

PERU 2015 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 separation of church and state, but recognizes the historical importance of the Catholic Church. Government policies provide preferential treatment to the Catholic Church in education, taxation, immigration of religious workers, and other areas. Minority religious groups were unable to register under regulations adopted in 2011 and were thus unable to receive certain benefits available to the Catholic Church. Newly proposed implementing regulations, released for public comment on December 21, reduce the administrative requirements for registering and should allow smaller religious groups to receive many of the tax benefits available to the Catholic Church.

An anti-Semitic group of Quechuan nationalists, consisting of fewer than 50 members, continued to operate in the country and engaged in activities including Holocaust denial, the sale of anti-Semitic media, and calling for the expulsion of the Jewish community. Jewish community members stated opposition to Israeli government actions and conspiracy theories sometimes provoked negative commentary. Both Muslims and Jews said schools did not provide religious holidays off (e.g., Eid al-Fitr and Yom Kippur) to students and employees.

U.S. embassy officials pressed the government to revise regulations inhibiting minority religious groups from obtaining benefits available to the Catholic Church. Embassy officials also met with representatives of the government, religious organizations, and nongovernmental organizations (NGOs) to discuss ongoing problems with implementation of the Religious Freedom Law and to promote religious freedom and tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 30.4 million (July 2015 estimate). The most recent national census (2007) reported the population to be 81 percent Roman Catholic and 13 percent Protestant (mainly evangelical). Protestants now estimate they comprise approximately 15 percent of the population. A 2014 Pew Research Center study about religion in Latin America estimated that 76 percent of the population is Catholic, 17 percent is Protestant, 3 percent follow other faiths, and 4 percent are atheist or agnostic.

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Religious groups 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 (Hare Krishnas), and Muslims. According to the Israel Information Center for Latin America, there are approximately 3,000 Jews in the country, residing primarily in Lima with some also in Cuzco and Iquitos. There are small Muslim communities in Lima (approximately 2,000) and Tacna (600), where the first and largest mosque of the country is located. Lima's Muslim community is a mix of approximately half Arabs (Moroccans, Palestinians, Syrians, and Lebanese), who settled in the country for diverse reasons, and half locals who converted to Islam. Tacna's Muslims are a specific community of Pakistanis who immigrated to Peru in 2005-2007. Most Muslims in the country are Sunnis.

Some indigenous peoples in the remote eastern jungles practice traditional faiths. There also are many indigenous communities practicing syncretic (blending Christian and pre-Columbian) beliefs, particularly among Catholics in the Andean highlands.

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 also bars persecution on the basis of ideas or beliefs. The constitution 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 nation." It also allows for the state to collaborate with non-Catholic religious groups. The constitution states that every person has the right to privacy of religious conviction.

The Catholic Church, pursuant to an agreement with the Holy See, receives preferential treatment in education, taxation, immigration of religious workers, and other areas. The law codifies the agreement with the Catholic Church. Catholic Church buildings, houses, and other real estate holdings are exempt from property taxes. Other religious groups, depending on the municipal jurisdiction, are

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required to pay property taxes on schools and clergy residences. Non-Catholic religious organizations are only able to buy land in commercially zoned areas while the Catholic Church can establish locations in either residential or commercially zoned areas. Catholic religious workers are exempt from taxes on international travel. All work-related earnings of Catholic priests and bishops are exempt from income taxes. Other denominations do not receive these tax advantages. By law, the military can only employ Catholic clergy as chaplains. The Religious Freedom Law recognizes an individual's fundamental right of freedom of religion, as stated in the constitution and ratified international treaties. Under this law, registered religious organizations are eligible for many of the same tax benefits granted to the Catholic Church.

The 2011 implementing regulations for the Religious Freedom Law required all registered non-Catholic religious entities to reregister with the Ministry of Justice and Human Rights (MINJUS). Religious entities wanting to register had to submit the names and addresses of at least 10,000 adult members, certified by the National Elections Board. This registration does not amount to official state recognition, but entitles the religious groups to receive tax exemptions and other benefits, including worker or resident visas for foreign religious workers. Other benefits include the ability to form a legal entity that can own property, create a hierarchy and set of rules, operate religious schools, and solicit and receive voluntary donations. Catholic and non-Catholic religious charities do not pay customs duties on imported items. Registered religious groups are exempt from taxes on places of worship.

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 that the presiding Catholic bishop of an area approve the public schools' religious education teachers. Parents can request the school principal exempt their children from mandatory religion classes. Secular private schools are granted exemptions from the religious education requirement. The law protects students who seek exemptions from Catholic education classes from being disadvantaged academically in both private and public schools.

Government Practices

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Prior to the 2011 implementing regulations, 141 minority religious groups were registered with the MINJUS. The 2011 requirement to submit at least 10,000 adult members disqualified most groups from reregistering. The MINJUS and the National Elections Board did not approve any applications of the 73 non-Catholic previously registered religious groups that had applied for reregistration under the 2011 implementing regulations and no new groups have been registered.

On December 21, MINJUS released for public comment newly proposed implementing regulations to the Religious Freedom Law to replace the 2011 regulations. The proposed regulations state registration is voluntary, and that nonregistered and registered religious entities can equally exercise religious freedom under the country's constitution and laws. If issued, the proposed regulations would reduce the membership requirement for registration from 10,000 members to 500. The proposed regulations also exempt historically established religious groups from the membership requirement. The accompanying explanatory statement cites the Coptic Orthodox (with less than 15 members in Peru), Lutheran, Russian Orthodox, Methodist, Evangelical Churches, and the Jewish and Islamic communities as examples of groups under this category. Following the public comment and review period, the proposed regulations likely would go into effect in early 2016.

Minority religious groups and some members of the Catholic Church continued to criticize the Religious Freedom Law, stating it does not address the problem of inequality and maintained a preferential status for the Catholic Church. They also criticized the law's 2011 implementing regulations altogether as discriminatory and unconstitutional due to the 10,000 membership registration requirement.

The executive branch formally interacted with religious communities of all sizes on matters of religious freedom through MINJUS. MINJUS 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.

While Catholic groups and religious minority groups were subject to equal taxation in most activities, non-Catholic groups with extensive charitable activities stated that goods donated from abroad continued to be taxed at commercial rates while goods donated to Catholic-affiliated groups were not.

Some of the religious minority groups previously registered also reported losing tax benefits when they could not reregister. Others said that, despite not being

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officially reregistered, some non-Catholic groups are receiving benefits, including tax benefits.

According to the MINJUS 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 (\$766,058) 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.

Religious minorities who were interviewed stated that they faced no issues receiving exemptions from the Catholic religious courses at schools and reported no academic disadvantage.

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

Members of previously registered minority religious groups continued to encounter difficulty securing worker or resident visa renewals because those visa classes were only available to members of registered religious organizations.

Section III. Status of Societal Respect for Religious Freedom

The Movimiento Nacional-socialista Andino del Peru, an anti-Semitic group of less than 50 members, operated in the country and engaged in activities including Holocaust denial, the sale of anti-Semitic books and DVDs, and calling for the expulsion of the Jewish community. Their ideology reportedly mixed Andean (Quechua) Nationalism with hatred towards Jews, whom they link to the Spanish conquest of the Incan Empire. They said Francisco Pizarro, who conquered the country, had Jewish roots. MINJUS officials closely monitored this group and reported no increase in anti-Semitic activity.

Members of the Mormon, Lutheran, Evangelical, Muslim, and Buddhist communities reported no restrictions or hostilities exist towards the practice of their religions. The religious minority members said there was very little knowledge among most individuals about their specific beliefs and practices,

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which led to more curiosity than negative attitudes or prejudice. Jewish community members stated opposition to Israeli government actions and conspiracy theories sometimes provoked negative commentary in individual conversation. Muslims and Jews said non-Catholic religious holidays (e.g., Eid al-Fitr and Yom Kippur) were not provided to students or employees.

Religious organizations collaborated to promote religious freedom and tolerance. The Inter-Religious Council of Peru, a large umbrella group of representatives from nearly all religious groups, maintained an ongoing dialogue among religious entities. It lobbied for changes to the Religious Freedom Law, its implementing regulations, and for equal access to government benefits for all religious groups.

Section IV. U.S. Government Policy

U.S. embassy officials pressed the government to revise regulations that inhibit minority religious groups from obtaining benefits available to the Catholic Church. On March 16 and April 17, the Ambassador expressed concern about the rights of all religious groups to the MINJUS. In response to minority religious groups' loss of visa eligibility because of registration requirements, embassy officials spoke separately with the MINJUS vice minister for human rights and the MINJUS vice minister of justice, representatives of MINJUS' Directorate of Interfaith Affairs and Directorate of Catholic Affairs, the Human Rights Office in the Ministry of Foreign Affairs, and the independent Human Rights Ombudsman.

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