

# **ARGENTINA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and laws provide for freedom of religion and the right to profess one's faith freely. The government continued its investigation into the 1994 bombing of the Argentina Israelite Mutual Association (AMIA) community center. Political events such as a criminal complaint against then-president Cristina Fernandez de Kirchner by AMIA bombing prosecutor Alberto Nisman, followed by his unsolved death, assumed religious overtones. A 2014 court ruling, which held as unconstitutional the 2013 memorandum of understanding (MOU) with Iran to jointly establish a truth commission for the AMIA bombing, became final after the new administration of President Mauricio Macri withdrew the former government's appeal. Senior government officials in the outgoing administration, including the then-president, criticized the Jewish community. New civil and commercial codes allowed non-Catholic religious groups to register as religious groups with the same privileges and fiscal benefits as Catholics. The government has recognized more than 5,300 non-Catholic religious groups.

There were incidents of anti-Semitism, including posters, following the death of Alberto Nisman. Muslims filed a formal complaint about the content of a news article that appeared on the website Infobae on November 17, implying the Quran contains violent verses that inspire Islamic terrorists.

The U.S. Ambassador and embassy officials actively engaged with the government, civil society groups, and nongovernmental organizations (NGOs) to facilitate interfaith dialogue and promote religious tolerance. Outreach efforts included regular meetings with religious and community leaders.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 43.4 million (July 2015 estimate). National census data does not track religious affiliation. Religious demographics and statistics from NGOs, research centers, and religious leaders vary. Roman Catholics constitute approximately 71 percent of the population. Atheists, agnostics, and those with no religious affiliation constitute approximately 11 percent of the population, and Pentecostals constitute approximately 8 percent. The Jewish population is approximately 250,000-300,000 and the Muslim population is estimated to be between 450,000 and one million. Seventh-day Adventists, Baptists, Jehovah's Witnesses, Lutherans, Methodists, and members of

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The Church of Jesus Christ of Latter-day Saints (Mormons) total less than 5 percent of the population. Evangelical Protestant communities, particularly Pentecostals, are growing in size.

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

#### **Legal Framework**

The constitution provides for the right to profess and to practice one's faith freely. It attests the support of the federal government for "the Roman Catholic Apostolic faith," but the Supreme Court has ruled that it is not an official or state religion. The government provides the Catholic Church with tax-exempt subsidies, institutional privileges such as school subsidies, significant autonomy for parochial schools, and licensing preferences for radio frequencies.

Non-Catholic groups can register with the Secretariat of Worship in the Ministry of Foreign Affairs and Worship. Registration is not compulsory, but allows religious groups to receive tax-exempt status, apply for visas for religious officials, hold public activities, and receive other benefits. The new civil and commercial code, which entered into effect on August 1, allows non-Catholic religious groups to register with the same status as Catholic groups. This opens the door to receiving similar privileges as Catholic groups; under prior laws, non-Catholic groups were required to register as civic associations and were not eligible for these privileges. To register, religious groups must have a place of worship, an organizational charter, and an ordained clergy, among other provisions. Registration is not required for private religious services, such as those in homes, but is sometimes necessary in order to conduct activities in public spaces pursuant to local regulations. For example, city authorities may require groups to obtain permits to use public parks for public activities, and they may require the religious group be registered with the secretariat to receive the permit. Once an organization is registered, it must report to the secretariat any significant changes or decisions made regarding its leadership, governing structure, size of membership, address of headquarters, or other relevant information. The government has recognized more than 5,300 non-Catholic religious groups, who have the same privileges and fiscal benefits as Catholic groups.

Foreign religious officials of registered religious groups can apply for a separate category of visa to enter the country. The length of the visa can vary depending on

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the purpose of the travel. Foreign missionaries of registered religious groups must apply to the Secretariat of Worship, which in turn notifies immigration authorities to request the issuance of the appropriate documents.

The mandatory curriculum in public schools is secular by law. Students may request elective courses of instruction in the religion of their choice in some public schools, which may be conducted in the school or at a religious institution. Many Christian, Jewish, and Muslim religious groups operate private schools.

The board of the National Institute against Discrimination, Xenophobia, and Racism (INADI), a government agency under the jurisdiction of the Ministry of Justice and Human Rights, includes representatives of the major religious groups. INADI investigates suspected and reported incidents of discrimination based on religion. INADI does not have the authority to enforce recommendations or findings, but the reports may be used as evidence in civil court. The agency also supports victims of religious discrimination and promotes proactive measures to prevent discrimination. INADI produces and distributes publications to promote religious tolerance.

### **Government Practices**

On January 14, Alberto Nisman, the lead federal prosecutor responsible for the investigation of the bombing of the AMIA community center in Buenos Aires that killed 85 persons in 1994, filed a criminal complaint against the then-president and senior members of the government. The complaint alleged the former president negotiated the 2013 MOU with Iran to convey immunity upon the five Iranian suspects in the AMIA bombing case. On January 18, hours before Special Prosecutor Nisman was scheduled to testify before Congress, he was discovered dead in his apartment from a gunshot to the head. On February 26, a judge dismissed Nisman's complaint, ruling the evidence put forward was insufficient to initiate criminal proceedings against the former president. The investigation into the death of Nisman continued at year's end.

On April 27, a prosecutor initiated a criminal investigation alleging unnamed members of the Jewish community, Special Prosecutor Nisman, and members of the opposition party, while acting under the influence of financial and political interests from the United States, had conspired to force the country to abandon the

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MOU with Iran. The complaint was dismissed in November for lack of substantiating evidence.

On social media on April 20, then-President Cristina Fernandez de Kirchner cited the investigation and said Argentina was under assault from a “global modus operandi.” She stated Special Prosecutor Nisman and the Delegation of Argentine Jewish Associations (DAIA) had collaborated to prevent the implementation of the MOU with Iran and to destabilize the country. Jewish leaders and the Anti-Defamation League, an NGO that combats anti-Semitism, condemned Kirchner’s statements on the country’s economic problems in which she compared the investment funds that contributed to the national debt to the Shakespearean villain Shylock.

Then-Foreign Minister Hector Timerman stated AMIA was using the bombing incident to support political, economic, and social interests contrary to the country’s national interests.

During the 21st anniversary commemoration of the AMIA bombing, Jewish community speakers at the event focused many of their comments on what they said was the tension created by the government in the wake of Special Prosecutor Nisman’s death and continued criticism of the government’s MOU with Iran.

In June the Magistrates Council unseated a judge days before he was to vote on the appellate decision regarding the 2014 court decision finding the 2013 MOU with Iran unconstitutional. Media reports stated the judge was set to vote against the constitutionality of the MOU and thereby sway the court’s decision against the government. The appellate court subsequently delayed the case indefinitely. Jewish community representatives and the then-opposition political party continued to oppose the MOU, which was ratified by Argentina but not by Iran. On December 11, the new administration of President Mauricio Macri announced the government would withdraw its appeal of the judicial decision holding the MOU to be unconstitutional. The ruling became final on December 23 when the Federal Court of Cassation issued a decision accepting the government’s withdrawal of the appeal, effectively terminating the MOU.

The government assigned 50 Border Patrol agents to protect Pastor Marcelo Nieva and his Baptist Evangelical church in Rio Tercero, Cordoba Province. Nieva’s 2014 religious discrimination case was assigned to a federal judge. Nieva stated

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that criminal groups targeted him and his church because of his social work, particularly with victims of sex trafficking and gender-based violence.

The secretary of worship, the Buenos Aires director general for religious affairs, and other government representatives hosted and attended religious freedom conferences, interreligious dialogues, rabbinical ordinations, and Rosh Hashanah, Eid al-Adha and Eid al-Fitr celebrations, as well as other religious activities, including those held by Protestant and Orthodox churches throughout the year.

The government is a member of the International Holocaust Remembrance Alliance.

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

On January 19 a group of individuals in Lago Puelo village, Chubut Province, shouted anti-Semitic insults for several hours at a hostel frequented by Israeli tourists, robbing and physically harming seven people, including four Israeli tourists. The hostel owner reported the attackers were armed with firearms and firebombs and said the group had previously attacked his hostel, targeting Israeli tourists. The provincial governor condemned the assault, and INADI stated it was anti-Semitic. Provincial law enforcement quickly identified and investigated the attackers. A federal judge charged the alleged attackers, and the case was awaiting a date for oral trial at year's end.

In the Villa Crespo neighborhood of Buenos Aires on March 1, posters appeared saying "The only good Jew is a dead Jew. [Special Prosecutor] Nisman is a good Jew."

During an October march in Mar del Plata, Buenos Aires Province, individuals advocating legal and free abortions clashed with Catholic lay individuals and the city police outside of the city's Catholic cathedral. Protestors shouted anti-Catholic slogans – "the Church is a piece of trash; you are a dictatorship." The anti-Catholic protestors knocked down a temporary protective fence separating them from the Catholic counter-protestors, and the police responded with tear gas and rubber bullets, resulting in several injuries. Three anti-Catholic protestors were arrested.

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In November a Muslim group registered a complaint with INADI concerning the content of a news article appearing on the website Infobae on November 17. The article stated the Quran contained violent verses that inspired Islamic terrorism and that the individuals who stormed the Le Bataclan Theater in Paris shouted “Allah is great.” The complaint alleged many of the verses were translated incompletely or taken out of context, with the aim of creating negative stereotypes of Muslims and demonizing Islam.

DAIA documented 308 incidents of anti-Semitism in 2014, the most recent data published, which was a modest increase over previous years. Approximately one half of those incidents occurred on the internet. One-third of all incidents referenced the conflict in the Middle East, particularly the conflict in Gaza. Some 29 percent of all incidents involved physical injury or damage to property.

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

In regular meetings with the Secretariat of Worship, religious leaders, and civil society organizations, U.S. embassy officials discussed religious freedom, the interfaith movement, and the status of the AMIA case, as well as anti-Semitism and anti-Muslim sentiment.

In meetings with senior Catholic, Jewish, and Muslim leaders at both the national and capital city levels, the Ambassador discussed religious tolerance, diversity, the interfaith movement, and measures to counteract religious discrimination. On April 17 the U.S. Special Envoy to Monitor and Combat Anti-Semitism met with the secretary of worship and the minister for justice and human rights to discuss religious tolerance and anti-Semitism. The Special Envoy also met with national religious and civic leaders and civil society organizations such as DAIA, AMIA, B’nai B’rith International, and the World Jewish Congress.

Embassy officials regularly attended conferences, observances, and commemorations organized by religious groups and NGOs including DAIA, AMIA, the Islamic Center of Argentina, the Islamic Center for Peace, the Evangelical Church of Argentina, and the United Religious Initiative that advocated an interfaith cooperation and universal tolerance.