



El Salvador

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2009

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The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the reporting period.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

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

Section I. Religious Demography

The country has an area of 8,108 square miles. According to the 2007 census, the population is 5.7 million. The country is predominantly Roman Catholic, with a sizeable Protestant minority. There are also small communities of members of The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Hare Krishnas, Muslims, Jews, and Buddhists, among others. A very small segment of the population observes indigenous religious practices. Some Catholic rituals incorporate indigenous elements.

According to a December 2008 survey by the Public Opinion Center of the Technological University of El Salvador, 52.6 percent of the population identifies itself as Catholic. There are several different Catholic groups, including a charismatic renewal group that reportedly constitutes more than 6 percent of all Catholics. Members of Protestant churches compose 27.9 percent of the population. Among Protestants, informal church estimates suggest 35 percent are Baptists or members of Assemblies of God.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The Constitution states that all persons are equal before the law and prohibits discrimination based on nationality, race, gender, or religion.

Article 296 of the Penal Code imposes criminal sentences of six months to two years on those who publicly offend or insult the religious beliefs of others, or damage or destroy religious objects. If such acts are carried out with and for the purpose of publicity, sentences increase to one to three years in prison. Repeat offenders face prison sentences of three to eight years.

The Constitution requires the president, cabinet ministers and vice ministers, Supreme Court justices, judges,

governors, the attorney general, the public defender, and other senior government officials to be laypersons. In addition, the Electoral Code requires judges of the Supreme Electoral Tribunal and members of municipal councils to be laypersons.

A 1940 law established Holy Week holidays for public employees, and each year the Legislative Assembly issues a decree establishing Maundy Thursday, Good Friday, and Holy Saturday as official holidays for the private sector.

The Constitution explicitly recognizes the Roman Catholic Church and grants it special legal status, but also allows other religious groups to obtain legal status.

Regulations implementing the tax law grant tax-exempt status to recognized non-Catholic churches and other religious groups. The regulations also make donations to recognized churches tax-deductible.

The law for nonprofit organizations and foundations charges the Ministry of Governance with registering, regulating, and overseeing the finances of non-governmental organizations (NGOs), non-Catholic churches, and other religious groups. The law specifically exempts unions, cooperatives, and the Catholic Church from this registration requirement. During the reporting period, there were 157 requests for new registration, of which 43 were approved, 108 were pending, one withdrew due to lack of documentation, and five did not complete the process.

The law states that religious groups other than the Catholic Church may register for official status. Although not required to register with the Government, a group must do so to incorporate formally. The Civil Code grants equal status to churches and nonprofit foundations. For formal recognition, an organization or religious group must apply through the Office of the Director General for Nonprofit Associations and Foundations (DGFASFL) within the Ministry of Governance. The group must present its constitution and bylaws that describe, among other things, the type of organization, location of offices, goals and principles, requirements for membership, type and function of ruling bodies, and assessments or dues. Before the DGFASFL can grant registration, it must determine that the group's constitution and bylaws do not violate the law. Once a group is registered, notice of DGFASFL approval and the group's constitution and bylaws must be published in the official gazette. The DGFASFL does not maintain records on religious organizations once their status has been approved.

Noncitizens present in the country primarily to proselytize must obtain a special residence visa for religious activities and are not allowed to proselytize while on a visitor or tourist visa.

Public education is secular. Private religious schools operate freely. All private schools, whether religious or secular, must meet the same standards to obtain Ministry of Education approval.

The President attended different religious ceremonies to promote interfaith understanding.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the reporting period.

There were no reports of religious detainees or prisoners in the country.

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 who had not been allowed to be returned to the United States.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Leaders of the Catholic, Lutheran, Anglican, Baptist, Evangelical, Islamic, Jewish, and Buddhist religious groups participate in the Council of Religions for Peace.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. U.S. embassy officials maintained a regular dialogue with principal religious leaders, church officers, church-sponsored universities, and NGOs.