

# **PERU 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution bars discrimination based on religious affiliation or belief and provides for freedom of conscience and religion, either individually or in association with others. It provides for the separation of church and state, but recognizes the historic importance of the Catholic Church. New regulations adopted in July revised administrative requirements that inhibited religious minority groups from registering with the government, now enabling them to seek and obtain religious worker visas, tax breaks, and other benefits available to the Catholic Church. Some religious minority groups, however, continued to state the law treated them unequally. Orthodox, Lutherans, Methodists, evangelical churches, and other Protestant churches, as well as Jewish and Muslim communities, were named in the revised regulations as “historically established” groups exempt from submitting membership lists in order to receive benefits.

Jewish community leaders and members stated some individuals engaged in conspiracy theories regarding Jews. Both Muslims and Jews said public and private schools and employers did not give time off for religious holidays.

U.S. Embassy officials met with representatives of the government, religious organizations, and nongovernmental organizations (NGOs) to discuss the implementation of the country’s religious freedom law and to promote religious freedom and the equal treatment of all religious groups.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 30.7 million (July 2016 estimate). The most recent national census in 2007 reported the population to be 81 percent Roman Catholic and 13 percent Protestant (mainly evangelical). A 2014 Pew Research Center study estimated 76 percent of the population is Catholic, 17 percent is Protestant, 3 percent follow other faiths, and 4 percent are atheist or agnostic.

Religious groups together constituting less than 3 percent of the population include Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah’s Witnesses, Israelites of the New Universal Pact Baptists, Anglicans, Assemblies of God, Jews, Bahais, Buddhists, International Society of Krishna Consciousness, and Muslims. According to the Israel Information Center

for Latin America, 3,000 Jews reside in the country, primarily in Lima, Cusco, and Iquitos. There are approximately 2,000 Muslims in Lima and 600 in the Tacna region. Lima's Muslim community is approximately half Arab and half local converts. Most Muslims are Sunnis.

Some indigenous peoples in the far eastern Amazonian jungles practice traditional faiths. Many indigenous communities, particularly Catholics in the Andean highlands, practice a syncretic faith blending Christian and pre-Columbian beliefs.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution bars discrimination based on religious affiliation or belief and provides for freedom of religion, either individually or in association with others. It states every person has the right to privacy of religious conviction. The constitution bars persecution on the basis of ideas or beliefs. It establishes the separation of church and state, but recognizes the Catholic Church's role as "an important element in the historical, cultural, and moral development" of the country. The government is permitted to work with non-Catholic religious groups.

An agreement with the Holy See gives the Catholic Church preferential treatment in education, taxation, immigration of religious workers, and other areas. The law exempts Catholic Church buildings, houses, and other real estate holdings from property taxes. Other religious groups, depending on the municipal jurisdiction, must pay property taxes on schools and clergy residences. Non-Catholic religious groups may only buy land in commercially zoned areas while the Catholic Church may establish locations in either residential or commercially zoned areas. The law exempts Catholic religious workers from taxes on international travel. All work-related earnings of Catholic priests and bishops are exempt from income taxes. By law, the military may only employ Catholic clergy as chaplains.

Following consultations with religious communities, the government in July adopted revised implementing regulations to the religious freedom law. The regulations continue to provide for optional registration with the Ministry of Justice for religious groups. The government stated that the aim of voluntarily registering was to prevent fraud and facilitate a relationship with the government. New regulations allow all religious groups to apply directly to the National Customs and Tax Administration for tax exemptions and to the Ministry of the Interior's General Directorate of Immigration and Naturalization for worker or

resident visas for foreign religious workers without first having to register with the Ministry of Justice.

If a religious group wishes to register with the Ministry of Justice, the revised implementing regulations require groups to have 500 adult members, replacing the former requirement of 10,000 adult members. The new regulations exempt all “historically established” religious groups from the requirement to submit a membership list. An explanatory statement accompanying the revised regulations contains a list of such groups now considered “historically established,” naming the Orthodox, Lutheran, Methodist, evangelical, and all other Protestant churches, as well as the Jewish and Muslim communities.

The law mandates that all schools, public and private, provide religious education through the primary and secondary levels, “without violating the freedom of conscience of the student, parents, or teachers.” The law only permits the teaching of Catholicism in public schools and the Ministry of Education requires the presiding Catholic bishop of an area to approve the public schools’ religious education teachers. Parents may request the school principal to exempt their children from mandatory religion classes. The government may grant exemptions to secular private schools and non-Catholic religious schools from the religious education requirement. The law states students who seek exemptions from Catholic education classes are not to be disadvantaged academically in both private and public schools.

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

### **Government Practices**

Religious minority groups and some Catholic Church members continued to criticize the religious freedom law, stating it maintained a preferential status for the Catholic Church and did not address the government’s unequal provision of benefits, specifically the stipends paid to Catholic clergy. They stated, however, that the revised implementing regulations, including the removal of the registration requirements, represented an improvement. As of the end of the year, no religious minority groups had registered with the Ministry of Justice under the revised regulations, as groups continued to weigh whether registering with the government was necessary since registering became voluntary and the majority of religious groups were considered “historically established.”

The executive branch formally interacted with religious communities on matters of religious freedom through the Ministry of Justice. The Ministry of Justice implemented laws and interacted with the public through the Office of Catholic Affairs and through the Office of Interfaith Affairs for non-Catholic religious groups.

Some religious leaders stated that larger religious groups were better equipped to maneuver through the country's bureaucracy to obtain tax benefits. Many smaller religious groups by comparison often lacked the resources to navigate through the requirements and paperwork, and thus did not obtain tax benefits. According to religious leaders, some smaller churches operated informally in unregistered houses, for example, and did not pay any taxes. A religious leader reported some evangelical Protestant churches registered with the government as NGOs to receive tax benefits.

According to the Ministry of Justice's Office of Catholic Affairs, the government paid stipends to the Catholic cardinal, six archbishops, and other Catholic Church officials, totaling approximately 2.6 million soles (\$774,500) annually. Some Catholic clergy and laypersons employed by the Church received remuneration from the government in addition to Church stipends, including 44 active bishops, four auxiliary bishops, and some priests. These individuals represented approximately one-eighth of the Catholic clergy and pastoral agents. In addition, the government provided each Catholic diocese with a monthly institutional subsidy. Similar stipends were not available to other religious groups.

Religious minority group members reported no problems receiving exemptions from attending Catholic religious courses at schools and no academic disadvantage stemming from the exemptions.

Some Protestant soldiers reported difficulty finding and attending non-Catholic religious services because of the absence of non-Catholic chaplains in the military.

Some religious leaders said larger Protestant groups were previously more successful in receiving visas for foreign religious workers because of their greater experience in working with the government. Since the release of the new regulations, however, no religious minority groups reported seeking religious worker visas.

### **Section III. Status of Societal Respect for Religious Freedom**

The Movimiento Nacional Socialista Andino del Peru (Andean National Socialist Movement of Peru), a group of fewer than 50 members, continued to engage in Holocaust denial, sell anti-Semitic books and DVDs, and call for the expulsion of the Jewish community. Ministry of Justice officials closely monitored this group and reported no increase in anti-Semitic activity.

Muslim leaders said that when the media reported concerns about terrorism, the public commented negatively about Islam. Muslim and Jewish community members stated public and private schools and employers did not allow their members time off for non-Catholic religious holidays such as Eid al-Fitr and Yom Kippur. Jewish leaders and community members reported some instances of conspiracy theories regarding Jews.

The Inter-Religious Council of Peru, an umbrella group of representatives from a broad spectrum of religious groups, maintained an ongoing dialogue among religious entities. It lobbied for changes to the religious freedom law, changes to its implementing regulations, and equal access to government benefits for all religious groups, and it initiated discussions with religious communities about the effect of the revised religious freedom regulations.

#### **Section IV. U.S. Government Policy**

U.S. embassy officials continued to encourage the government to revise religious laws and regulations so that religious minority groups had the same benefits as those available to the Catholic Church. The government included many of the changes advocated by the embassy in the new regulations issued in July. Following the adoption of revised regulations, the embassy discussed with the government how these regulations would be implemented and continued to advocate for further changes to promote religious freedom and the equal treatment of all religious groups.

Embassy officials met with representatives of the Inter-Religious Council, the Catholic Church, Protestant groups, and the Mormon, Jewish, Bahai, and Muslim communities to discuss the state of religious freedom, preferential treatment for the Catholic Church, anti-Semitism, and concerns about the government's registration requirements.