

Introduction

Since 1958 Colombia has been home to a complex internal conflict involving far-left and far-right illegal armed groups, and government forces. 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).

Violations of the right to freedom of religion or belief (FoRB) in Colombia take two main forms: violations perpetrated by illegal armed groups, often specifically targeting religious leadership; and violations against religious minorities belonging to indigenous groups.

Illegal armed groups

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.

On 29 August 2019, some former members of the FARC-EP announced in a video published online their decision to take up arms against the Colombian government once again. The announcement raised concerns regarding a potential return to open conflict.

In October 2020, the Colombian peacebuilding organisation known as 'Comisión Intereclesial de Justicia y Paz' reported that armed forces referring to themselves as members of the FARC-EP were involved in violent clashes on the border between the Montebello and Dos Quebradas communities in Puerto Asís municipality.¹

Despite attempted dialogues with the ELN, the group remains active, and continues to be responsible for killings and other human rights violations.

A return to open hostilities would be disastrous for the situation of human rights in Colombia, including for the right to FoRB. All actors in the country's 52-year internal armed conflict were responsible for serious human rights violations. Hundreds of church leaders were targeted for assassination, and churches faced extortion from armed groups. In addition, the right to conscientious objection on account of religious beliefs was violated by the military.

Restrictions on freedom of religion or belief

The National Liberation Army (ELN) has 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 the ELN and the FARC-EP.

Dissident FARC-EP factions and other armed actors – all responsible for serious human rights violations – have expanded into territories historically controlled by the FARC-EP and vie for control of the illicit economies in these regions (namely relating to crops and mining). Illegal armed groups continue to enforce strict rules prohibiting free movement in areas under their influence. This results in regular infringements of freedom of assembly and FoRB.

In one example, in parts of the Bajo Cauca region of Antioquia, church members report that transit is prevented between some churches after 6.30pm, despite the fact that many churches in the region customarily hold evening services because of the heat and to allow for the participation of rural and urban workers.

Attacks on religious leaders and human rights defenders

Illegal armed groups on both the left and right often perceive the presence of a strong or growing church as a threat to their authority. This has led to church leaders, particularly in rural areas, being targeted in a number in an attempt to force them to cooperate; a strategy to bring entire communities under their control.

Between 2015 and 2018 12.6% of religious leaders in Bogotá reported receiving death threats, 4.1% faced extortion and 3.9% had been threatened with kidnapping because of their religious activities or beliefs. CSW has received reports that the various groups attempt to co-opt church funds by extorting churches, church leaders and church leaders' families. Religious leaders sometimes refuse to comply with extortion demands out of moral conviction, despite the risks.

In some areas illegal armed groups have ordered church leaders to allow them into their homes to live and be referred to as a family member. If government officials or security forces come to the community the church leader is expected to lie to protect the member of the illegal armed group. On 10 August 2019, Pastor Plinio Rafael Salcedo was shot dead in his home in La Caucana, Tarazá Municipality, Bajo Cauca Antioquia in an attack thought to be linked to a peaceful demonstration that took place

¹Comisión Intereclesial de Justicia y Paz, 'Enfrentamientos entre Comandos de La Frontera y el Frente Carolina Ramírez de las FARC-EP', 18 October 2020

<https://www.justiciaypazcolombia.com/enfrentamientos-entre-comandos-de-la-frontera-y-el-frente-carolina-ramirez-de-las-farc-ep/>

two days prior to his murder. The demonstration gathered 1000 people from local Protestant and Catholic churches to call for the restoration of peace in the region. Pastor Salcedo led a church which is part of the Worldwide Missionary Movement denomination. Recent years have also seen a concerning uptick in the killing of human rights defenders. In January 2020, a Spokesperson for the UN High Commissioner for Human Rights reported that 107 activists were killed in 2019, and that at least 10 more had been killed during the first 13 days of January.²

Killings continued throughout 2020, with the Colombian Institute for Development and Peace (Indepaz) reporting the killing of 310 social leaders and HRDs throughout 2020, as well as several of their relatives.³

Indigenous groups

Members of indigenous communities who have converted to other faiths or no faith and away from the religious beliefs and practices promoted by their leaders face suffering and severe discrimination within their communities, including threats of forced displacement or being excluded from receiving certain benefits by indigenous authorities, generally known as ‘cabildos’. Despite strong protections for FoRB in the Colombian constitution and in international treaties that Colombia has signed up to, Colombian courts have ruled that these rights do not extend to those living on indigenous lands where collective cultural rights take precedence.

Violations are largely rooted in a 1998 Constitutional Court ruling that, in a split judgement, upheld the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices on indigenous reserves. The same court and lower courts have referred to the 1998 decision in subsequent religious freedom cases, reaffirming the right of indigenous governors to prohibit the practice of ‘non-traditional’ religions on indigenous reserves. In some communities the traditional authorities have taken this ruling to mean that they have the authority to define what those traditional beliefs are, and to punish those who decline to profess or participate in their version of the traditional beliefs.

CSW has received several reports of discrimination in the educational setting. In some indigenous reserves religious minority children suffer daily discrimination

because the school curriculum is designed to comply with traditional beliefs. One religious minority child in the Department of Cauca had difficulty enrolling in school because of her religious beliefs. When she was finally accepted into the school, her teachers discriminated against her, making her do more work than the other children in order to pass her subjects. There are also several obligatory ‘traditional’ subjects, which children cannot opt out of. They are made to learn everything and respond to exam questions as though they believe in them. Similarly, if religious minority schoolteachers conscientiously object to teaching certain parts of the traditional school curriculum they risk being dismissed.

Other individuals who do not believe in certain traditional beliefs may be arbitrarily detained, attacked and even forcibly displaced; given that many of the members of indigenous groups do not speak Spanish and have low levels of literacy, if they are literate, can mean disaster for the victims.

These rulings mean that when it comes to religious freedom, indigenous Colombians do not enjoy the same rights as the rest of the population. This contravenes Colombia’s international human rights obligations and leaves religious minorities in indigenous areas without protection for their freedom of religion or belief, or legal recourse at the national level.

Recommendations

To the government of Colombia:

- Prioritise the protection of freedom of religion or belief (FoRB) and freedom of conscience, calling for an end to all restrictions in dialogues with all actors in the ongoing domestic conflict.
- Investigate and address the issue of illegal armed groups forcibly living with religious leaders and other community leaders, and take measures to provide security in these areas and to ensure the protection of religious leaders.
- Enact legislation that will protect freedom of religion or belief for all Colombians, including those living on indigenous lands.

² United Nations Office of the High Commissioner for Human Rights, ‘Colombia: Human rights activists killings’, 14 January 2020 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25461&LangID=E>

³ Indepaz, ‘Lideres’, [accessed 25 January 2021] <http://www.indepaz.org.co/lideres/>