

BOLIVIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution stipulates the state is independent of religion and provides for “freedom of thought, spirituality, religion, and cult, expressed individually or collectively, in public and in private.” The constitution and other laws give educational institutions the right to teach religion, including indigenous spiritual belief classes. In September the minister of foreign affairs inaugurated a new office to expedite the process for religious and spiritual organizations to register their legal status, amendment of statutes, internal regulations, and structure of their respective administrative bodies with the government. Religious leaders of various Christian and non-Christian groups continued to express concern that the country’s registration law could threaten their ability to operate independently and could favor particular religious groups. Church leaders continued to work with the government on a legislative proposal exempting churches from the registration requirements for the next five years; however, they said they had little access to government officials on other issues. According to evangelical Protestant community sources, several smaller religious communities with “house churches” still preferred not to register their organizations, stating they did not want to provide the government with access to private internal information. In July the constitutional court denied a 2015 petition submitted by evangelical Protestant leaders challenging the religious registration law; no interested parties appealed the court’s decision. Tensions between Christian church leaders, particularly Catholics, and government officials continued, with government officials criticizing church representatives for speaking out on democracy, abortion, and transgender issues. Protestant and Catholic Church leaders said the government continued to employ ethnic Aymara rituals and practices during government events and ceremonies, which some Christian leaders said contravened the constitutional separation of religion and state.

Evangelical Protestant leaders stated there were incidents in which indigenous religious leaders hit several of their pastors and expelled them from rural areas because the pastors had refused to participate in ancestral practices and rituals.

U.S. embassy access to government officials was still limited despite embassy requests for meetings. Embassy staff routinely met with religious leaders to underscore the importance of religious freedom. The Charge d’Affaires hosted an interfaith meeting for religious leaders in October. Representatives from the evangelical Christian, Catholic, Methodist, Jewish, and Muslim communities

participated. Topics discussed included the government's respect for religious freedom and practices, alleged government favoring of Andean religious ceremonies and rituals, and the longstanding tensions between the Catholic community and the administration of President Evo Morales.

Section I. Religious Demography

The U.S. government estimates the population at 11.1 million (July 2017 estimate). According to U.S. government figures, 77 percent of the population identifies as Roman Catholic and 16 percent as Protestant, including evangelical and Pentecostal groups. Approximately 5 percent identify with smaller religious groups and 5 percent self-identify as nonbelievers. There are approximately 250 Muslims and approximately 450 Jews, according to leaders of the respective faiths. Many indigenous communities, concentrated in rural areas, practice a mix of Catholic and indigenous "spiritual" traditions.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the constitution, the state respects and provides for "freedom of thought, spirituality, religion and cult," expressed individually or collectively, in public and in private. The constitution stipulates the state is independent of all religion.

The constitution prohibits religious discrimination, including in access to educational institutions, health services, and employment and protects the right of access to public sport and recreational activities without regard to religion.

The law requires religious groups to register with the Ministry of Foreign Affairs' (MFA) Office of Religion and Nongovernmental Organizations as NGOs in order to operate legally. Pursuant to an accord with the Holy See, the Catholic Church is exempt from the registration law.

According to the MFA's Religion and Nongovernmental Organizations Office, religious organizations must fulfill 14 requirements to register their organization with the government. Organizations must submit their notarized legal documents, including statutes, internal regulations, and procedures; rental agreement documents, utility bill invoices for the place(s) of worship, and a site map; detailed information on board members and legal representatives, including criminal

background checks; an INTERPOL certificate for foreigners; and proof of fiscal solvency. They must also provide the organization chart, with names, addresses, identification card numbers, and photographs; a full list of members and identifying information; details on activities and services provided by the organization, including the location of the services; and information on their financing source(s), domestic and/or foreign.

The requirements for spiritual organizations vary from the religious organization requirements but require essentially the same type of information. The constitution defines a spiritual organization as a group of natural, national, and/or foreign persons who organize themselves to carry out practices that develop their spirituality according to their ancestral worldview. Most spiritual organizations are indigenous in their origins. The constitution defines a religious organization as a group of natural, national, and/or foreign persons who organize themselves with the purpose of carrying out practices of worship and/or belief around a Supreme Being, in order to develop their spirituality and religiosity, and whose purpose does not pursue profit.

The government may revoke an organization's operating license if the organization does not produce an annual report of activities for more than two consecutive years; does not comply with its stated objectives; carries out activities different from those established in its statute; or carries out activities contrary to the country's constitution, laws, morality, or "good customs." A religious or spiritual organization may also lose its operating license if it does not comply with the deadline for renewing the license.

During the year, the government enacted a new regulation requiring religious and spiritual groups to reregister their operating licenses to ensure that all documents list the official name of the country as "Estado Plurinacional." Prior to this new requirement, organizations could carry an older version of licenses that listed the name of the state as "Republica de Bolivia." Reregistration also requires any amendments to organizations' bylaws to conform to all new national laws. Organizations must comply with the new registration requirements by 2019. Registered religious groups receive tax, customs, and other legal benefits.

The fees to obtain an operating license differ between "Religious Organizations" and "Spiritual Organizations" with costs of 6,780 bolivianos (\$990) and 4,068 bolivianos (\$590), respectively.

The government reserves the right to revoke an organization's operating permit for noncompliance with the registration requirements. The government may not deny legal recognition to any organization based on its articles of faith.

The constitution and other laws give educational institutions the option to teach religion classes, including indigenous spiritual belief classes, with the stated aim of encouraging mutual respect among religious communities. While religion classes are optional, schools must teach ethics with curriculum materials that promote religious tolerance. The government does not restrict religious teaching in public or private schools, and it does not restrict a student from attending private, religiously affiliated schools. The law also requires all schools to accept students regardless of their religious affiliation.

The country is a party to the International Covenant on Political and Civil Rights.

Government Practices

According to members of the evangelical Christian community, several smaller religious communities that formed "house churches," also known as unofficial worship locations, continued to refuse to register their organizations, stating they preferred not to provide the government with access to internal personal information. Sources stated that these unregistered groups could neither own property nor have bank accounts in their name; however, the sources said the government did not interfere with these organizations for their refusal to comply with the law.

On September 23, the foreign minister inaugurated the Single Window of Worship, an office designed to help expedite the process for religious and spiritual organizations to register their legal status, amendment of statutes, internal regulations, and structure of their respective administrative bodies with the government. The objective of the new office, according to government officials, was to ensure that the registration requirements were in line with the constitution. Religious entities affected by this new regulation could review the final wording and legal technical framework of the Single Window. The Single Window office began operating through the MFA on September 25.

As of the end of the year, the registry of the MFA's Office of Religion and Nongovernmental Organizations continued to list 434 registered religious groups and approximately nine religious groups in the process of registering – the same numbers for 2016. The complexity of the registration procedure, including

registering the legal name of the organization, reportedly caused many organizations to seek legal assistance in order to comply.

Church leaders continued to work with the government on a legislative proposal exempting churches from the registration requirements for the next five years. In July the constitutional court denied a 2015 petition submitted by evangelical Protestant leaders challenging the religious registration law; no interested parties appealed the court's decision.

The Bolivian National Association of Evangelicals sent a letter to the foreign minister on September 27, raising what it said was governmental preferential treatment of indigenous groups and citing the fee structure difference to obtain operating licenses for spiritual and religious groups as an example. The government did not respond to the request during the year.

Government leaders continued to criticize religious leaders who publicly commented on political issues. In October Bishop Ricardo Centellas Guzman, the president of the Bolivian Episcopal Conference of Catholic Bishops (CEB), said the country could not afford to re-elect President Morales for a currently unconstitutional fourth term in office, lest the democratic country turn into "a dictatorship." The president responded directly to the Bishop's comments, stating, "Some priests do not tolerate Indians being president." On December 10, Secretary General of the CEB Aurelio Pesoa responded to the November 28 constitutional court decision allowing President Morales to seek re-election indefinitely, stating that these decisions highlighted a "regression" of democratic rights and freedoms in the country during the year. Several religious leaders also said that access to the government and their ability to disagree with the government on political issues was limited.

A representative from the Jewish community stated that the Jewish community had no contact with the president and had not cultivated any kind of relationship with the Morales administration.

On April 12, the CEB rejected the government's legislative proposal that would decriminalize abortion under certain circumstances and stated that the government excluded the Catholic Church in the official debate regarding such changes to current legislation. The CEB also charged the government with discriminating against the religious beliefs of the "majority of the Bolivian population," which it stated was against abortion. President Morales stated that high officials in the government were not responsible for the draft legislation and that the Legislative

Assembly, operating as an entity independent of the executive branch, was in full control of the legislative process. The Chamber of Deputies approved the measure on September 28 and sent it to the Senate for approval. On December 6, the Senate approved by two-thirds vote and without amendments Article 157 of the penal code, detailing the legality of abortion under certain circumstances. In February the Chamber of Deputies ratified OAS conventions against discrimination and intolerance and against racism and racial discrimination. Religious organizations, including the Catholic and Protestant Churches, and civil society institutions objected to the government's ratification on the basis that the ambiguity and breadth of the definitions of "intolerance" in the conventions could violate freedom of expression and religion.

Christian groups continued to challenge the government concerning the legality of a May 2016 gender identity law allowing transgender individuals to change officially their name gender to reflect their chosen sex on all official documents. In June the CEB and the United Evangelical Churches presented a formal request to the Constitutional Tribunal (TCP) to review the constitutionality of the law. Representatives of the Catholic Church stated they sought to defend the "nuclear family, marriage between a man and a woman, and the values and principles that the family brings to society," through the constitutional challenge. On November 9, the TCP ruled that a portion of the gender identity law was unconstitutional, specifically the article allowing transgender individuals to "exercise all fundamental, political, labor, civil, economic, and social rights." Most observers said the ruling meant transgender individuals no longer had the right to marry or adopt a child.

Several evangelical Protestant leaders stated that government officials continued to host and participate in interfaith meetings, but the government would often begin with a ritual from an indigenous group faith rather than from another group attending the event. Some Protestant leaders said government officials attended the religious ceremonies of some denominations more than of others; they also said the government gave preference to certain groups to participate in official ceremonies. Other observers, however, said senior government officials, including the vice president and regional governors, also attended Catholic masses in their official capacity.

Catholic and evangelical Protestant leaders said the government continued to favor an Andean spiritual philosophy, especially the philosophy of the ethnic Aymara community, over other religious beliefs, for government use in public statements

and ceremonies. They stated this was a violation of the constitution's separation of religion and state.

Section III. Status of Societal Respect for Religious Freedom

Evangelical Protestant leaders continued to state there were cases of indigenous leaders' hitting pastors in remote rural areas. They also said members of indigenous communities continued to expel missionaries and pastors from rural communities for practicing a religion that did not defer to traditional Andean spiritual beliefs.

Section IV. U.S. Government Policy and Engagement

U.S. government access to government officials continued to be limited, despite embassy requests for meetings.

Embassy representatives routinely engaged religious leaders to underscore the importance of tolerance and religious freedom. In October the Charge d'Affaires hosted an interfaith meeting for religious leaders from the evangelical Protestant, Catholic, Methodist, Jewish, and Muslim communities to discuss religious freedom issues, such as registration challenges and perceived discrimination, and to engage religious leaders in interfaith dialogue. Religious representatives discussed what they said was government preference for Andean religious ceremonies and rituals and the longstanding and public tensions between the Catholic community and the government.