

GUATEMALA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, including freedom of worship and the free expression of all beliefs for all citizens. Although there is no state religion, the constitution recognizes the distinct legal personality of the Catholic Church. Most individuals had access to their chosen places of worship and the freedom to worship as they saw fit; however, some Mayan spiritual leaders reported the government limited their access to some Mayan historical sites.

The ultra-orthodox Jewish group Lev Tahor relocated from the town of San Juan la Laguna to Guatemala City in August following mutual tensions with the local indigenous community. Group members reported harassment by local community youth, and town leaders expressed concern about what they described as the group's secretive and isolationist tendencies. Government officials responded to Lev Tahor's requests for assistance and sought to defuse the situation. The group ultimately chose to leave San Juan la Laguna voluntarily, while government officials considered how best to respond.

The U.S. embassy held meetings with government officials to address a number of issues relating to religious freedom to include access to Mayan historical sites by Mayan spiritual groups and respect for the rights of minority groups to practice their religion without interference. Embassy representatives met with officials in the Office of the Human Rights Ombudsman (PDH) to discuss the tensions between the Lev Tahor and the local indigenous community. Embassy officers met regularly with leaders of religious groups to discuss issues of access to religious sites and encourage tolerance for all beliefs.

Section I. Religious Demography

The U.S. government estimates the total population at 14.6 million (July 2014 estimate). The government does not collect official statistics on religious affiliation. A 2014 survey conducted by the Pew Research Center's Religion and Public Life Project found that approximately 91 percent of the population is Christian, of whom 50 percent is Catholic and 41 percent is Protestant. According to the survey, approximately 6 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 Mayan religions.

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Christian groups include Catholics, the Full Gospel Church, the Assemblies of God, the Central American Church, the Prince of Peace Church, numerous independent Protestant evangelical 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, and their adherents are found among all major ethnic groups. According to leaders of Mayan spiritual organizations as well as Catholic and Protestant missionaries, many indigenous Catholics and some indigenous Protestants also practice some form of indigenous spiritual rituals.

Approximately 2,000 Jews and a small Muslim community 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. There is no state religion; however, the constitution recognizes the distinct legal personality of the Catholic Church and states that non-Catholic religious groups must register with the government to obtain legal status.

Although the constitution does not require religious groups to register for the purpose of worship, it stipulates that religious groups other than the Catholic Church must seek legal status to conduct activities such as renting or purchasing property and entering into contracts, and to receive tax-exempt status. The constitution provides for tax exemptions for registered religious entities' properties used for worship, religious education, and social assistance. To register, any non-Catholic religious group must file a copy of its bylaws and a list of its initial membership with the Ministry of Government. The group must have at least 25 members, and the bylaws must reflect an intention to pursue religious objectives. The ministry may reject applications only 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.

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The constitution protects the rights of indigenous groups to practice their traditions and desired forms of cultural expression, including religious rites. 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, if ever, filed under these laws.

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

The constitution permits, but does not require, religious instruction in public schools; however, in general, public schools have no religious component to the curriculum. Parents have the right to choose the type of religious instruction their children receive.

Government Practices

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 on the grounds that many Mayan archeological sites are now national parks or protected areas. Such limitations included requiring all visitors, including Mayans, to pay admission fees to access the religious sites. Mayan spiritual groups noted that at certain sites authorities also required Mayans to apply in advance for permission to hold religious ceremonies. Mayan leaders stated they should have unrestricted access to all sacred sites (an estimated 2,000 locations on both public and private land), and the right to manage and protect them.

Although registered religious entities were legally exempt from taxes, Protestant leaders stated that local officials sometimes required their churches to pay property taxes.

There was no national framework for determining the nature or content of religious instruction. When provided, content was usually determined at the local level. The Ministry of Education consulted with religious groups on integrating general values, such as citizenship, but not specific religious teachings, into school curricula.

The government required foreign missionaries to obtain tourist visas, which were issued for renewable periods of three months. After renewing their tourist visas

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once, foreign missionaries could apply for temporary residence. Several missionaries, even some in the country for several years, reported they chose to remain on tourist visas to avoid the complicated procedure of applying for temporary residence.

Section III. Status of Societal Respect for Religious Freedom

In August members of the ultra-orthodox Jewish group Lev Tahor relocated from the indigenous town of San Juan la Laguna to Guatemala City after they were unable to reach a resolution to ongoing societal tensions with the local indigenous council. Over 200 members of the group had been living in San Juan la Laguna since March. In June after being initially welcomed, Lev Tahor members reported verbal and physical harassment from local youth, and townspeople expressed concern about what they said were the group's insular tendencies, such as failing to greet neighbors when passing and refusing to have any contact with outsiders in the course of daily activities. Lev Tahor leaders said the issue was temporarily resolved and they no longer felt in danger after the youth involved apologized; however, the underlying tensions continued, and the relationship again became tense. The indigenous council intimated in the media that it would lobby the Ministry of Migration to deny members' visa extensions, due again in August.

On August 26, the human rights ombudsman called for a reconciliation hearing after receiving notification from Lev Tahor that the indigenous council in San Juan la Laguna had threatened to cut off power and water to group members' homes and to remove members forcibly if necessary. According to the indigenous council, these threats were in response to Lev Tahor's secretiveness and insular tendencies. PDH called on both sides to respect the law and each other, but the groups could not reach a consensus. PDH scheduled a second meeting for the following week, but Lev Tahor relocated to Guatemala City before it could take place. The group's leaders stated they had received threats via Facebook and were dissatisfied with the pace of PDH's efforts. Indigenous council spokesman Miguel Vasquez reported that he and the town were happy with Lev Tahor's decision to leave their community in peace. Lev Tahor remained in Guatemala City, and there were no further incidents reported to PDH concerning the group by year's end.

On August 21, Prosperous Guatemala, a nongovernmental organization (NGO), hosted the country's second annual national prayer breakfast, which was designed to promote religious tolerance by bringing together individuals from different

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religious groups. President Otto Perez Molina again attended the event, along with other high-ranking government officials.

Private owners of land in some natural locations that were also sacred Mayan sites, such as caves, lagoons, mountains, and forests, continued to deny access to Mayan spiritual groups.

Section IV. U.S. Government Policy

U.S. embassy officials, including the Ambassador and Charge d'Affaires, met with officials from PDH, the UN, various diplomatic missions, and International Justice Mission on the topic of religious freedom. The fate of Lev Tahor was a central point of conversation. Embassy representatives also discussed other religious freedom issues such as lack of access to Mayan spiritual sites. The embassy continued to monitor all aspects of religious freedom.

The embassy expanded its outreach to religious leaders, including those from the Catholic Church, the Evangelical Alliance (the largest organization of Protestant churches representing more than 30,000 individual churches), and Mayan social and religious leaders. These new relationships provided opportunities to address respect for religious minorities and respect for Mayan access to places of worship.