communities.

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

Government Practices

The MOI reported there were 7,763 formally recognized religious entities in the country as of September, compared with 7,292 at the end of 2018. It received 771 applications for formal recognition of religious entities, compared with 966 in 2018; approved 481, compared with 632 in 2018; and filed or denied 32, compared with 21 in 2018, because of 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, 99 percent of the applications were from

evangelical Christian churches, with Islamic and Buddhist organizations representing the remaining 1 percent. The MOI continued to give 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 there was no waiting period to reapply.

The government denied petitions submitted in 2017 from the Traditional Episcopal Church and the Church of God Ministry of Jesus Christ International, which are not signatories to the 1997 public law agreement, requesting they receive the same rights as the Catholic Church under the agreement. The government determined the regulations on religious groups' authority to engage in activities, such as marriages, funeral services, and spiritual assistance, did not apply to all recognized religions equally because not all registered religious groups were signatories of the 1997 public law agreement. The MOI reported that the new public policy on religious freedom and worship 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.

The MFA and the United Nations Development Program signed an agreement on July 24, to pursue a study of the social contribution and sustainable development goals of religious organizations, within the framework of the implementation of the country's public policy of religious freedom and worship, launched in March 2018.

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 22 departmental workshops, prioritized according to need, to assist local authorities and religious organizations on various aspects of the public policy, with a focus on taxes, religious facilities, and education. The workshops also focused on raising awareness of the role of religious groups in supporting victims of conflict and other vulnerable populations, as well as strengthening 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. By year's end, 14 major cities (including Bogota, Manizales, Santa Marta, Villavicencio, Quibdo, Chia, Fusagasuga, Ibague, and Tuluá) and 11 departments (among them Valle del Cauca, Caldas, Casanare, Magdalena, Meta, Quindio, Risaralda, Santander, Tolima, and Vaupes) had adopted these new public policies on religious freedom – compared with four

major cities and four departments in 2018. The policies included public campaigns to promote religious tolerance and nondiscrimination and efforts to strengthen communication between religious groups and government institutions at the national and regional levels. In pursuit of Bogota's 2018 public policy on religious freedom, the city's outreach programs prioritized 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.

According to religious groups, individuals continued to have difficulty obtaining exemptions from military service on religious grounds. Religious organizations reported mixed enforcement of the conscientious objector law, stating that some objectors were still required to serve in the military, although relieved of carrying a weapon. The Ministry of Defense reported that by year's end, it had approved 156 of 259 applications seeking conscientious objector status on religious grounds.

Religious leaders from Catholic and Protestant churches reported the parameters of the tax law were not clear and enforcement was arbitrary. There was particular confusion regarding the taxability of donations to religious organizations. The ECC continued to express concern that the taxes on religious nonprofit organizations were limiting those organizations' ability to deliver social services in their communities. For example, the NGO Pastoral Social said paying taxes would limit its ability to provide social services to vulnerable communities.

The CJCC continued to express concern that some political figures associated with the country's self-defined left-leaning political parties used anti-Semitic rhetoric during political campaigns, including references to the "Jewish lobby," "Jewish control of money," and "Jews control the media." Political analysts noted such rhetoric was not representative of party views.

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

In accordance with a declaration signed by then president Juan Manuel Santos in 2016, the country again observed July 4 as the National Day of Religious Freedom. In connection with the observance, the MOI and regional governments held forums and other events to educate the public on the significance of the holiday and new public policy and to build bridges with religious organizations. For example,

President Ivan Duque hosted an event attended by 130 religious leaders to commemorate the day. The ministers of education and interior also attended and signed a declaration supporting an interinstitutional board to analyze the relationship between the right to education and the freedom of religion and worship.

An interagency working group on the role of religious organizations in the peace and reconciliation process formed in 2018 met in August to continue discussing ways to further strengthen participation of religious groups in peace and reconciliation projects at the national and regional levels.

Abuses by Foreign Forces and Nonstate Actors

As in past years, there were media and NGO reports that illegal armed groups killed and threatened community leaders, including members of religious groups, and targeted them for extortion. Because many religious leaders were also involved in politics and social activism, it was often difficult to categorize many incidents as being solely based on religious identity. There were media reports on the killings of Pastors Tomas Francisco Estrada and Leider Molina, allegedly for their opposition to illegal armed groups.

Leaders of many religious groups continued to report that illegal armed groups were hindering peace and reconciliation programs, including those led by religious leaders, in rural areas where the state's presence remained weak.

NGOs and church representatives reported that illegal armed groups continued to kill, threaten, displace, or attack religious leaders for promoting human rights, assisting internally displaced persons, assisting with land restitution claims, and discouraging coca cultivation. For example, the ECC reported that in March a pastor was forced to flee his community in Armenia, Antioquia, after receiving threats of violence. Press and media reports covered the August killing of Pastor Plinio Rafael Salcedo in Antioquia. According to the reports, armed intruders shot Salcedo in his home and linked the killing to a protest two days prior when members of the local Protestant and Catholic churches gathered to call for the restoration of peace in the region.

MOI officials reported that as of September, they were aware of four cases of threats of violence against Christian pastors. The Office of the Attorney General reported no investigations of killings of religious leaders from January through September.

Section III. Status of Societal Respect for Religious Freedom

The Jewish community reported continued comments promoting anti-Semitism on some social media sites, including aggressive actions by BDS Colombia, an anti-Israel protest movement that used anti-Semitic slogans, such as “Jews control the media.” In November unidentified individuals defaced a public stone menorah in Bogota with a spray-painted swastika, an act the Ministry of Foreign Affairs condemned as an expression of “intolerance and hate.”

Faith-based and interfaith NGOs, including DiPaz and the Inter-ecclesiastical Commission on Justice and Peace, continued to promote religious freedom and tolerance through their programs and community engagement. DiPaz members included the Presbyterian Church, the Lutheran Evangelical Church, and the Council of the Assemblies of God, as well as NGOs. Its work focused on advancing the peace process in the country. 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.

A representative of Abu Bakir Mosque reported the mosque had been vandalized three times in recent years, with the most recent attack occurring in June.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed conscientious objection to military service, the tax law, 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 government district secretary at Bogota City Hall on August 22.

Embassy officials met with representatives from the Catholic Church, Protestant churches, 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 postpeaceaccord 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.