



Spain

International Religious Freedom Report 2004

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the Catholic Church enjoys some privileges unavailable to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationships among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has a total area of 194,897 square miles, and its population is approximately 42.7 million.

The Center for Sociological Investigation (CIS), an autonomous state agency, collects statistics on religious trends in the society. In December 2003, a CIS survey reported that 81 percent of citizens consider themselves Catholic; however, 42 percent stated that they never attend Mass. Among non-Catholics, 11.6 percent said that they were agnostics, 4.1 percent said that they were atheists, and approximately 2 percent said that they practiced other religions.

The Episcopal Conference of Spain (CEE) estimates that there are approximately 37 million Catholics in the country. The Federation of Evangelical Religious Entities (FEREDE) represents 350,000 Spanish Protestants, but estimates that there are 800,000 foreign Protestants, mostly European, who reside in the country at least 6 months of each year. The Federation of Spanish Islamic Entities (FEERI) estimates that there are close to 1 million Muslims, including both legal and illegal immigrants. The Ministry of Interior last estimated (2002) that there are as many as 600,000 persons who had come from predominately Muslim countries. In March the National Institute of Statistics reported that, according to surveys taken in January 2003, immigrants from Morocco compose approximately 21 percent of all legal immigrants; there are 375,767 Moroccans living in the country legally. In Catalonia the Moroccan population is 126,686. The next highest concentrations of Moroccans immigrants are in Madrid (56,137), Andalusia (50,047), Valencia (30,078), Murcia (29,648), Balearic Islands (12,650), Castile La Mancha (12,168), Canary Islands (11,611), Extremadura (8,371), Aragon (7,025), and Melilla (5,857); there are fewer than 5,000 in other specific areas. However, there may also be as many as 200,000 undocumented Moroccans living in the country. Local sources report that there are 40-50,000 resident Jews. There are approximately 9,000 practicing Buddhists.

In May the Register of Religious Entities maintained by the Ministry of Justice listed 12,017 entities created by the Catholic Church, as well as 1,328 non-Catholic churches, denominations, and communities in the register, including 1,041 Protestant church entities. Protestant entities include 277 Charismatic churches, 128 Assemblies of Brothers, 255 Baptist churches, 98 Pentecostal

churches, 37 Presbyterian churches, 1 Evangelical Church of Philadelphia, 10 Church of Christ churches, 1 Salvation Army entity, 18 Anglican churches, 61 interdenominational churches, 35 Churches for Attention to Foreigners, 1 Seventh-day Adventist church, 3 Reformed Adventist churches, and 120 other evangelical churches. In addition there are also 9 Orthodox entities, 4 Christian Scientist entities, 2 entities of Jehovah's Witnesses, 1 entity of the Church of Jesus Christ of Latter-day Saints (Mormons), 1 entity of the Unification Church, 10 entities of other Christian confessions, 16 entities of Judaism, 236 entities of Islam, 11 entities of the Baha'i Faith, 3 entities of Hinduism, 19 entities of Buddhism, and 2 entities of other confessions.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. Discrimination on the basis of religious beliefs is illegal.

Article 16 of the Constitution provides for religious freedom and the freedom of worship by individuals and groups. It also states, "no faith shall have the character of a state religion." However, the Government provides certain public financing benefits to the Catholic Church that have not yet been made available to other religious entities in practice. These benefits derive from four accords signed with the Holy See in 1979. They cover economic, religious education, military, and judicial matters. The Catholic Church receives financing through voluntary tax contributions and direct payments. Taxpayers can select a box on their income tax forms to contribute up to 0.5 percent of their taxes to the Catholic Church. In 2003 taxpayers contributed \$127.2 million (135 million euros) to the Catholic Church. In addition to voluntary taxpayer contributions, the Government provided the Catholic Church an additional \$33.6 million (28 million euros). This sum did not include state funding for religion teachers in public schools, military and hospital chaplains, and other indirect assistance.

Representatives of Protestant, Jewish, and Islamic faiths signed bilateral agreements with the Government in 1992. Protestant entities signed the accord as the Federation of Evangelical Entities of Spain (FEREDE), Jewish entities signed as the Federation of Israeli Communities of Spain (FCIE), and Islamic entities signed as the Islamic Commission of Spain (CIE). The CIE is composed of two federations: the FEERI, the Federation of Spanish Islamic Entities, and the UCIDE, the Union of Islamic Communities in Spain. In April 2003, the Government expanded the concept of "well-known deeply-rooted" beliefs (notorio arraigo) to allow other religious groups, such as Jehovah's Witnesses and Mormons, to sign bilateral agreements. As of the end of the reporting period, neither Jehovah's Witnesses nor Mormons had begun negotiations with the Government.

National religious holidays include Epiphany (January 6), Holy Thursday and Good Friday, Assumption (August 15), All Saints Day (November 1), Immaculate Conception (December 8), and Christmas (December 25); some communities celebrate local religious holidays. National religious holidays do not have a negative effect on other religious groups. In the 1992 cooperation accords with the Federation of Israeli Communities of Spain (FCIE) and Islamic Commission of Spain (CIE), the Government agreed to recognize Jewish and Muslim holidays. The 1992 accord with FEREDE accommodates Protestants entities, such as the Seventh-day Adventists, that celebrate Saturday as the Sabbath, by giving them Friday afternoon off from work with pay.

The Law of Religious Freedom of 1980 implements the constitutional provision for freedom of religion. The 1980 law establishes a legal regime and certain privileges for religious organizations. To enjoy the benefits of this regime, religious organizations must be entered in the Register of Religious Entities maintained by the Office of Religious Affairs of the Ministry of Justice, which is updated regularly. To register with the Ministry of Justice, religious groups must submit documentation supporting their claim to be religions. If a group's application is rejected, it may appeal the decision to the courts. If it is judged not to be a religion, it may be included on a Register of Associations maintained by the Ministry of Interior. Inclusion on the Register of Associations grants legal status as authorized by the law regulating the right of association. Religions not officially recognized, such as the Church of Scientology, are treated as cultural associations. Following the court decisions of 2001 and 2002, the Church of Scientology continued to seek official status.

The first section of the Register of Religious Entities, called the "special section," contains a list of religious entities created by the Catholic Church and a list of non-Catholic churches, denominations, and communities that have an agreement on cooperation with the State. Catholic dioceses and parishes are not required to register to gain benefits under the 1980 law. However, Catholic monasteries, religious communities, associations, and foundations may voluntarily register to participate in the legal regime.

Leaders of the Protestant, Muslim, and Jewish communities report that they are discussing the issue of expanded tax benefits and public funding, the opening of new places of worship, and the quality of religious education with the Office of Religious Affairs in the Ministry of Justice; in particular they are seeking public financing comparable to that enjoyed by the Catholic Church. All religious minority groups have asked the Government to revise the national income tax form to allow taxpayers the option to donate a percentage of their taxes to non-Catholic entities. As of the end of the reporting period, these negotiations were ongoing. In general the Government places no legal restrictions on opening new places of worship; however, representatives of minority religious groups sometimes have difficulty opening places of worship, most frequently because of resistance from neighborhood groups. Muslim and Protestant leaders also have called for the Government to provide more support for public religious education in their respective faiths. The CIE has proposed that it submit names of teachers of the Islamic faith for the Ministry of Justice to consider employing in secondary schools to teach the Islamic component of religious studies. The FEREDE also is pressing for more non-Catholic teachers in religious studies courses.

Public schools offer general courses in religious education covering Catholicism, Islam, Protestantism, and Judaic themes. These courses are not mandatory. There are religious schools for Catholic, Protestant, Muslim, and Jewish students.

Restrictions on Freedom of Religion

Government policy and practice contributed to the generally free practice of religion.

The Islamic Federation (FEERI) reported that the building permit process for new mosque construction can be difficult and lengthy, especially for building sites in central urban locations. According to FEERI, new mosque construction sometimes is forced into less-visible suburban areas, primarily due to resistance from neighborhood groups. However, in 2003 the construction of a large and prominent mosque was completed in Granada. FEERI reported that female Muslim students who wear headscarves have not encountered problems with school dress codes. The Government has consistently held that the right of education takes priority over the enforcement of clothing regulations.

The Government funds Catholic chaplains for the military, prisons, and hospitals. The 1992 bilateral agreements recognize the right of Protestant and Muslim members of the armed forces to have access to religious services, subject to the needs of the service and authorization by their superiors. According to the agreements, such services are to be provided by ministers and imams approved by the religious federations and authorized by the military command. However, Protestant and Muslim leaders continue to report that there are no military regulations to implement the 1992 agreements. Muslim leaders report that prison officials generally provide access for imams to visit Muslim prisoners, but officials have not granted permission for imams to hold religious services on prison grounds.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationships among religions in society contributed to religious freedom. The growth of the country's immigrant population has at times led to social friction, which in isolated instances has had a religious component. Many citizens blame recent Moroccan immigrants for increased crime rates in the country. These beliefs sometimes result in anti-Muslim sentiment. There was no documented increase in violence toward Muslims following the March 11 terrorist train bombings in Madrid. Muslim leaders were concerned that media reports appeared to link the Islamic religion to the terrorist attacks. They also expressed concern over discrimination in housing and employment.

In May 2002, arsonists burned an evangelical church in the town of Arganda del Rey, in the Madrid Autonomous Community. The church, whose congregation was predominantly Romanian, previously had been vandalized with anti-immigrant graffiti. Police arrested four youths who, according to the local mayor, were associated with an ultra-right group. The four youth were not brought to trial and were later released. During the period of this report, the church was subjected to occasional attacks by unidentified, stone-throwing youth. Police officials have investigated the incidents, but they have made no arrests.

Two Jewish synagogues in Barcelona belonging to the Jewish Community of Barcelona and the Atid Jewish Community were vandalized at various times in recent years and again in March. The vandalism included anti-Semitic graffiti on the walls of the synagogue. The groups also reported that local extremist groups monitored them. The regional government responded by increasing security at the center.

On May 27, Catalan police arrested three leaders of a neo-Nazi group called the Circle of Indo-European Research (CEI). The three CEI members were arrested on charges of being members in an illicit association that opposed the fundamental rights and public freedom of citizens within the international community. The police, as well as Jewish community leaders, believed the leaders were involved in the March synagogue attacks. One was charged with illicit association; the police released one of the leaders without bail, another was released with bail, and the third was released with an order to appear in court in July.

Officials from B'nai B'rith have suggested there was an increasing anti-Semitic tone in newspaper commentary and political cartoons as well as public displays of anti-Semitism at major sporting events. They cited the example of a soccer game held in Madrid following the March 11 train bombings. Some participants at the game wore swastikas and other Nazi emblems; they also displayed a banner with an anti-Semitic epithet.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. Embassy officials also meet with religious leaders of various denominations.

The Embassy has facilitated exchanges between U.S. and local religious associations to foster dialogue and promote religious tolerance.

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