

COLOMBIA 2020 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 to hold training sessions on community development strategies for religious groups and societal leaders. Religious leaders expressed continued concern regarding a law requiring interagency commissions to evaluate requests for conscientious objector status. Religious leaders noted their increased involvement with the MOI, including in the planning process for the country's role as host of the Hemispheric Forum on Freedom of Religion or Belief. Religious leaders reported arbitrary enforcement of the tax law, specifically regarding the taxability of donations to religious organizations. The Ministry of Foreign Affairs' (MFA) and the United Nations Development Program's (UNDP) 2019 agreement to study the social contribution and sustainable development goals of religious organizations went into effect, and the department of Cundinamarca officially enrolled in the study in August. On February 28, the MOI released a new public policy draft decree on religious freedom and worship aimed at increasing coordination with religious groups in an effort to update a 1997 agreement that stipulated which religious organizations might perform government-recognized services. According to the MOI, these decrees would enable religious groups, in addition to the original signatories, to have the authority to engage in activities such as marriages, funeral services, chaplain services, and spiritual assistance. By year's end, 19 major cities and 14 departments had adopted new public policies on religious freedom, up from 14 and 11 at the close of 2019.

Nongovernmental organizations (NGOs) continued to report that illegal armed groups threatened and physically attacked leaders and members of religious organizations in many areas of the country. The Attorney General's Office (AGO) reported members of illegal armed groups killed three leaders of religious organizations and committed acts of violence against 16 others that resulted in injury.

The Jewish community reported continued anti-Semitic comments on social media sites, including some that questioned Israel's right to exist. 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. The Catholic Church in the country and other religious organizations helped the Association of Food Banks of Colombia distribute more than 33 million pounds of food during the COVID-19 pandemic to all in need regardless of religion.

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 AGO, the Religious Affairs Directorate of the MOI, and members of congress. Embassy officials discussed with the MOI public policies on religious freedom and worship, including support for victims of conflict and other vulnerable populations and the importance of ensuring indigenous groups were included in government-sponsored events on religious tolerance and inclusion. 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, Mennonites, Baha'is, Greek Orthodox, and members of indigenous groups. In these meetings, embassy officials discussed issues related to the government's policies on religious freedom, conscientious objection, anti-Semitism, and government support for religious organizations providing services for trafficking victims, internally displaced persons, and Venezuelan migrants and refugees.

Section I. Religious Demography

The U.S. government estimates the total population at 49.1 million (midyear 2020 estimate). 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, Mennonites, Baha'is, and Buddhists. The Colombian Confederation of Jewish Communities (CJCC) estimates there are approximately 5,500 Jews. According to Baha'i leaders, there are approximately 60,000 followers; a Buddhist representative estimates there are 9,000 adherents in the country. There are between 85,000 and 100,000 Muslims, according to a 2018 Pew research study.

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 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 (\$2,400 to \$3,600), 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 larger 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 a 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.

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 8,214 formally recognized religious entities in the country as of September, compared with 7,763 at the end of 2019. It received 393 applications for formal recognition of religious entities, compared with 771 in 2019; approved 343, compared with 481 in 2019; and deferred or denied 12, compared with 32 in 2019. The MOI stated that the deferred and denied petitions were because the applying entity failed to meet the legal requirements and/or because it failed to provide missing information during the year. The MOI stated it continued to review the remaining applications. According to the MOI, 100 percent of the applications were from evangelical Christian churches. 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.

On February 28, the MOI released a new public policy draft decree on religious freedom and worship aimed at increasing coordination with religious groups and updating a 1997 agreement to include additional religious groups. According to the MOI, the draft decree would enable religious groups not included in the original signatories to have the authority to engage in activities such as marriages, funeral services, and spiritual assistance. The government made available the draft for public comment for 15 days on the MOI website. After receiving no comments, the MOI moved the draft to the Minister of Interior for signature, where it awaited at year's end before proceeding to the President for signature. The MOI released for public comment a second related decree to increase access for religious organizations to perform chaplain services. At year's end, this draft decree had received no comments and was awaiting signatures from the Minister of Interior and the President.

The 2019 agreement between the government and UNDP to study the social contribution and sustainable development goals of religious organizations went into effect and in August, Cundinamarca became the first department to become part of the study. According to the MOI, it intended to expand the study to the country's remaining 31 departments. On October 28, the MOI launched a new Academic Network for the Respect and Guarantee of Religious Freedom whose goal was to engage university researchers in investigating religious tolerance in the country.

According to the MOI and religious leaders, the ministry continued implementing its public policy goal of 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 through structured interfaith dialogues and technical assistance. The MOI led 14 virtual and in-person workshops to assist local authorities and religious organizations on various aspects of the policy, with a focus on taxes, religious facilities, and education. The workshops also focused on increasing religious tolerance, postconflict victim support, and outreach to vulnerable populations. The MOI also launched a new program in August that held 25 virtual workshops to train religious leaders and public servants in constructing and managing social projects.

By year's end, 19 major cities had adopted new public policies on religious freedom, compared with 14 major cities and 11 departments in 2019. The policies included public campaigns to promote religious tolerance and nondiscrimination, as well as efforts to strengthen communication between religious groups and government institutions at the national and regional levels. Religious freedom and respect for religious groups were included in new territorial development plans for 2020-23 in 16 departments and 24 municipalities. The national outreach programs continued to prioritize integrating the religious community into public policy discussions, including on how to respond to the humanitarian crisis in Venezuela, the increasing number of Venezuelans residing in the country, and how to deal with the COVID-19 pandemic.

According to religious groups, individuals continued to have difficulty obtaining exemptions from military service on religious grounds. Religious leaders expressed continued concern regarding a law requiring interagency commissions to evaluate requests for conscientious objector status. Religious organizations reported mixed enforcement of the conscientious objector law, stating that some objectors were still required to serve in the military, although they were exempt from carrying a weapon. The Ministry of Defense reported that by year's end, it had approved 85 of 117 applications seeking conscientious objector status on religious grounds.

Religious leaders of Catholic and Protestant churches continued to report the parameters of the tax law governing religious organizations were not clear and that enforcement was arbitrary because the tax-related responsibilities for religious organizations remained unclear. The Episcopal Conference of Colombia, representing the Catholic Church, continued to express concern that taxes on

religious nonprofit organizations were limiting those organizations' ability to deliver social services in their 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, referring to Israeli military operations in Palestinian-controlled territory as a new version of the Holocaust. Political analysts said such rhetoric was not representative of the views of left-leaning parties.

The National Police, through the Protection and Special Services Directorate, continued to provide security for religious sites and leaders deemed at risk.

The country 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. On July 4, President Ivan Duque Marquez met virtually with representatives of the country's main religious communities and organizations. During the meeting, he highlighted what he said was the progress achieved by the country in the field of religious freedom, and he said that the defense of freedom of religion is intrinsic to the democratic society to which the country aspires.

The government hosted the first Hemispheric Forum on Freedom of Religion or Belief on October 22-23. The first day of the virtual event brought together experts and leaders from various religious organizations in the Western Hemisphere to discuss challenges to freedom of religion or belief. The second day featured a ministerial during which ministers of foreign affairs made statements on the promotion and guarantee of the right to freedom of religion or belief. Vice Minister of Interior Carlos Alberto Baena Lopez highlighted the government's commitment to protecting religious freedom, while Vice Minister of Foreign Affairs Adriana Mejia Hernandez said the country took seriously the responsibility to protect the rights of religious minorities, adding that any threat to freedom of religion was a threat to democracy. Religious leaders said they were pleased with their increased involvement with the MOI in planning the country's role as forum host.

An interagency working group formed in 2018 with the participation of several religious organizations met virtually to discuss the role of such organizations in the internal peace and reconciliation process and to plan for the Hemispheric Forum on

Freedom of Religion or Belief. It also discussed the response of religious organizations to the crisis in Venezuela.

Actions by Foreign Forces and Nonstate Actors

There were continued 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. The AGO reported three killings of religious figures between January 1 and September 21, allegedly for their opposition to illegal armed groups, and injuries to 16 others. For example, on September 2, *El Pais* reported that armed individuals in Cali killed an evangelical Christian pastor, Silvio Enrique Ochoa Gaviria

Leaders of many religious groups continued to report that illegal armed groups, in particular the National Liberation Army, were hindering peace and reconciliation programs, including those led by religious institutions, such as the Catholic Church, in rural areas where the state's presence was limited.

NGOs and church representatives reported that illegal armed groups continued to kill, threaten, or displace religious leaders for promoting human rights, assisting internally displaced persons, assisting with land restitution claims, and discouraging coca cultivation. The AGO reported nine threats by members of illegal armed groups against religious leaders and 16 attacks against members of religious organizations. The AGO also reported a case in which hostage takers were religiously motivated.

Section III. Status of Societal Respect for Religious Freedom

The Jewish community again reported anti-Semitic comments on social media sites, including by a communist group that posted, "Wealthy Jews represent exploitative capitalism."

According to a representative of the Abou Bakir Alsiddiq Mosque in Bogota, unlike in previous years when unidentified individuals vandalized the mosque, most recently in June 2019, there were no reported acts of vandalism during the year.

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.

DiPaz, which included the Presbyterian Church, Lutheran Evangelical Church, Council of the Assemblies of God, and NGOs, focused on advancing the peace process in the country through its “Route Towards Reconciliation” program (11 countrywide initiatives that reintegrated victims of conflict). The Colombian Confederation of Religious Freedom, Conscience, and Worship (CONFELIREC), which included 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. Several religious organizations, including CONFELIREC, continued to provide support to Venezuelans living in the country. For example, the Diocese of Cucuta provided 3.5 million meals to Venezuelans fleeing their country.

The Catholic Church and other religious organizations helped the Association of Food Banks of Colombia distribute more than 15 million kilograms (more than 33 million pounds) of food during the COVID-19 pandemic to all in need regardless of religion.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed conscientious objection to military service, the tax law, and the effects of the actions of guerrilla and illegal armed groups on religious freedom with the Human Rights Directorate of the MFA, the International Affairs Directorate of the AGO, and the Religious Affairs Directorate of the MOI. They also discussed the importance of ensuring indigenous groups were included in government-sponsored events on religious tolerance and inclusion. Embassy officials also met with members of congress across several political parties to discuss government financial support for NGOs, including religious affiliated organizations that provide short- and long-term housing for victims of human trafficking, the homeless, and Venezuelan refugees and migrants.

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, to condemn anti-Semitism, and to highlight local events promoting religious

freedom and tolerance. Embassy representatives participated in religious freedom events. On September 14, the Ambassador spoke about the role of freedom of religious expression in building a durable peace at the Combating Anti-Semitism event hosted by the Latino Coalition for Israel.

Embassy officials met with representatives from a wide range of religious groups, including the Catholic Church, evangelical Protestants, Baptists, Seventh-day Adventists, Presbyterians, Mennonites, Baha'is, Witness for Peace, the CJCC, the Greek Orthodox Church, Bogota's Muslim community, representatives from a coalition of indigenous religions, and other faith-based NGOs, including Global Ministries, the Colombian Evangelical Council's Peace Commission, and CONFELIREC. They discussed government support for religious organizations providing services for internally displaced persons, victims of human trafficking, and Venezuelan migrants and refugees, as well as the organizations' response to combating religious intolerance and support for the 2016 peace accord that ended the conflict between the government and the Revolutionary Armed Forces of Colombia. Religious community leaders outlined ways in which their organizations were participating in peacebuilding efforts.