

GUATEMALA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. Access to Mayan historical sites for Mayan spiritual groups continued to be somewhat contentious.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. embassy monitored religious freedom, and embassy officers met regularly with leaders of religious groups.

Section I. Religious Demography

The population is approximately 14 million, according to a U.S. government source. There is no official census of religious affiliation. The Roman Catholic Episcopal Conference of Guatemala estimates 65 to 70 percent of the population is Catholic. The Evangelical Alliance, the official umbrella organization for Protestant groups, estimates that 43 percent is Protestant. The largest Protestant group is the Full Gospel Church, followed by the Assemblies of God, the Central American Church, and the Prince of Peace Church. There are many independent evangelical groups. Other religious groups include Baptists, Presbyterians, Lutherans, Episcopalians, Seventh-day Adventists, the Church of Jesus Christ of Latter-day Saints (Mormon), Russian Orthodox, and Jehovah's Witnesses. Approximately 2,000 Jews and a small Muslim population reside primarily in Guatemala City.

Catholics and Protestants are present throughout the country, and their adherents are found among all major ethnic groups and political parties. According to leaders of Mayan spiritual organizations and Catholic and Protestant missionaries, many indigenous Catholics and some Protestants also practice some form of indigenous spiritual ritual.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

GUATEMALA

The constitution and other laws and policies protect religious freedom. There is no state religion; however, the constitution recognizes explicitly the distinct legal personality of the Catholic Church. The constitution also confirms the rights of indigenous groups to practice their traditions and desired forms of cultural expression, which often include 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, these laws are seldom, if ever, enforced.

According to the constitution, no member of the clergy of any religion may serve as president.

The government does not require religious groups to register for the purpose of worship. However, the government requires religious groups other than the Catholic Church, as well as nonreligious associations and nongovernmental organizations (NGOs), to register as legal entities to conduct business such as renting or purchasing premises and entering into contracts, and to receive tax-exempt status. Registration fees are waived for religious groups.

Any non-Catholic religious group must file a copy of its bylaws and a list of its initial membership with the Ministry of Government to receive formal recognition. The group must have at least 25 initial members, and the bylaws must reflect an intention to pursue religious objectives. The ministry rejects 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.

Foreign missionaries must obtain tourist visas, which are issued for renewable periods of three months. After renewing their tourist visas once, foreign missionaries may apply for temporary residence.

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; when provided, content is usually determined at the local level. The Ministry of Education consults with religious groups on integrating general values such as citizenship, but not specific religious teachings, into school curricula.

GUATEMALA

The government observes the following religious holidays as national holidays: Holy Thursday, Good Friday, Holy Saturday, Easter, and Christmas. The Virgin of the Assumption is the patron saint of Guatemala City, and the Feast of the Assumption is a local holiday.

Government Practices

There were no reports of abuses of religious freedom.

While registered religious entities are legally exempt from taxes, Protestant leaders noted that local officials sometimes required their churches to pay property taxes. There were no reports that the government rejected any group's application for registration.

Although the law permits Mayan spirituality groups to conduct religious ceremonies at Mayan historical sites on government-owned property, some Mayan leaders stated that government practices limited their access to some religious sites, as many Mayan archeological sites are now national parks or protected areas. All visitors, including Mayans, had to pay admission fees and were limited in performing their religious exercises in these areas. At some sites, authorities required Mayans to apply in advance for permission to hold ceremonies. Other natural, sacred Mayan sites, such as caves, lagoons, mountains, and forests, were on privately owned land, and the owners sometimes denied access to them. Mayan leaders pointed to these restrictions to demonstrate they did not have the same open access to their places of worship as members of other religious groups. They asserted they should have unrestricted access to all sacred sites (an estimated 2,000), and the right to manage and protect them.

Constitutional reforms submitted by President Otto Perez Molina to Congress during the year included state recognition of the right of access of indigenous persons to legally established sacred sites. However, Congress postponed consideration of the reforms to allow it to focus resources and attention on recovery from the November 7 earthquake that shook western Guatemala.

Leaders of some evangelical groups argued that government initiatives aimed at protecting and promoting indigenous cultures gave Mayan spiritual groups preferential political treatment by financially supporting programs for indigenous cultural activities, which often included religious ceremonies.

GUATEMALA

Throughout the year, the government sponsored celebrations for the December 21 end of Oxlajuj B'aktun, the current era in the Mayan calendar. On the 21st day of each month, spiritual guides from different Mayan groups carried out ceremonies during these celebrations, which highlighted and affirmed respect for Mayan religious traditions. However, after Mayan leaders expressed concerns about the commercial and tourist-oriented nature of the government's plans for the December 21 celebrations, the government scaled back the plans considerably.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The private sector provided financial support for creating a new Mayan Oxlajuj B'aktun plaza in Chichicastenango that was inaugurated in December.

Section IV. U.S. Government Policy

U.S. embassy officials, including the ambassador, met with leaders of major religious groups and with representatives of faith-based NGOs. The embassy continued to monitor all aspects of religious freedom, including those involving the religious practices of indigenous cultures.

Embassy officials contacted a leading evangelical pastor after learning that his son's family had suffered a criminal attack, apparently due to the family's religion. The embassy raised the issue of this attack with the attorney general's office and received assurances that the attorney general's office was aware of the case and actively investigating it. The embassy continued to monitor the progress of the case. Three of the five accused have been arrested and are awaiting trial. The family has expressed concern for their safety as the trial date approaches.

The ambassador and other embassy officials attended the funeral mass of a highly-regarded cardinal who contributed to the 1996 Peace Accords, and also met with Catholic leaders to discuss their concerns about social conflict in the mining sector.

The ambassador and other embassy officials attended several Mayan religious ceremonies this year, particularly for Oxlajuj B'aktun. On December 18, the ambassador hosted a reception in honor of Oxlajuj B'aktun for local and visiting indigenous leaders from around the world. On December 19, the indigenous mayor of Chichicastenango honored the ambassador and a leading Guatemalan

GUATEMALA

industrialist as “universal thinkers” in a Mayan ceremony inaugurating a new Oxlajuj B’aktun plaza in that city.

The embassy contributed to the restoration of the city’s colonial church and former convent of St. Thomas, an important example of Spanish-Mayan syncretism.