



**“Challenges to religious freedom in
the Americas”
Testimony before the Subcommittee
on the Western Hemisphere, House
Committee on Foreign Affairs**

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OpenDoors

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World Watch Research / Open Doors International

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1. Introduction

Honorable members of Congress, Ladies and Gentlemen:

My name is Dennis P. Petri. I am the Associate Director of World Watch Research, the research department of Open Doors International. It is an honor and a privilege to testify before this subcommittee and to share about the challenges to religious freedom in the Americas.

In this testimony, after outlining the key points, I will briefly present the work of Open Doors International, followed by a description of the state of legal protection of religious freedom in Latin America and an in-depth discussion of the specific vulnerability of Latin American Christians to suffer human rights abuses. Finally, I will present some conclusions and a set of policy recommendations.

In this testimony, the following key points will be addressed:

- Organized crime is posing a threat to freedom of religion and expression in the Americas;
- In indigenous areas, converts to Christianity are threatened by tribal leaders and they are not given sufficient protection by their governments;
- In communist and post-communist countries, Christians are denied the freedom to exercise their right to worship as well as freedom of expression.
- Latin American states are not always diligent enough in terms of investigating issues related to violations of freedom of religion and expression.

2. The work of Open Doors International

Open Doors International is a faith-based organization that provides humanitarian assistance and advocates for Christians (defined broadly as anyone who self-identifies as such) who are persecuted for their faith. The organization was founded 60 years ago and is involved in about 50 countries worldwide. During the Cold War era, the organization's focus was on the former Soviet Union, but expanded to South East Asia and the Middle East, and more recently, Africa. In Latin America, Open Doors International has field offices in Colombia and Mexico. Research is carried out throughout the whole continent.

Open Doors International has been monitoring the persecution of Christians worldwide since the 1970s. One of the main tools of Open Doors International to track and measure the extent of persecution in the world is the World Watch List (WWL), an annual publication that assesses the top 50 countries in the world where persecution of Christians is most severe.¹

¹ To obtain a copy of the most recent publication of the World Watch List 2015 and the full methodological framework, please visit www.theanalytical.org.

3. Legal protection of religious freedom in Latin America

Since the start of Latin America's democratization in the 1980's, the legal protection of religious freedom is guaranteed by international treaties and national constitutions. Most Latin American countries are signatories to the International Covenant on Civil and Political Rights², the Universal Declaration of Human Rights³ and the American Convention on Human Rights⁴, which protect freedom of religion.

As far as national constitutions and state interference are concerned, there are no major concerns related to the legal protection of religious freedom. Data from the Religion and State Project⁵ confirms that apart from some forms of preferential treatment given to Catholics and some registration requirements and limits on proselytizing, Latin American states have among the lowest levels of government involvement in religion.

Thus, as far as the legal framework is concerned, it can be concluded that there are no major obstacles to religious freedom in the vast majority of Latin American countries, with the exception of Cuba. From the perspective of human security, the enforcement of religious freedom, however, does pose challenges for some minority groups as will be explained in the next section.

4. The specific vulnerability of Latin American Christians to suffer human rights abuses

An important distinction must be made between nominal Christians and actively practicing Christians. The majority of Latin America's population is nominally Christian but in most Latin American countries less than 50% of all Christians regularly attends church.⁶ Generally speaking, actively practicing Christians are a minority.

In the following, I will discuss how this group of actively practicing Christians possesses a specific vulnerability for suffering human rights abuses, i.e. there are demonstrable threats to forms of religious behavior.

Three major categories of threats to the religious expression of Christians in Latin America will be discussed:

- The regulation of religion by organized crime;
- The hostility towards Christian converts in indigenous communities;
- The restrictions on religious expression in communist and post-communist countries.

² See Article 18 of the International Convention on Civil and Political Rights.

³ See Article 18 of the Universal Declaration of Human Rights.

⁴ See Article 12 of the American Convention on Human Rights.

⁵ The Religion and State Project, <http://www.religionandstate.org/>, Bar-Ilan University, Ramat Gan, Israel.

⁶ Pew Research Center, Nov. 13, 2014, "Religion in Latin America: Widespread Change in a Historically Catholic Region"

4.1 The regulation of religion by organized crime

[Organized crime](#) is a very important – if not the most important – source of vulnerability for actively practicing Christians in Latin America. It is characterized by underperforming states in which the rule of law is not guaranteed and corruption is endemic, in combination with the multiplication of various criminal organizations – whether drug cartels, revolutionary insurgencies or paramilitary groups – which operate with impunity.

The main feature of organized crime is the creation of a climate of impunity, anarchy and corruption, in which actively practicing Christians are vulnerable because their behavior – based on the biblical worldview – is contrary to the greed of organized crime. Of course, organized crime affects societies as a whole, and not only Christians. It is nevertheless relevant to mention that Christians possess a specific vulnerability for suffering human rights abuses, especially Christians who actively practice their faith.

The targeting of Christians by criminal organizations is generally motivated by a combination of two elements. Firstly, people involved in organized crime view Christians who openly oppose their activities as a threat, especially when Christians get involved in social programs or in politics. Secondly, they know that the Christian faith is not compatible with their ideals. They fear Christians will influence members of the community or even members of their own organizations to oppose their activities.

All denominations of Christianity can become victims of organized crime, though it affects mostly the more outspoken Christians who play prominent roles in social or public life, or fulfill leadership positions, both at community and national levels.

It is difficult to provide an estimate of the number of Christians that are affected in this way by organized crime, but Christians can be expected to be vulnerable to it in any country where crime levels are high and where the Church is active in society. The cases of Mexico and Colombia will be presented now.

4.1.1 Drug cartels in Mexico

The whole country of Mexico has been plagued by consistent violence from non-state actors and from the rise of transnational networks and gangs related to drug trafficking. The clashes between the Mexican security forces and non-state actors profoundly affect Mexican society in many ways. This violence has become one of the main concerns for Mexican citizens and their government. The effects are clearly visible, distorting the overall functioning of society by creating a culture of fear, impunity and corruption.

Especially in North Mexico, the existence of strong drug cartels such as the Sinaloa Cartel or the Zetas has generated chaos and extreme violence. Particularly Nuevo León and Tamaulipas (North-East), and [Michoacán](#) and bordering states (North-West), are so problematic that they are considered by some to be failed states.

Violence is pervasive but affects actively practicing Christians to a high degree. Pressure from organized crime cartels or networks, sometimes with the complicity of corrupt government officials, is experienced by actively practicing Christians in community life and often causes extremely high levels of violence. Extreme violence creates fear and pushes Christians and churches to go into hiding behind their front door.

Throughout the country, drug cartels have implemented a sophisticated “tax” collection system in the territories under their control. It is a very common practice of such criminal organizations to charge churches or businesses for the right to remain open or to be allowed to organize a public meeting⁷ – similar to a public license –, to collect a percentage of the proceeds of a business – just like an income tax –, or to charge for protection. These “taxes” are commonly known as *derecho de piso* [floor right] or *venta de protección* [protection rackets].⁸

This is a recurrent theme in most of the interviews I have conducted in recent years and is by far the most significant threat on church life. It is difficult to assess the extent of these charges because most go unreported (according to government officials, only 10% of the cases are formally brought to court), but most of the people I interviewed indicate that this is a massive phenomenon affecting virtually all churches, while many others appear too afraid to speak about it.

The phenomenon of illegal charges, which is the most common form of extortion in Mexico, is typical of failed states, in which criminal organizations take over traditional roles of the state. Criminal organizations make all kinds of threats, including the kidnapping of family members if the extorted entity refuses to pay. Victims cannot always report the threats, because there is no legal security and because the police itself are corrupt.⁹

Next to extortions, kidnap-for-ransom is the most common threat in Mexico. It frequently affects actively practicing Christians, both in church and business life. As with extortions, kidnap-for-ransom is mainly an income generating activity carried out by criminal organizations.

The scope of the kidnappings is difficult to assess quantitatively, but it can be established that churches are greatly affected by this threat. Kidnapping can happen for commercial reasons, but can also happen to intimidate or as a reprisal for not cooperating with a previous requirement.

Church services are restricted by the generalized context of insecurity and impunity and by the orders of drug cartels that in practice regulate religion and religious expression. The right that is violated in both cases is *freedom of assembly*, which is an intrinsic element of *freedom of religion*.

The generalized context of insecurity in the country implies that meeting in a church is dangerous. Personal research in the field revealed that large gatherings are always at risk of being interrupted and attacked, but especially church meetings which are visible, recurrent and generally easy to enter. I also found that in many areas, church leaders have decided not to organize nighttime church services for security reasons, and in some areas no church services are organized at all. These restrictions are a form of “self-imposed curfew”, significantly reducing religious expression in church life.

Orders issued by drug cartels also place restrictions on church services, as I found through interviews I conducted in North-East Mexico. Church services are not allowed in certain areas,

⁷ “Impresentable: Pastores de Michoacán deben pagar a narcos para realizar eventos masivos en sus iglesias”, *Noticia Cristiana*, 12/04/2010.

⁸ “Pago de “derecho de piso” se extiende en todo el país”, *El Universal*, 04/10/2011.

⁹ Colombian guerrillas have a similar figure to *derecho de piso* which is known as *vacuna* [vaccine].

and there are reports of churches that have been closed by orders of drug cartels, generally for not paying *derecho de piso*. Evangelistic activities are also restricted in some areas. Moreover, there are reports of individuals who are prohibited from attending church services or have the obligation to report to the drug cartels whenever they visit a particular church.

Field research in Mexico confirms that risks increase when active religious behavior occurs in a context of organized crime. Attending church meetings puts worshipers at an increased risk of extortions and kidnappings. Churches are seen as revenue centers by organized crime, as they are thought of as having a lot of financial resources. This is only true for the larger churches, but it causes all churches to be especially vulnerable to extortions and kidnap-for-ransom.

Youth are permanently at risk of being recruited into criminal organizations, whether by force or by persuasion. Christian workers who actively reach out to cartel members in order to share about the Christian faith put their lives in great danger. Christian leaders engaging in this kind of activity can expect to receive death threats. Cartel members who convert to Christianity and consequently abandon their cartel risk being killed.

The moral authority of Christian leaders is perceived as being a threat to organized crime. Most interpretations of Christianity seek to promote spiritual and social transformation, which can easily conflict with the [interests of drug cartels](#). Especially the “prophetic voice” of the church as denouncer of injustice makes Christians vulnerable.

There is an incompatibility of worldviews between actively practicing Christians and organized crime, which to a large extent explains the violence suffered by Christians. Religious lifestyles that counter the expectations of organized crime, such as refusals to collaborate with money laundering, increase vulnerability.

Social initiatives are also faced with major threats, especially initiatives that enter the area of influence of criminal organizations. Civic participation, such as drug rehabilitation programs or youth work, is a direct threat to the market and influence of drug cartels, and therefore also increases the vulnerability of Christians engaging in these programs. Drug rehabilitation programs are targeted by criminal organizations because they directly threaten the drug trafficking business. Initiatives that provide meaningful alternatives for young people at risk are also vulnerable to threats.

Speaking out against injustice – whether it is violence, drug consumption, drug trafficking, corruption or organized crime – and above all speaking out publicly, from the pulpit or in another setting, is extremely dangerous and can result in many forms of intimidation by drug cartels, including beatings, attacks on houses of church leaders, or even killings. From personal research on the ground I can confirm that that there is widespread and sophisticated surveillance and monitoring by members of drug cartels within churches, including the content of sermons.

Reporting on organized crime, in journalism or in academia, is a risky business. Generally speaking, outspoken Christians are threatened by organized crime. The organization of prayer services for police and security forces is also extremely risky.

A number of other reports have also stressed the impact of organized crime on Christians. For example, a narrative report by the International Crisis Group on criminal cartels and rule of law in Mexico makes reference to priests, although the report chooses to focus on journalists and human rights defenders (2013, 30). The *International Religious Freedom* report by the US State Department mentions “there was a report priests faced an increase during the year in

extortion attempts, death threats, and intimidation” (2013, 4), but does not discuss the causes and broader context of this report. An address to the US Congress by Jorge Lee Galindo, the Mexican representative of Christian Solidarity Worldwide, a Christian charity, also refers to “narco-persecution.”¹⁰ Awareness about the vulnerability of Christian workers in the face of organized crime is also beginning to rise in the broader society. An article in *El Universal*, one of Mexico’s leading newspapers, was titled “Organized crime is intolerant with priests.”¹¹

In the near future, the [security situation](#) in Mexico will continue to be dire. National security forces have been incapable of adequately addressing the situation, in part because of the infiltration and co-optation of security and judiciary institutions.¹² The escape from prison of Mexico’s fiercest drug lord and leader of the very violent Sinaloa cartel, Joaquín Guzmán, commonly known as “El Chapo”, reveals how powerful the drug cartels are, and the extent to which they have infiltrated the country’s security system.

4.1.2 Guerrillas and criminal gangs in Colombia

Colombia is a country with multiple realities. Formally, Colombia is a modern democratic country where the rule of law is established and religious freedom is guaranteed. However, large areas of the country are under the control of criminal organizations, drug cartels, revolutionaries and paramilitary groups.

In a context of generalized impunity, all inhabitants of Colombia suffer from the conflict that has lasted for decades, but Christians are specifically vulnerable to such hostilities. Contrary to what President Santos, re-elected in 2014, carries out, the country is not becoming safer. Notwithstanding the current dialogue in Cuba between the Colombian government and FARC, many Christians continue to be targeted because of their individual activities as influential pastors (leaders of public opinion), political leaders, journalists, lawyers, human rights advocates, indigenous rights advocates or environmental protection advocates, and when they do they are seen as a threat to the interests of criminal networks.

In specific areas, revolutionary and anti-revolutionary paramilitary groups – intimately linked to organized crime – operate within a context of impunity, corruption, anarchy, drug wars and structural violence. Within such a context, Christians are a vulnerable group that, because of its mere presence, constitutes a threat to the hegemony of criminal organizations. Christianity represents an alternative way to behave in society, especially for young people, which makes churches a direct competitor of criminal organizations.

Based on figures published by Open Doors International, during 2014 at least five Christians have been killed for their faith in Guaviare, Meta, Antioquia and Córdoba by guerrillas, paramilitaries and other criminal organizations. The latter have also ordered the closure of about twenty churches, sometimes because these churches have criticized their activity or because they are viewed as being accomplices of the government or groups that oppose them. During the conflict, numerous Christians have been displaced from their homes.

¹⁰ Written Statement by Mr. Jorge Lee Galindo, Director, Impulso 18 to the United States House of Representatives Foreign Affairs Committee Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations. Hearing on the Worldwide Persecution of Christians. Tuesday, February 11, 2014

¹¹ “El crimen organizado es intolerante con los sacerdotes”, *El Universal*, 04/01/2015.

¹² International Crisis Group, *Peña Nieto’s Challenge: Criminal Cartels and Rule of Law in Mexico*, Latin America Report N.48, 19 March 2013.

In community life, criminal organizations or guerrillas obstruct Christians in their daily lives, monitoring their activities and impeding anything that goes against their interests. Criminal groups often take over the traditional roles of the state, which in practice means there is no rule of law, and harm inflicted to Christians is left unpunished. In church life, organized crime significantly reduces the freedom of Christians to gather, as church services are constantly monitored and the content of preaching is censored if considered threatening to its hegemony.

4.2. Hostilities against converts to Christianity in indigenous communities

4.2.1 Indigenous communities in Mexico

Open Doors International reports that there is considerable pressure on Christians in indigenous areas in Mexico. In the states of Hidalgo, Chiapas, Guerrero and Oaxaca, local government officials (municipal and state) cooperate with the local laws of *usos y costumbres* [uses and customs], and ignore the Mexican Constitution. Christians have been fined, jailed or beaten because of their faith. This dynamic manifests itself mainly in indigenous areas and in collective farms (*ejidos*) in the Southern states of the country. These generally oppose Catholic traditionalists and converts to new religious movements, such as Pentecostalism or the Catholic Renewal Movement.

In indigenous communities, converts from traditional religion are often victims of violence or destruction of their homes, and many need to flee. Since 2014, more than 2000 cases of physical abuse have been reported in the Southern states of Mexico. Moreover, around 600 cases have been reported of forced displacements, as is documented by Open Doors International.

4.2.2 Indigenous territories in Colombia

In Colombia, tensions caused by conversion within the indigenous communities can be observed. Converts to Christianity are seen as a threat to the power of local fiefs and indigenous ancestral traditions, and are particularly vulnerable to suffer human rights abuses. Open Doors International reports that converts to Christianity in the Cauca region are regularly denied equal participation in decision-making, and risk being tortured or displaced.

In families, conversion from indigenous traditional beliefs to Christianity is not tolerated as it is seen as a threat to the community's ancestral traditions. For this reason, baptisms and other family-related expressions of Christianity need to be carried out in secret. In the community sphere, Christians face all forms of harassment and discrimination, including exclusion from basic social services. Christian schools are hardly tolerated. In the church sphere, freedom of Christians is also very much restricted, as any Christian activity is considered a threat to the political power of indigenous leaders.

As Open Doors International reports, since 2011, more than 150 churches were ordered to be closed. More than 200 cases were recorded of Christians who were forcefully displaced in the departments of Cauca, Huila and Córdoba, and hundreds were threatened to be displaced. Numerous houses and shops of Christians have also been damaged.

4.3 Restrictions on religious expression in communist and post-communist countries

4.3.1 Cuba

Cuba is one of the few remaining communist regimes in the world. Some years ago, the country's aging leader, Fidel Castro, was replaced by his brother Raúl, but the regime stayed essentially the same and expected changes did not take place. Cuba has continued to isolate itself from the rest of the world and function under totalitarian control.

In recent years, a set of internal and external factors – whose scope and impact are not yet fully clear – bear the potential of bringing about a certain degree of political change. The persecution of Christians, more severe in the past, is now slowly changing. While the persecution of Christians in the past included beatings, imprisonment and sometimes murder, now it is generally more subtle. It continues in the form of harassment, strict surveillance and discrimination, including the occasional imprisonment of leaders. Religious practice is monitored and all church services are infiltrated by spies; Christians are threatened and suffer discrimination in school and at work.

As Open Doors International reports, religious groups complain about widespread surveillance and infiltration by state security agents. Pastors and Christians are sometimes put under pressure to stop evangelizing and to limit their activities to their own church premises. Permission to print Christian literature locally is hard to obtain. Bibles, Bible study materials and Sunday school materials are in extremely short supply. Everything is restricted. Existing seminaries and church buildings may be used, but new churches and seminaries cannot be built. Legal procedures to get permission to build are excessively slow. Evangelism is allowed, and even foreigners may request a 'religious visa', but it is not possible to mention the human rights situation and politics.

4.3.2 Venezuela

In Venezuela, the pressure on Christians is subtle and hard to discern. There is a political trend towards a socialist society, with the president crushing the opposition. The Church has been affected by the complex political situation. Tensions between President Nicolás Maduro and the leadership of the Catholic Church have been growing. For years, the Chavez administration has attempted to shut down private education in all its forms in favor of public schools. His goal, observers say, was to use the public school system for the political indoctrination of the youth. The government gives economic incentives to students who attend state schools. Hence, parochial schools, Catholic as well as Evangelical, find themselves working against policies and programs designed to eventually drive them out of business. Maduro has followed in his predecessor's footsteps.

In some cases, Christians with political views critical of the administration have been threatened with physical harm. Some say they know of friends or neighbors who were arrested or who "disappeared" (sometimes kidnapped by Colombian guerrilla groups operating within Venezuelan territory with the tacit approval of the regime) because they have opposed the government's policies.

4.3.3 Bolivia

President Evo Morales assumed office in 2006 with promises of greater religious freedom. The first indigenous citizen to be the democratically elected president of Bolivia, he abolished the historic religious domination of the Roman Catholic Church. Moreover, the Constitution of 2008 established a “secular state” designed to be neutral in matters of faith and conscience. The country’s Protestant Christian population, which had long sought church and state separation, initially welcomed the new political order. They assumed a secular state meant the end of religious discrimination.

However, a controversial “Law 351 for Granting of Juridical Personality to Churches and Religious Groups” was passed in March 2013 in Bolivia, causing the country’s Evangelical community to worry. The law requires all churches and non-profit organizations to re-register their legal charters with the government. This involves supplying detailed data on membership, financial activity and organizational leadership. The law also stipulates a standardized administrative structure for all “religious organizations” which church groups must adopt. Churches failing to complete the registration within a stipulated two-year period lose their legal right to exist. Protestant church leaders assert that, taken together, the new measures grant the government regulatory power over the internal affairs of churches, which is viewed as a restriction of religious freedom by some Christians.

5. Conclusions

Freedom of religion has many components. The UN Human Rights Committee in its General Comment 22 says freedom of religion, as provided under the International Covenant on Civil and Political Rights, is “far-reaching and profound.” According to the Committee, the right “encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others.” The Committee also underlines the importance of freedom of religion by stating “this provision cannot be derogated from, even in time of public emergency.” The Committee further underscores “there are no limitations whatsoever on the freedom of thought and conscience or on the freedom to have or adopt a religion or belief of one’s choice.”

The freedom to manifest religion or belief in worship, with all the supporting practices and teachings, encompasses a broad range of activities, as stated by the Committee: “the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as the freedom to choose their religious leaders, priests and teachers, the freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.”

When we compare the above standard with the findings of the testimony presented here, it is clear that the above standard is not met in many parts of Latin America for a variety of reasons. As was explained, there is demonstrable evidence that Christians are vulnerable for suffering human rights abuses.

The fact that organized crime can be considered a source of the vulnerability of actively practicing Christians takes the focus away from a restrictive political interpretation of the obstacles to religious freedom. A central aspect hereof is that little is wrong with the constitutions and legislation of most Latin American countries as far as religious freedom is

concerned. The problem is that these rights are not enforceable in a context of impunity and organized crime, where drug cartels actually regulate religion to a considerable extent.

The observation of actively practicing Christians as a religious minority in terms of vulnerability to suffer human rights abuses is also relevant because it allows highlighting aspects of pressure on religious minorities that are not necessarily related to religious motives, but are deduced from the operations of organized crime.

6. Recommendations

1. The US Government should make the reduction of risks for Christians caused by organized crime an integral part of its foreign policy. Efforts in the fields of state reform, corruption prevention, strengthening of the rule of law and human rights education are essential to Latin American societies as a whole, but specific attention to the vulnerability of actively practicing Christians in the framework of organized crime is required.
2. The US Congress should pay special attention to the position of vulnerable groups in Latin America, particularly that of actively practicing Christians, in its oversight of the US foreign policy.
3. The US Government and the US Congress should recognize the full breadth of religious freedom violations, including the vulnerability of Christians in a context of organized crime (particularly Christians engaged in social work with youths, drug addicts, etc.).
4. Mexico is one the signatories of the United Nations Convention against Corruption. However, the corruption level within the country is significant. Mexico also is the country in the world with the highest number of abductions. The US Government should assist the government of Mexico in tackling corruption at all levels, and the infiltration of organized crime in public institutions by means of corruption must be addressed.
5. The position of Christians is not part of the agenda of the ongoing peace talks between the Colombian government and the FARC. The US Government should urge the Colombian government to include a focus on guarantees for Christians and on reducing their vulnerability to threats from organized crime as part of the peace talks.
6. The autonomy of indigenous territories, guaranteed in the Colombian Constitution, gives indigenous rulers free room to implement authoritarian governments where basic human rights, including those of Christians, are not respected. The US government must denounce this situation and put pressure on the Colombian government to reform this constitutional provision. Even though respect for indigenous traditions and culture is very important in a democratic society, it must not be used as an excuse to tolerate and endorse bad governance and gross human rights violations such as torture or exclusion from basic social services.
7. The US Government and the US Congress should use the recent developments in diplomatic relations with Cuba to strengthen freedom of religion in Cuba.

8. The US Government should work together with Latin American states to create a system in which churches and Christian leaders who are victims of extortion feel safe to denounce threats against them.