



## Religion

## Population

## Area

- Christians : **95.7%**
- Agnostics : **1.9%**
- Others : **2.4%**

8,190,000

112,492 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

The constitution<sup>[1]</sup> invokes the protection of God in its preamble and guarantees the free exercise of all religions and faiths without preference insofar as they do not break any laws or violate public order. This right cannot be suspended or restricted in case of emergencies.

Members of the clergy cannot, according to article 77, hold public office or engage in propaganda invoking religious motives or using the religious beliefs of the people.

In articles 78 and 79, freedom of association and assembly are guaranteed as long as they do not violate public order and public morals.

Registration of religious groups is not required. The Catholic Church is the only Church that has been legally recognised in law. Unregistered organisations can operate but do not receive tax exemptions or other benefits. To obtain legal recognition, religious groups must apply to the Secretariat of State for Human Rights, Justice, Governance and Decentralisation. The Office of the Solicitor General must review the application. Authorised organisations must submit annual reports about their financial situation and activities. They can also ask the Ministry of Finance for tax exemption status.<sup>[2]</sup>

Foreign missionaries must have entry and residence permits and a sponsoring institution. The government has signed agreements with the Evangelical Fraternity of Honduras, Mormons and Seventh-day Adventists to facilitate the entry and residence of their missionaries. Groups that do not have written agreements must provide proof of employment and income for their missionaries. The immigration of foreign missionaries who use witchcraft or satanic rituals is prohibited<sup>[3]</sup>

Honduras is a signatory to the International Covenant on Civil and Political Rights as well as the Ibero-American

Convention on Young People's Rights, which recognises the right to conscientious objection in case of compulsory military service.<sup>[4]</sup>

Religious groups have criticised the government for not recognising marriages celebrated without a certificate of civil marriage. According to article 13 of the family code, any member of the clergy of whatever faith group who authorises a religious marriage without a civil marriage certificate will be held criminally liable.<sup>[5]</sup>

Seventh-day Adventists have pointed out that certain educational establishments (schools and universities) do not respect their right to observe the Sabbath, despite the fact that the Ministry of Education exempted them in 2014 from attending classes and taking exams on that day. Jehovah's Witnesses have said that some educational establishments require them to participate in patriotic activities that are contrary to their faith and some hospital establishments refuse to treat them because of their refusal to receive blood transfusions. Some Muslims have expressed concern that Muslim women were not allowed to wear the hijab in certain government jobs. According to some reports, private lawyers were allowed to wear the hijab in court.<sup>[6]</sup>

As for the Armed Forces, the commanders of military bases prefer Catholic or Protestant chaplains.<sup>[7]</sup>

Members of the clergy authorised to minister in the country are not required to make a statement in relation to confidential information or secrets heard during the exercise of their ministry and which they are required not to divulge. Article 228 of the Code of Criminal Procedure states that before any statement, they must be informed of their right not to speak and if they do, they have the right not to answer.<sup>[8]</sup>

In May 2017, the government invited the Churches to take part in discussions about possibly reducing the age at which a person is punishable and reorganising of the juvenile criminal justice system.<sup>[9]</sup> In light of the high crime rate, such a measure would have a significant impact on society.

In December 2017, the Catholic and Evangelical Churches came together to call on the population to stop acts of violence and demonstrate peacefully. They went on to call on political leaders to initiate talks to resolve the country's difficulties.<sup>[10]</sup> The Chamber of Commerce and Industries of Cortés (CCIC)<sup>[11]</sup> suggested asking the leaders of the Evangelical and the Catholic Church of Honduras to act as mediators in a national dialogue aimed at ending the political crisis.<sup>[12]</sup>

## **| Incidents**

In January 2018, the Church of Santa María de los Dolores was almost set ablaze by unknown individuals apparently under the influence of alcohol. It is unclear if the perpetrators wanted to burn the church or if it was an accident caused by cigarette butts thrown at the church door building.<sup>[13]</sup>

## **| Prospects for freedom of religion**

Under Honduran law, a legally recognised Church and other religious organisations are regulated differently even though the latter can obtain legal status and access to tax exemptions. The demands of some religious minorities have not yet been heard or heeded, so the situation has remained the same. It must be noted that the government has invited the Churches to participate in a commission to reorganise the juvenile criminal justice system. Similarly, civil society groups have called for the Churches to mediate in political conflicts. This would significantly increase the work of the Churches with the risk that churchmen and women might end up taking part in political discussions. At the same time, this represents a recognition of the important role they play in society. The prospects for freedom of religion remain unchanged, but it is important for religious leaders to maintain their rightful place in the community without getting into government-related matters.

## Endnotes / Sources

- [1] Honduras's Constitution of 1982 with Amendments through 2013, [constitueproject.org](https://www.constituteproject.org), [https://www.constituteproject.org/constitution/Honduras\\_2013.pdf?lang=en](https://www.constituteproject.org/constitution/Honduras_2013.pdf?lang=en), (accessed 20 March 2018), (accessed 16th May 2018).
- [2] Bureau of Democracy, Human Rights and Labor, 'Honduras', International Religious Freedom Report for 2016, U.S. State Department, <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>, (accessed 20th March 2018).
- [3] Ibid.
- [4] Ibid.
- [5] Código de Familia(Honduras) art.13,<http://www.poderjudicial.gob.hn/CEDIJ/Leyes/Documents/CodigoDeFamilia-Oct2017.pdf>, (accessed 20th March 2018).
- [6] Ibid.
- [7] Ibid.
- [8] Código Procesal Penal (Honduras), art. 228, <http://www.poderjudicial.gob.hn/CEDIJ/Leyes/Documents/PPP-IncluyeReforma96-2017-Enero2018.pdf>, (accessed 20th March 2018).
- [9] Prensa Presidencia, 'Comunicado Edad Punible II', Presidencia de la República, 15th May 2017, <http://www.presidencia.gob.hn/index.php/blocks/comunicados/2321-comunicado-edad-punible-ii>, (accessed 17th March 2018).
- [10] 'Líderes religiosos: Podemos pensar de forma distinta, pero eso no nos hace enemigos', La Prensa, 2 diciembre 2017, <http://www.laprensa.hn/honduras/elecciones2017/1131571-410/l%C3%ADderes-religiosos-podemos-pensar-de-forma-distinta-pero-eso-no-nos-hace>, (accessed 8th March 2018).
- [11] 'CCIC pide que líderes religiosos sean los mediadores del diálogo', La Prensa, 20th December 2017 [http://www.laprensa.hn/honduras/1136590-410/ccic-dialogo-juan\\_orlando\\_hernandez-salvador\\_nasralla-honduras-tse](http://www.laprensa.hn/honduras/1136590-410/ccic-dialogo-juan_orlando_hernandez-salvador_nasralla-honduras-tse), (accessed 8th March 2018).
- [12] 'Iglesia Católica: No es tiempo para destruir', La Tribuna, 20th December 2017, <http://www.latribuna.hn/2017/12/20/iglesia-catolica-no-tiempo-destruir/>, (accessed 8th March 2018).
- [13] 'Casi provocan incendio en la iglesia Los Dolores de Tegucigalpa', La Tribuna, 12th January 2018, <http://www.latribuna.hn/2018/01/12/casi-provocan-incendio-la-iglesia-los-dolores-tegucigalpa/>, (accessed 8th March 2018).