



El Salvador

International Religious Freedom Report 2008

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

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors.

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 period covered by this report.

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 the Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, Hare Krishna, Muslims, and Jews, among others. A very small segment of the population observes indigenous religious practices. Some Catholic rituals incorporate indigenous elements.

According to a March 2008 survey by the Public Opinion Center of the Technological University of El Salvador (UTEC), 52.5 percent of the population identifies itself as Roman Catholic. There are several different Catholic groups, including a charismatic renewal group that reportedly constitutes more than 6 percent of Catholics. Members of Protestant churches comprise 27.6 percent of the population. Among Protestants, informal church estimates suggest that 35 percent are Baptists or members of Assembly of God. Other religious groups constitute less than 1.4 percent of the population; 11.1 percent of the population indicates that it is not affiliated with any religious group.

Section II. Status of 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 law at all levels protects this right in full against abuse, either by governmental or private actors. The Constitution states that all persons are equal before the law and prohibits discrimination based on nationality, race, sex, or religion.

In 2007 the Legislative Assembly voted unanimously to amend Article 296 of the Penal Code to impose criminal sentences of 6 months to 2 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 1 to 3 years in prison. Repeat offenders face prison sentences of 3 to 8 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.

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 nongovernmental 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 period covered by this report, there were 117 requests for new registration, of which 28 were approved, 88 were pending, and another lacked the necessary documentation for approval.

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, a group or church must apply through the Office of the Director General for Nonprofit Associations and Foundations (DGFASFL) within the Ministry of Governance. The group or church must present its constitution and by-laws 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 by-laws do not violate the law. Once a group is registered, notice of DGFASFL approval and the group's constitution and by-laws 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 period covered by this report.

There were no reports of religious prisoners or detainees 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 of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Abuses and Discrimination

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, founded in 2006.

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. The U.S. Embassy maintained a regular dialogue with principal religious leaders, church officers, church-sponsored universities, and NGOs.

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