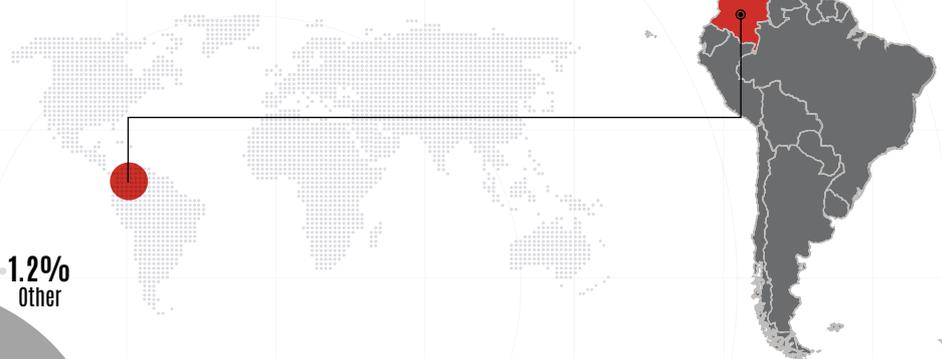
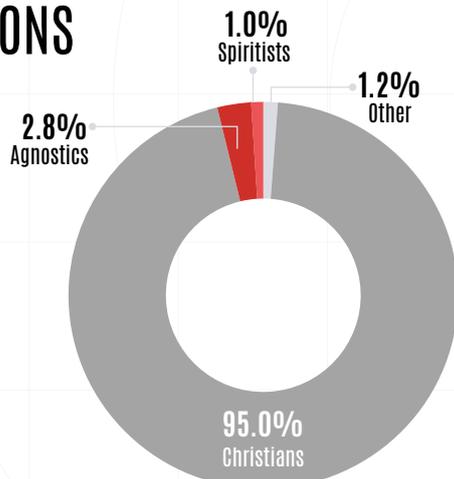




COLOMBIA

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Article 1 of the Constitution of Colombia¹ defines the country as a “social state” bound by the rule of law. The Constitution stipulates that the Republic is democratic and pluralistic, founded on the respect for human dignity, solidarity and the primacy of the general interest. The government oversees the agencies that protect life, dignity, beliefs and other legally established individual liberties.

In accordance with its fundamental charter, the Colombian state bans all forms of discrimination, including on religious grounds. The right to freedom of conscience, religion and worship are recognised as fundamental rights.

According to the Constitutional Court of Colombia, the highest court that protects fundamental rights, freedom of conscience is exercised in three ways: “(i) no one may be the object of harassment or persecution because of their convictions or beliefs; (ii) no person will be obliged to reveal their convictions, and (iii) no one will be forced to act against their conscience.”² This notwithstanding, the right to freedom of conscience is

not absolute and comes with limits based on respect for the rights of others.

Although closely linked, the right to freedom of conscience is understood in Colombia as a right distinct from that of religious freedom. Hence, the Colombian state guarantees the right to freedom of conscience, while prohibiting activities opposed to religious beliefs.³

Starting with the concordat with the Holy See, Article 19 of the Constitution states that “all religious faiths and Churches are equally free before the law”. To this end, the Colombian Interior Ministry has a Religious Affairs Bureau responsible for the legal recognition of non-Catholic religious groups.⁴

On 6th March 2018, Colombia’s Interior Ministry began implementing a new public policy on religious freedom.⁵ The new aspects of this policy include the recognition of religious organisations as social actors, acknowledging their services as necessary for the population, and considering them as actors in all actions of peace mediation and dialogue. The policy should make the interaction of government and Churches smoother.

INCIDENTS AND DEVELOPMENTS

A December 2018 CSW report stated that illegal armed groups continued to threaten religious activity in many rural regions, in some cases targeting Church leaders with extortion as well as “threats, forced displacement or assassination”.⁶ Of note was the 16th September 2018 assassination of Pastor Efren Martinez Perez of the Nueva Filadelfia Church, shot in front of his home in the village of La Ilusión by a neo-paramilitary group active in the region.⁷ The same report stated that in some indigenous communities, “traditional authorities attempt to force members to reconvert back to traditional beliefs and religious practices, and punish or forcibly displace those who refuse to do so”.⁸

In August 2019, the technical director of the Religious Affairs Bureau in the Interior Ministry was requested to assess whether or not to close the Asociación Templo Luciferino Semillas de Luz (Seeds of Light Lucifer Temple Association).⁹ Carlos Osorio Buriticá, Governor of the Department of Quindío, pointed out that the Constitutional Court ruled that a satanic cult is not considered religious in nature. “[R]eligious fanaticism, which can actually endanger the very members of a group of believers, or satanic rites that cause serious damage to the physical and moral integrity of bystanders, are not a protected form of freedom of worship.”¹⁰

In August 2019, the Senate held a public hearing to consider religious freedom in Colombia, with the participation of several religious communities and the Interior Ministry. One of the participants pointed out that the challenge in Colombia is “to seek religious equality and combat existing discrimination within religious communities”.¹¹ Another participant noted that non-Catholic Churches are discriminated and asked for places to worship in hospitals.

In November 2019, in view of popular movements, Catholic bishops acknowledged that peaceful protests represent a desire to promote social justice, rejected violence and vandalism, and called for national dialogue.¹²

In February 2020, the International Religious Freedom Alliance was launched in Washington, United States, the aim of which is to fight religious discrimination and persecution. Colombia joined the alliance and reaffirmed its commitment to the cause and plans to host the first Hemispheric Forum on Religious Freedom.¹³

In February 2020, Colombia’s Catholic bishops met in

Plenary Assembly to promote a shared countrywide project to support dialogue and talks towards peace and national reconciliation.¹⁴

In March 2020, Colombia’s Constitutional Court ruled that prison authorities must adopt measures that guarantee inmates the effective enjoyment of freedom of worship. The case referred to two prisoners, one Muslim and one member of the Church of the Nazarene, who were discriminated on the basis of their physical appearance (beards) and clothing, which they consider fundamental elements in the expression of their beliefs.¹⁵

In March 2020, during a protest on International Women’s Day, a group of women entered La Sagrada Pasión Parish Church in Bogotá, and scribbled pro-abortion and anti-clerical graffiti on its walls, preventing the celebration of the Mass.¹⁶

On 16 March 2020 began a controversy following a tweet by the President Iván Duque, where he said he prays to place Colombia under the patronage of the famous devotion to the Virgen de Chiquinquirá.¹⁷ Opposition representatives accused him of violating the secularity of the Constitution, and a citizen made a complaint with the public prosecutor which has led to decisions and counter decisions as to whether the president has the right to express his beliefs. However, many supporters came to his side, indicating that it is the right of all Colombians to express their faith, and that the President had no less rights than the rest of the citizens.

In September 2020, the Catholic Bishops’ Conference of Colombia expressed sorrow and called on the need for peace, and to respect and defend life following the discovery of massacres in rural areas, as well as the murders and attacks that had occurred in previous months.¹⁸

In mid-March 2020, following the outbreak of the COVID-19 pandemic, the Archdiocese of Bogotá suspended Masses and restricted access to the sacraments.¹⁹ The Colombian government issued recommendations to prevent the spread of the Coronavirus in religious settings,²⁰ and in July 2020 it adopted a biosafety protocol to manage pandemic risks in the religious sector, stipulating that “each religious entity may adapt (it) [...] to the rites of its tradition and/or religious belief.”²¹ Since then, places of worship of various reli-

gious communities have gradually begun to reopen.²²

PROSPECTS FOR RELIGIOUS FREEDOM

Generally, although religious freedom is respected, due to Colombia's complicated political situation - of note illegal criminal organisations operating in rural regions - concerns remain regarding reports of severe religious freedom violations by non-state actors. Notwithstanding this, new state policies concerning religious freedom, and government participation in the International Religious Freedom Alliance, are positive steps providing a clear path to an improved development of religious freedom.

SOURCES / ENDNOTES

- 1 Colombia 1991 (rev. 2015), Constitute Project, https://www.constituteproject.org/constitution/Colombia_2015?lang=en (accessed 22nd November 2020).
- 2 “Sentencia SU-108/16,” 3rd March 2016, Corte Constitucional de la República de Colombia, <http://www.corteconstitucional.gov.co/relatoria/2016/SU108-16.htm> (accessed 28th October 2020).
- 3 “Sentencia T-823/02,” 4th October 2002, Corte Constitucional de la República de Colombia, <http://www.corteconstitucional.gov.co/relatoria/2002/t-823-02.htm> (accessed 6th October 2020).
- 4 “Trámite de Reconocimiento de Personería Jurídica de Entidades Religiosas No Católicas – Registro Público de Entidades Religiosas No Católicas,” 26th August 2020, Ministerio del Interior de la República de Colombia, <https://www.mininterior.gov.co/mision/asuntos-religiosos/registro-publico-de-entidades-religiosas> (accessed 8th June 2018).
- 5 “Libertad religiosa y de culto, ahora política pública,” Ministerio del Interior, República de Colombia, 5th January 2018, <http://www.mininterior.gov.co/sala-de-prensa/noticias/libertad-religiosa-y-de-culto-ahora-politica-publica-0>; “Política Pública Integral de Libertad Religiosa y de Cultos,” Ministerio del Interior de la República de Colombia 2017, https://asuntosreligiosos.mininterior.gov.co/sites/default/files/documento_tecnico_politica_publica_integral_de_libertad_religiosa_y_de_cultos.pdf (both accessed 22nd November 2020).
- 6 Colombia: Visit report, Christian Solidarity World-wide, 27 November 2018, Colombia: Visit report - CSW (accessed 12th December, 2020).
- 7 “Colombia: Pastor assassinated by members of illegal armed group”, Christian Solidarity World-wide, 24th September, 2018 (accessed 12th December, 2020).
- 8 Colombia: Visit report, op. cit.
- 9 Laura Angélica Ospina, “El cierre del templo a Lucifer en Quindío, tres años después,” *El Espectador*, 16th August 2019, <https://www.elespectador.com/noticias/politica/el-cierre-del-templo-a-lucifer-en-quindio-tres-anos-despues/> (accessed 30th April 2020).
- 10 “Sentencia No. T-200/95. 9-5-1995,” Corte Constitucional, <https://www.corteconstitucional.gov.co/relatoria/1995/T-200-95.htm#:~:text=T%2D200%2D95%20Corte%20Constitucional%20de%20Colombia&text=En%20ejercicio%20de%20una%20libertad,exige%20la%20profesi%C3%B3n%20de%20fe> (accessed 7th October 2020).
- 11 “Piden fortalecer derecho fundamental a la libertad religiosa,” Congreso de la República de Colombia, 16th August 2019, <http://www.senado.gov.co/index.php/prensa/lista-de-noticias/140-piden-fortalecer-derecho-fundamental-a-la-libertad-religiosa> (accessed 30th April 2020).
- 12 Presidencia y Secretaría General, “N. 40 Por el bien de nuestro país: Diálogo, Reconciliación y Desarrollo Integral,” Documentos, 26th November 2019, Conferencia Episcopal de Colombia, <https://www.cec.org.co/documentos/presidencia-y-secretar%C3%ADa-general/040-por-el-bien-de-nuestra-pa%C3%ADs-di%C3%A1logo-reconciliaci%C3%B3n-y> (7th October 2020).
- 13 “Colombia será la sede del primer Foro Hemisférico de Libertad Religiosa,” 6th February 2020, Cancillería de Colombia, <https://www.cancilleria.gov.co/newsroom/news/colombia-sera-sede-primer-foro-hemisferico-libertad-religiosa> (accessed 30th April 2020).
- 14 Paola Calderón Gómez, “Colombia: Obispos abogan por respeto a la vida y atención en movimientos sociales,” *Prensa Celam*, 7th February 2020, <https://prensacelam.org/2020/02/07/colombia-obispos-abogan-por-respeto-a-la-vida-y-atencion-a-movimientos-sociales/> (accessed 20th September 2020).
- 15 “CC de Colombia determinó que autoridades carcelarias deben adoptar medidas que garanticen el goce efectivo de la libertad de culto a privados de libertad,” *Diario Constitucional*, 15th March 2020, <https://www.diarioconstitucional.cl/noticias/tribunal-constitucional/2020/03/15/cc-de-colombia-determino-que-autoridades-carcelarias-deben-adoptar-medidas-que-garanticen-el-goce-efectivo-de-la-libertad-de-culto-a-privados-de-libertad/> (accessed 30th April 2020).
- 16 Harumi Suzuki, “Feministas pintan y atacan iglesia en Colombia durante Marcha del 8M,” *Aci Prensa*, 11th March 2020, <https://www.aciprensa.com/noticias/feministas-pintan-y-atacan-iglesia-en-colombia-durante-marcha-del-8m-54264> (accessed 30th April 2020).
- 17 “Duque le pide protección a la Virgen de Chiquinquirá por coronavirus,” *El Tiempo*, 16th March 2020, <https://www.eltiempo.com/politica/gobierno/duque-le-pide-proteccion-por-coronavirus-a-la-virgen-de-chiquinquirá-473412> (accessed on 3rd December 2020).
- 18 Paola Calderón Gómez, “Colombia: Iglesia aboga por medidas que fortalezcan seguridad de comunidades,” *Prensa Celam*, 25th September 2020, <https://prensacelam.org/2020/09/25/colombia-iglesia-aboga-por-medidas-que-fortalezcan-seguridad-de-comunidades/> (accessed 7th October 2020).
- 19 “Arquidiócesis de Bogotá suspende misas y restringe sacramentos,” *Radio Nacional de Colombia*, 17th March 2020, <https://www.radionacional.co/noticias/actualidad/suspenden-misas-iglesia-catolica> (accessed 7th October 2020).
- 20 Asuntos Religiosos, “Recomendaciones para la prevención y contención del coronavirus (Covid-19), en el sector religioso,” Ministerio del Interior de la República de Colombia, https://asuntosreligiosos.mininterior.gov.co/sites/default/files/noticias/recomendaciones_subcomite_atencion_covid-19_finales.pdf (accessed 7th October 2020).
- 21 “Resolución Numero 1120 de 2020,” 3rd July 2020, Ministerio de Salud y Protección Social de la República de Colombia, <https://www.minsalud.gov.co/sites/rid/Lists/BibliotecaDigital/RIDE/DE/DIJ/resolucion-1120-de-2020.pdf> (accessed 7th October 2020).
- 22 Martín Elías Pacheco, “Retorno a las iglesias: la reactivación del sector religioso en Colombia,” *El Espectador*, 19th September 2020, <https://www.elespectador.com/noticias/nacional/retorno-a-las-iglesias-la-reactivacion-del-sector-religioso-en-colombia/> (accessed 20th September 2020).