

Colombia: Freedom of religion or belief

September 2018 · For public use

Introduction

Since 1958 Colombia has been home to a complex internal conflict involving far-left and far-right illegal armed groups, as well as government forces, which has left millions of victims. On 30 November 2016 the Colombian Congress approved a peace agreement between the government and the Revolutionary Armed Forces of Colombia-Army of the People (FARC-EP). Dialogues are ongoing with the second-largest left-wing guerrilla group, the National Liberation Army (ELN), and the government is reportedly exploring the possible demobilisation of neo-paramilitary groups.

All of these are important steps towards peace and respect for human rights more generally; however, human rights violations, including violations of freedom of religion or belief (FoRB) are common, especially in conflict zones or areas of the country with a significant presence of illegal armed groups.

Restrictions on freedom of religion or belief

The leftist guerrilla groups, the FARC-EP and the ELN, are overtly hostile to religion. In areas under their influence, both groups have either placed harsh restrictions on religious practice or prohibited it altogether.

Over the course of the 50-year conflict, hundreds of church leaders who defied these restrictions and continued to carry out their work, either openly or clandestinely, were targeted for assassination by both groups. Notable examples include the murders of Reverend Manuel Camacho in the Guaviare region in 2009, and Pastors Humberto Mendez and Joel Cruz Garcia in Huila in 2007. All three pastors reportedly defied FARC-EP restrictions on preaching and evangelising.

The FARC-EP's 2013 Manual for Co-Existence restricted the construction of 'Evangelical chapels' in the heavily rural area of Putumayo to municipal capitals, and stated that 'Pastors and priests will only hold their masses in the churches in the municipal capitals.' Leaders who defied this reportedly came under threat or were forcibly displaced. Similar restrictions have been observed in other regions held by the FARC-EP and the ELN.

All the illegal armed groups specifically target civil society leaders, including religious leaders, attempting to force them to cooperate as part of their strategy to bring entire communities under their control. All groups also enforce strict rules prohibiting free movement in areas under their influence. This results in regular infringements of freedom of assembly and FoRB.

Over the past decade CSW has received regular reports that the various groups also attempt to co-opt church funds by extorting churches and church leaders, and hold compulsory

'indoctrination assemblies' where they warn Christians that failure to actively cooperate will cause them to be considered enemies and legitimate targets for assassination.

Attacks on religious leaders

Groups on both the left and right often perceive the presence of a strong or growing church, whose members do not share the values of the illegal armed group, as a threat to their authority. This has led to church leaders, particularly in rural areas, being targeted in a number of ways, including by assassination, forced displacement and threats. In January 2015 a major neo-paramilitary group, the Águilas Negras, published and circulated a death threat which listed the names of 39 civil society leaders including five Protestant denominational leaders. The threat also named 'all Evangelical churches' in the cities of Barranquilla and Sincelejo as targets.

Violations of freedom of conscience

The military is responsible for violations of freedom of conscience and has forcibly inducted young people who attempted to claim legal exemptions based on their religious beliefs. The constitutional court has consistently ruled against the military and upheld the right of conscientious objection based on religious beliefs, but segments of the military have not always respected these rulings. Following a study and recommendations from the National Ombudsman's Office on freedom of conscience, in June 2017 a new law was adopted protecting the right to conscientious objection to obligatory military service.

Indigenous communities

Members of indigenous communities continue to suffer systematic FoRB violations. These violations are largely rooted in a 1998 Constitutional Court ruling that upheld the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices on indigenous reserves.

This has led to discrimination against and corporal punishment of members of indigenous communities who hold non-traditional beliefs or none at all, and refuse to reconvert to traditional beliefs. In the worst cases they are forcibly displaced from their land and homes – all with the tacit support of the state.

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In 2012 the local authorities forcibly closed the local Protestant church on the Talaga Nasa indigenous reserve in the department of Cauca, and expropriated all of the congregation's assets. In 2013 seven Christian families from the same church were threatened with the destruction of their homes. The situation escalated after an April 2009 order by the traditional authorities that the families should be stripped of their land and expelled from the community. The families refused to leave their homes; however, their productive land was confiscated by the local authorities, essentially depriving them of their livelihood.

Recommendations

- Encourage the government of Colombia to continue efforts to pursue peace agreements with all actors in the armed conflict, and fully implement those which have already been agreed, to bring an end to the violence as soon as possible.
- Work to ensure that strong mechanisms are put in place to investigate human rights violations committed by all actors in the conflict, including the murder and forced disappearance of church leaders and missionaries.
- Ensure that the Colombian government's dialogues with all actors in the conflict prioritises the protection of the right to freedom of religion or belief, calling for an end to all restrictions on religion.
- Call on the Colombian government to ensure that the right to conscience is upheld and that the military respects court rulings and legislation that protect the right of conscientious objection based on religious beliefs.
- Encourage the Colombian government to put in place legislation that will protect the right to freedom of religion or belief for all Colombians, including those living on indigenous lands.