

**Universal Periodic Review  
Colombia  
30<sup>th</sup> Session  
Christian Solidarity Worldwide**

## **Introduction**

1. Christian Solidarity Worldwide (CSW) is a human rights organisation specialising in freedom of religion or belief. CSW monitors freedom of religion or belief (FoRB) in Colombia, raises awareness of human rights concerns and advocates for the full protection of human rights. This submission focuses primarily on violations of FoRB since the last UPR in April 2013.

## **International legal framework and UPR commitments**

2. Colombia is a member of the Organization of American States (OAS), has ratified the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), and is party to a number of other international human right treaties. The constitution protects FoRB in Article 19:
  - a. *Freedom of religion is guaranteed. Every individual has the right to freely profess his/her religion and to disseminate it individually or collectively. All religious faiths and churches are equally free before the law.*
3. The last UPR took place on 23 April 2013; Colombia accepted 120 recommendations, noted eight recommendations, made seven voluntary commitments and rejected 26 recommendations. Colombia did not receive any recommendations relating to freedom of religion or belief.
4. Since then FoRB restrictions have continued. Violations include threats against church leaders, restrictions on the free exercise of religion and violations of freedom of conscience. Attacks on civilian populations have increased in many areas, despite the peace agreement between the largest leftist guerrilla group, the Revolutionary Armed Forces of Colombia–Army of the People (FARC-EP), and the government. Groups such as the National Liberation Army (ELN) and various neo-paramilitary (notably the Urabeños) have been expanding and moving into territories up until now controlled by the FARC-EP. These groups are responsible for multiple serious human rights violations, including violations of freedom of religion or belief and freedom of conscience.
5. **Recommendation: The government should fully guarantee rights associated with freedom of religion or belief and freedom of conscience. This includes ensuring that these rights, as set out in Colombia’s constitution as well as in the American Convention on Human Rights (San José Pact), the Universal Declaration on Human Rights (UDHR), and the International Covenant on Civil and Political Rights (ICCPR), are upheld for all inhabitants and citizens;**
6. **As the peace agreement with the FARC-EP is established, and in the event of an agreement with the ELN, the government should make a concerted effort to**

**incorporate civil society, including all religious groups and faith-based organisations, in an active role in the dialogues. Truth and justice must be an integral part of any agreement;**

- 7. Regarding the work of the Truth Commission, the government must again ensure that the voice of civil society is given a prominent role. Given the impact of the conflict on religious groups, and the thousands of Catholic and Protestant religious leaders murdered by the different armed actors over the decades-long conflict, representatives from religious groups must be fully incorporated into this process.**

## **Attacks on religious leaders**

8. CSW continues to be deeply concerned about intimidation, harassment, violence and killings targeting religious leaders and members of religious communities. Since 2000 hundreds of church leaders have been assassinated by illegal armed groups. Many more have been forcibly displaced, while some live and work under constant threat.
9. All illegal armed groups target religious groups. The leftist guerrilla groups are known to target church leaders due to an ideological antipathy to religion, while guerrilla groups and neo-paramilitary groups also target church leaders for more practical, as opposed to ideological, reasons linked to authority and control. In many rural areas church leaders take on a role of leading not only the church but ultimately the entire community. Churches are often viewed as a threat by illegal armed groups, as church members do not share their values. Illegal armed groups pressure the local community to join their illegal, often violent activities, while church leaders teach biblical principles that are often in opposition to the group's goals.
10. Several pastors in Arauca, Norte de Santander, southern Córdoba and north-east Antioquia were forcibly displaced by the ELN or neo-paramilitary groups in 2015. In early 2016 CSW interviewed some of them, who stated that they were specifically targeted by the illegal armed groups because of their religious activities.
11. In early 2016 one pastor told CSW, "They [the neo-paramilitaries] see the church as a threat because our church has strengthened the community."
12. Reverend Salvador Alcántara has received numerous death threats from the neo-paramilitary group associated with drug lord Manuel Enrique Barreto, alias Don Pedro. These death threats have forced into hiding multiple times over the last five years. Currently he is working as a pastor in a community in Bolívar, El Garzal, despite the fact that his life is still under threat. Mr Barreto claims ownership of the community and has repeatedly threatened the community with mass forced displacement; nevertheless, Reverend Alcántara believes that it is his duty as a Christian to continue to lead the community in pursuit of justice. Threats such as these are not uncommon around other areas of Colombia.
13. In January 2015 a death threat list of 39 civil society leaders were published and circulated by the Aguilas Negras, a major neo-paramilitary group. The list included five Protestant leaders: Milton Mejía, Germán Zarate and Jairo Barriga of the Presbyterian

Church, Fernando Sánchez of the Anglican Church, and Agustín Jiménez of the Mennonite Church, in the Atlantic Coast region. The letter also named 'all evangelical churches in the cities of Barranquilla and Sincelejo' as targets. This is the first time to CSW's knowledge that a neo-paramilitary group has made a blanket threat to churches in general in a particular area.

14. **Recommendation: The government should ensure effective protection of all human rights defenders. The Attorney General must initiate and carry out thorough and impartial investigations and prosecutions of assassinations, attacks and threats and other human rights violations committed against human rights defenders, including religious leaders.**
15. **Recommendation: The government should increase its aid and support to internally displaced communities and, most importantly, ensure that local and regional governments are held accountable for funds and other forms of aid to Internally Displaced Persons (IDPs) channeled through their offices and agencies.**

## **Restrictions on FoRB**

16. Many citizens participate in religious activities on a regular basis without any hindrance. A significant percentage of the population, however, is subjected to consistent and serious violations of their religious freedom. During the reporting period there have been moderate to severe violations of freedom of religion, belief and conscience, specifically targeting Christians, in conflict zones or areas controlled by illegal armed groups. In areas such as Arauca, Bolívar, Caquetá, Chocó, Cauca, Córdoba, La Guajira, Guaviare, Meta, Norte de Santander and Santander, religious leaders report that security and respect for human rights have continued to deteriorate over the past year. Even in areas formerly under the control of the FARC-EP church leaders report continued threats and attacks.
17. Illegal armed groups in some regions have prohibited or severely restricted religious activity. FARC-EP and ELN areas in particular have an extensive history of religious persecution, including prohibiting all Christian activity in some areas.
18. In 2013 the FARC-EP published a *Manual for Co-Existence* in the department of Putumayo. The manual, which was in effect until the signing of the 2016 peace agreement, restricted the construction of 'evangelical [Protestant] chapels' and stipulated that 'Pastors and priests will only hold Mass in the churches in municipal capitals.' Church leaders who attempted to minister outside the municipal capitals have reportedly been threatened or forcibly displaced.
19. Other regions under FARC-EP influence and ELN control, including Arauca, Norte de Santander, Chocó, Bolívar, Sucre, Córdoba, Cauca and Antioquia, have similar restrictions. Since the last UPR, church leaders in urban areas, including poorer sectors of Medellín and Bogotá, reported an increase in violence and violations of human rights including FoRB.
20. CSW has received reports of illegal armed groups attempting to co-opt church funds through extortion and holding compulsory 'indoctrination assemblies', where they

warned Christians that failure to cooperate would cause them to become enemies of the group and therefore targets for assassination.

- 21. Recommendation: The government should take immediate measures to ensure that freedom of religion, belief, and conscience, as well as protection for places of worship, are upheld in all parts of the country. This includes allowing churches which have been forcibly shut down to reopen, and guaranteeing the rights of individual religious communities to meet together for religious purposes. Individuals and groups responsible for threats and acts of violence targeting religious leaders or individuals because of their religious beliefs, must be held to account through the legal system.**

## Violations of freedom of conscience

22. In addition to church leaders, many lay Christians pay a high price for their religious activities and beliefs. Christians who refuse attempts at forced recruitment into illegal armed groups for reasons of conscience, or those who convert and wish to leave groups, are killed or forced into hiding. Illegal armed groups demands often include payment of protection money and involvement in illegal drug trade. Victims generally come from marginalised communities. A significant percentage are *campesinos*, small-scale and subsistence farmers living in rural areas, and many are from Afro-Colombian or indigenous communities.
23. Extortion is commonly practised by all illegal armed groups, making it a serious problem for individuals and churches. In some cases churches are targeted not because of their religious beliefs, but because there is a perception that they have significant funds or links to wealthy churches abroad. Many pastors in Arauca, Cauca, southern Cordoba, and north-east Antioquia reported to CSW in early 2016 that they or their churches were facing extortion. Many say that cooperating with these financial demands, which are used to fund illegal and often violent activities, contradicts their beliefs. However, church leaders who refuse to pay the extortion money are putting themselves at risk, and many have been forcibly displaced as a result. One pastor expressed a position common to many other church leaders: “As a pastor, I’ll flee rather than pay the vaccination fee [extortion money]. I will not contribute God’s money to finance a 60-year war.”
24. The religious beliefs of many individual Christians often compel them to refuse extortion demands. In February 2015 an elderly professor at the Baptist Seminar in Cali was extorted for 8 million pesos (approximately £1,700) to buy munitions. His refusal meant that the group considered him and his family as enemies at risk of assassination. He was given 72 hours to leave the city. He stayed, and filed a police report, but ultimately he and his family had to flee Cali and go into hiding.
25. Forced recruitment is considered arbitrary detention and is prohibited by both Colombian and international law. Nonetheless, during the reporting period, the military continued to forcibly recruit young men despite their beliefs. In early 2016 church leaders stated that forcible recruitment was a major problem, especially with the ELN and with neo-paramilitary groups. The Constitutional Court has issued numerous rulings (most recently in January 2015 in the case of Reinaldo Aguirre Bernal) that the right to

conscientious objection on religious grounds to obligatory military service is protected by the constitution; and that the military forces' practice of forced recruitment can be defined as arbitrary detention and therefore prohibited by both Colombian and international law.

26. In January 2016 Oscar Suarez, a member of the pacifistic Mennonite Church, was arbitrarily detained by the National Army. Officials asked for identification documents without a legal order, and forced Mr Suarez to board an army recruiting truck because he did not have papers stating that he had completed or was exempt from military service. Though he stated he was a student and a conscientious objector, he was forced to go to an army base. There he was informed that he had broken the law as he had not defined his military situation, though he had voluntarily presented himself on the base multiple times. He was detained, examined medically, declared fit, and threatened with forcible induction into the army. He was subsequently released after proving that he was a student. 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.

**27. Recommendation: The government should uphold the law protecting the right to freedom of conscience, and ensure that individuals and communities receive adequate protection from potential retaliation from illegal armed groups if they refuse to take part in illegal activities, or activities which go against their values and beliefs.**

**28. The government should also allocate sufficient resources for effective follow up, support and protection for those members of illegal armed groups who agree to demobilise as part of the peace processes, and engage with civil society groups to create comprehensive programmes to assist the demobilised in the reintegration process.**

## **FoRB violations in indigenous communities**

29. The indigenous population suffers systematic violations of FoRB. Many of these violations stem from a 1998 Constitutional Court ruling which upheld the right of traditional authorities to enforce the observation of and participation in traditional religious beliefs and practices, on indigenous reserves. This ruling has since been used to reaffirm the right of indigenous governors to prohibit the practice of certain religions on indigenous reserves, and to punish individuals and groups of non-traditional religions who decline to profess or participate in traditional beliefs.

30. Over the last several years CSW has received reports of forced church closures, threats of violence, threats of forced displacement, and use of corporal punishment due to refusal to reconvert in communities including the Arhuaco, Kogi, Wounaan, Embera Katio and Nasa. In early 2016 CSW was told by Christian leaders from the Nasa group that many Nasa Christians in Huila were at risk of forced displacement.

31. In Cauca a letter giving 15 days' notice that movement in the region would be prohibited for certain groups was circulated throughout the Nasa community, naming specific pastors as subjects of the prohibition. The letter stated that force would be used against those who disobey and was signed by 'Valleys and Mountains of Colombia', making it difficult to identify which illegal armed group was behind the threats.
32. CSW interviewed Christian leaders from the Embaria-Katio people group who have been displaced by FARC-EP and neo-paramilitary groups as well as threatened by their own leaders because of their conversions. Currently the group, consisting of 6,660 people, lives as IDPs in Tierralta and does not believe they will return home. They are also unable to register officially as IDPs and are receiving no aid. The group is concerned about their long-term prospects: "As we are displaced we lose our culture, the young people do not want to be indigenous any more, they become like regular Colombians, like you."
33. **Recommendation: The government should protect FoRB for all Colombians including those living on indigenous reserves. The law of autonomy and the right to protect and uphold culture should remain in place, but should be practised in accordance with the basic human rights enshrined in the constitution and in international law. Indigenous people who have been forcibly displaced must be recognised as IDPs and provided with the appropriate support.**