

# **GUATEMALA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for freedom of religion, including freedom of worship and the free expression of all beliefs. The constitution recognizes the distinct legal personality of the Catholic Church. Non-Catholic religious groups must register with the Ministry of Government in order to enter into contracts or receive tax-exempt status. In April a court found the former mayor of San Juan La Laguna, Antonio Adolfo Perez y Perez, guilty of seeking to force out a community of ultraorthodox Jews in 2014 and sentenced him to one year in prison. Mayan spiritual leaders said the government continued to limit their access to some Mayan religious sites, including some located in national parks and in other protected areas where the government charges entrance fees. Non-Catholic groups, including The Church of Jesus Christ of Latter-day Saints, stated that some municipal-level authorities still discriminated against them in processing permit approvals and in local tax collection.

Some Catholic clergy continued to report threats and harassment against them because of their association with environmental protection work. Some Mayan religious groups reported land owners continued to limit their access to Mayan religious sites on private property.

The U.S. embassy regularly held meetings with government officials from the executive and legislative branches in addition to leaders of religious groups to discuss issues of religious freedom, including threats against Catholic clergy, and the reported lack of access to Mayan spiritual sites. Embassy officials emphasized the value of tolerance and respect for religious diversity in meetings with various civil society and religious groups. In December the embassy posted on Facebook a note on the importance of appreciating freedom of religion, including the right to worship and freedom of conscience.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 15.5 million (July 2017 estimate). According to a 2015 survey by ProDatos, approximately 45 percent of the population is Catholic and 42 percent Protestant. Approximately 11 percent of the population professes no religious affiliation. Groups that together constitute less than 3 percent of the population include Buddhists, Hindus, Muslims, Jews, and adherents of the Mayan, Xinca, and Afro-Indigenous Garifuna religions.

Christian groups include the Full Gospel Church, Assemblies of God, Central American Church, Prince of Peace Church, numerous independent evangelical Protestant groups, Baptists, The Church of Jesus Christ of Latter-day Saints (Mormons), Episcopalians, Jehovah's Witnesses, Lutherans, Presbyterians, Russian Orthodox, and Seventh-day Adventists.

Catholics and Protestants are present throughout the country, with adherents among all major ethnic groups. According to leaders of Mayan spiritual organizations, as well as Catholic and Protestant clergy, many indigenous Catholics and some indigenous Protestants practice some form of syncretism with indigenous spiritual rituals, mainly in the eastern city of Livingston and in the southern region.

Approximately 1,500 Jews and 1,200 Muslims of mostly Palestinian origin reside primarily in Guatemala City.

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

### **Legal Framework**

The constitution provides for freedom of religion, including the free expression of all beliefs and the right to practice a religion or belief, in public and private. The constitution recognizes the distinct legal personality of the Catholic Church.

The constitution does not require religious groups to register for the purpose of worship, but non-Catholic religious groups must register for legal status in order to conduct activities such as renting or purchasing property and entering into contracts, and to receive tax-exempt status and tax exemptions for properties used for worship, religious education, and social assistance. To register, a group must file a copy of its bylaws, which must reflect an intention to pursue religious objectives, and a list of its initial membership, with at least 25 members, with the Ministry of Government. The ministry may reject applications if the group does not appear to be devoted to a religious objective, appears intent on undertaking illegal activities, or engages in activities that appear likely to threaten public order. All religious groups must obtain the permission of the respective municipal authorities for construction and repair of properties and for holding public events, consistent with requirements for nonreligious endeavors.

The constitution protects the rights of indigenous groups to practice their traditions and forms of cultural expression, including religious rites. The law permits Mayan spiritual groups to conduct religious ceremonies at Mayan historical sites on government-owned property.

The criminal code penalizes violation of the freedom of religious celebration and sentiment and the desecration of burial sites or human remains; however, charges are seldom filed under these laws.

According to the constitution, no member of the clergy of any religion may serve as president, vice president, government minister, or as a judge.

A Catholic priest and a nondenominational pastor serve as prison chaplains.

The constitution permits, but does not require, religious instruction in public schools. There is no national framework for determining the nature or content of religious instruction. In general, public schools have no religious component in the curriculum. Private religious schools are allowed and can be found in all areas of the country.

The government requires foreign missionaries to obtain tourist visas, which authorities issue for renewable periods of three months. After renewing their tourist visas once, foreign missionaries may apply for temporary residence for up to two years.

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

### **Government Practices**

In April a court found the former mayor of San Juan La Laguna, Antonio Adolfo Perez y Perez, guilty of threatening to expel a community of ultraorthodox (Haredi) Jews in 2014 and sentenced him to one year in prison.

Although the law permits Mayan spiritual groups to conduct religious ceremonies at Mayan historical sites on government-owned property, some Mayan leaders stated the government continued to limit their access to some religious sites and require them to pay to access the sites. The government maintained that there were no limitations to access; however, anyone seeking access to the sites must pay “processing fees.” Many Mayan religious and archeological sites are national parks or protected areas where the national government charges admission fees to

all visitors. According to leaders from the Committee on the Designation of Sacred Sites, practitioners of Mayan spirituality generally were generally only able to obtain free access to sites only if they were accredited and issued an identification card by certain indigenous organizations as spiritual guides and had received written permission from the culture ministry 15 days before the scheduled ceremony/religious practice. Mayan leaders stated that written permission included long paperwork completed in Spanish. They said the process was difficult and expensive because it required travel to the capital, as well as fluency in Spanish, which many indigenous persons do not speak. The Presidential Commission against Discrimination and Racism (CODISRA), however, said it provided interpreters upon request to facilitate the process. Mayan advocates stated they should have access, within reasonable parameters, to all sacred sites (an estimated 2,000 locations on both public and private land).

Missionaries continued reporting they chose to remain on tourist visas to avoid what they called a complicated procedure to apply for temporary residence.

The Ministry of Education continued to consult with religious groups on a national values program called Living Together in Harmony (*Vivamos Juntos en Harmonia*) that integrated the groups' shared values, such as honesty, fraternity, responsibility, and respect, without citing religion or religious teachings, into school curricula.

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

Some Catholic clergy continued to report threats and harassment against them because of their association with environmental protection work. Some private owners of land in locations, such as in Tikal National Park, considered sacred by Mayan religious groups, including caves, lagoons, mountains, and forests, continued to deny access to Mayans, according to Mayan spiritual groups.

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

U.S. embassy officials regularly met with the human rights ombudsman, CODISRA, and members of congress to discuss religious freedom issues, including threats against Catholic clergy and the reported lack of access for Mayans to Mayan spiritual sites.

U.S. embassy officials met with leaders of major religious groups and representatives of faith-based nongovernmental organizations to discuss the

importance of religious diversity. Embassy officials continued outreach to religious leaders, including the Catholic archbishop's offices; the Evangelical Alliance (the largest organization of Protestant churches, representing more than 30,000 individual churches); the Jewish community; representatives from the Commission for the Designation of Sacred Places for the Maya, Xinca, and Garifuna communities; and other organizations to strengthen understanding of religious freedom issues.

In December the embassy posted on Facebook a note on the importance of appreciating freedom of religion, including worship, in addition to emphasizing the right of all individuals to follow their conscience in how they pray.