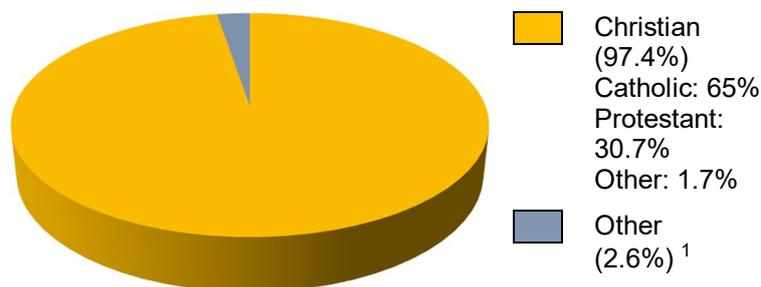


GUATEMALA



Area: 108,890 km ²	Population²: 15 million	Political system: Democracy	Major Language(s): Spanish, Mayan, Xinca
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Legal framework on freedom of religion and actual application

The preamble to the constitution states that it is enacted, sanctioned and promulgated in the name of God.

Under article 19, the constitution grants convicts the right to communicate with chaplains of their religion.

Under article 33, in regulating the right to assembly, the constitution states that religious demonstrations outside temples are allowed and regulated by law.

Freedom of religion is enshrined in the constitution. The free exercise of all religions is allowed. The right to public and private worship is recognised. Religious education is allowed without restrictions, other than those required by public order, and respect for the dignity of the hierarchy and the faith of other creeds (article 36).

There is no interference in the curriculum of religious education. The Education Ministry works with various religious groups to incorporate into the curriculum broad notions of citizenship that do not necessarily belong to any particular creed.

The State recognises the legal status of the Catholic Church, and grants legal recognition to other religious entities, which cannot be denied except on the grounds of public order. The State recognises assets owned by the Catholic Church, which it uses peacefully for its own purposes, which belonged to it in the past and cannot be registered in the name of third parties. The assets religious entities allocate to worship, education or social assistance are tax exempt (article 37).

The ministers of religious entities recognised by the administrative authorities can celebrate marriages that are civilly valid (article 49).

Religious education is optional in public schools, although in practice it is not offered. Under article 73, the State shall contribute to the maintenance of religious education without discrimination.

Ministers of religion cannot be President, Vice President, Ministers of State, Magistrates or Judges (articles 186, 197 and 207).³

The Penal Code punishes violations of religious freedom and the desecration of places of worship.

The law allows Mayan groups to perform religious ceremonies in places that are historically connected with their culture but are now owned by the government. However, Mayan religious

leaders have complained about restrictions on the access to archaeological sites, such as by the payment of fees for admission.

Protestant leaders have also claimed that local authorities sometimes require payment of taxes on properties which they own, despite the tax exemption status they enjoy under the law.

Incidents

In January 2015, Congressman Marvin Osorio introduced a bill that would make Bible reading mandatory in all public and private schools.⁴ In July of the same year, Carlos Mendoza, a consultant and a member of the Guatemalan Association of Secular Humanists was booed by religious believers who supported the bill to make Bible teaching mandatory in schools.⁵ In the same month, the association also issued a statement in relation to the bill in which it reiterated its respect for freedom of religion.⁶

In June 2015, the Catholic Bishops' Conference of Guatemala issued a statement in which it called for an end to the country's widespread corruption, and urged voters to cast their ballot in accordance with their conscience in the September 2015 election.⁷

In June 2015, the Apostolic Vicariate to Petén issued a statement expressing solidarity with the people of Sayaxché, a community affected by the contamination of the Pasión River, which killed local wildlife. Many other local communities were affected as well.⁸

In August 2015, members of different faiths, including Catholics, Evangelicals, Buddhists, and Protestants, united in protest and marched against political corruption in the country.⁹

In November 2015, a man wearing a cassock and claiming to be a Dominican priest was reportedly promoting abortion and secularism in Guatemala.¹⁰

Constitutionally the Catholic Church has a privileged position. However, at the same time, some secularist sectors of society threaten the freedom to teach religion.

Prospects for freedom of religion

In general, a drop in acts of violence suggests an improvement in the freedom of religion. However, the marked difference between the constitutional status of the Catholic Church, compared to the obligation of other religious groups to register, is a challenge for Guatemala in the coming years. Measures are required to grant legal and actual equality to all religious groups. At the same time, the protection of the country's indigenous communities, and the recognition and appreciation of their religious practices, falls short of what is needed to adequately protect their religious freedom.

Guatemala has experienced turbulent times. Various reports have exposed widespread corruption among its political leaders. Against this backdrop, some have promoted the idea of mandatory Bible studies as a remedy. This has generated a climate of violence between groups with different views. A crucial goal for Guatemala in the coming years will be to strengthen political authorities and institutions, so as to separate the exercise of religious freedom and worship from governance and state administration.

¹ http://www.thearda.com/internationalData/countries/Country_98_2.asp accessed on 28 March 2016.

² <http://www.bbc.com/news/world-latin-america-19635877> accessed on 4 May 2016.

³ http://www.thearda.com/internationalData/countries/Country_98_6.asp accessed on 28 March 2016.

⁴ <http://www.soy502.com/articulo/diputado-propone-ley-lectura-obligatoria-biblia-escuelas> accessed on 28 March 2016.

⁵ <http://lahora.gt/congreso-religiosos-abuchean-a-consultor-que-defendia-educacion-laica/> accessed on 28 March 2016.

⁶ <http://www.humanistasguatemala.org/comunicado-sobre-la-propuesta-de-ensenanza-biblica-obligatoria/> accessed on 28 March 2016.

⁷ <http://www.iglesiacatolica.org.gt/20150603.pdf> accessed on 28 March 2016.

⁸ <http://www.iglesiacatolica.org.gt/20150616.pdf> accessed on 28 March 2016.

⁹ <http://lahora.gt/religiosos-unen-esfuerzos-contra-la-corrupcion/> accessed on 28 March 2016.

¹⁰ <https://www.aciprensa.com/noticias/falso-sacerdote-catolico-promueve-aborto-y-laicismo-en-guatemala-63393/> accessed on 28 March 2016.