



Religion

Population

Area

- Christians : **92.8%**
- Ethnoreligionists : **2.8%**
- Baha'is : **2.2%**
- Agnostics : **1.9%**
- Others : **0.3%**

10,888,000

1,098,581 Km²

Legal framework on freedom of religion and actual application

The preamble of the constitution of the “Plurinational State of Bolivia” states that the country was re-founded “with the strength of our Pachamama and with gratefulness to God”^[1]

Article one of the constitution provides that Bolivia is an “inter-cultural” state based on “cultural pluralism”. According to article four, the state is “independent of religion” and respects and guarantees freedom of religion and spiritual belief. The people of Bolivia have, according to article 21, the right to “freedom of belief, spirituality, religion and cult, expressed individually or collectively, in public and in private, for legal purposes”.

Under article 14(2), the state “prohibits and punishes” all forms of discrimination based on religious belief. According to article 14(3), the free and effective exercise of rights established in “the constitution, the laws and international human rights treaties” is guaranteed without any discrimination.

The right of indigenous nations and peoples to their cultural identity, religious beliefs, spirituality, practices and customs and to their own worldview is expressly protected in article 30. Their sacred places must also be protected, and their traditional knowledge, medicine, rituals and symbols must be respected and promoted.

Freedom in the teaching of religion in educational establishments is also guaranteed. Under article 86, it is not permitted to discriminate in the enrolment of students on the grounds of their religious convictions. The right of religious entities to administer educational establishments is recognised in article 87. Under article 88(2), the right of parents to choose the education of their children is to be respected.

In 1986, an agreement was signed between the Holy See and Bolivia on religious assistance to the Armed Forces and

the National Police Forces.^[2]

Incidents

During the period under review, a new penal code was discussed. In light of Constitutional Judgment 206/2014, which established the constitutionality of the criminalisation of abortion, discussion centred on article 157 of the code that sets out certain exceptions to the ban. Some sectors of society and churches were excluded from the discussion, and this was denounced by the Catholic Bishops' Conference in April 2017. In September 2017, members of the House of Deputies approved an article, which allows more grounds for legal termination of pregnancy than had been provided for in previous legislation. The article recognises the right of medical and health professionals to refuse to participate in abortions for reasons of conscience. In March 2018 the Bishop of Oruro called on policy makers to reject any attempt to legalise abortion.^[3]

Article 88 of the new penal code was also controversial. The article states that a person who, alone or through third parties, captures, transports, transfers, deprives of liberty, hosts or receives people in order to recruit them "to participate in armed struggles or in religious or faith based organisations..." shall be punishable with imprisonment and fines. In January 2018 the Catholic Church warned that the article risked criminalising missionary activity. Evangelical Churches also expressed their opposition and stated that the provision violates freedom of religion and conscience. The speaker of the Senate noted that the provision only intends to punish illegal activities and is intended to prevent militant extremism in Bolivia.^[4]

When four people, robbed, abducted and abused an 81-year-old nun, the Catholic Bishops' Conference of Bolivia responded in September 2016 by condemning their actions.

In March 2017, at the request of the International Affairs Committee of the Bolivian Senate, religious organisations including St Paul Bolivian Catholic University, the Catholic Bishops' Conference of Bolivia and the National Association of Evangelicals held a citizens' forum on "Freedom of Expression and Religious Freedom". Its purpose was to consider the law of religious freedom in the light of two conventions that were before Bolivia's Legislative Assembly, namely the Organisation of American States, Inter-American Convention against Racism, Racial Discrimination, and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance.^[5]

This is the first time that a citizen's forum has been held assessing the relationship between the law on discrimination and the exercise of religious freedom. At the meeting, concerns were raised about the future ratification of the conventions. It was argued that ambiguities in the definitions of discrimination and intolerance could result in the violation of the rights of religious freedom and freedom of expression.^[6] In December 2016 the Chamber of Deputies passed Bill 381 (of the 2016-2017 legislature) which ratified both conventions. The bill then went before the International Affairs Committee of the Senate, which approved it. However, it failed to be adopted by the whole chamber. As the bill failed to pass before the end of the legislative session, it has to be presented again to become law.

In May 2017 President Evo Morales asked Pope Francis for his intervention in the conflict with Chile over the arrest of nine Bolivian officials at the border. The following December, the President had a private audience with the Pope to address issues related to climate change and Bolivia's maritime demands.^[7]

In January 2018, the Catholic Church condemned the police for arresting students holding a protest in a temple in La Paz. The Archbishop of Sucre said sacred places should always be respected as places of asylum.^[8]

In February 2018 celebrations were held for Mother Earth according to an Andean ritual in which houses, businesses and crops were blessed. This was a thanksgiving for the harvest. Houses, markets and public roads were decorated.^[9]

On 1st March 2018 the Department of Oruro gave public servants a day off to attend a religious service of atonement to the Virgen del Socavón, after an artist depicted her in lingerie. The event was organised by the local diocese, the

Department and the Mayor of Oruro and consisted of a procession through the streets of the city^[10]

Prospects for freedom of religion

In Bolivia, no major problems have been reported concerning the individual exercise of religious freedom. The government remains actively involved with religious institutions. Civil authorities seem to rely on the authority of Pope Francis in complex situations by requesting his collaboration or mediation, which is exceptional in a functioning political system.

Endnotes / Sources

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[3] J. Rivera, 'Comunicado de la CEB: 'Discriminación por Religión'', Iglesia Viva, 12th April 2017, <http://www.iglesiaviva.net/2017/04/12/comunicado-de-la-ceb-discriminacion-por-religion/>, (accessed 17 March 2018).; 'Senado aprueba por voto nominal artículo 157 del Código de Sistema Penal', Asamblea Legislativa Plurinacional Cámara de Senadores, 6th December 2017, <http://senado.gob.bo/prensa/noticias/senado-aprueba-por-voto-nominal-articulo-157-del-codigo-de-sistema-penal>, (accessed 19th April 2018); Proyecto de Ley No464/2017-2018, Bolivia, Cámara de Diputados, <http://www.diputados.bo/leyes/pl-n-4642017-2018>, (accessed 19 April 2018).; M. Díaz, 'La Iglesia llama a rechazar cualquier intento de legalizar el aborto', Iglesia Viva, 19th March 2018, <http://www.iglesiaviva.net/2018/03/19/la-iglesia-llama-a-rechazar-cualquier-intento-de-legalizar-el-aborto/>, (accessed 2nd April 2018).

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[5] M. Díaz, 'Comunicado: Dios escucha el clamor de su pueblo por la justicia', Iglesia Viva, 1st December 2016, <http://www.iglesiaviva.net/2016/09/01/comunicado-dios-escucha-el-clamor-de-su-pueblo-por-la-justicia/>, (accessed 16th March 2018).

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