



U.S. DEPARTMENT of STATE

Spain

International Religious Freedom Report 2006

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The constitution provides for freedom of religion, and the Government generally respected 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 religious groups 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 an area of 194,897 square miles, and a population of approximately 43 million.

The law prohibits the collection of census data based on religious belief, which limited the ability to compile statistical data on the number of adherents in the country. The Center for Sociological Investigation (CIS), an independent government agency, collected statistics on religious trends in the society. In February 2006, a CIS survey reported that 77 percent of citizens considered themselves Catholic; however, 46 percent of those persons stated that they never attended Mass. In addition, 13 percent of Spaniards considered themselves agnostics, 6 percent atheists, and approximately 2 percent said that they practiced other religions.

An April 2006 survey by the Santa Maria Foundation reported that, for the first time, less than half of Spaniards between the ages of fifteen and twenty-four described themselves as practicing or nonpracticing Catholics. In a similar 1996 survey of Spanish young persons, 77 percent of respondents described themselves as Catholic. Forty-six percent declared that they were agnostic, atheist, or indifferent to religion.

The Episcopal Conference of Spain (CEE) estimated that there were approximately 34 million Catholics in the country. The Federation of Evangelical Religious Entities (FEREDE) stated that it represented 400,000 evangelical Christians and other Protestants and estimated that 30 percent of its members were immigrants from Latin America and Africa. FEREDE also estimated that there were 800,000 foreign Protestants, mostly European, who lived in the country at least six months of each year. There was little comprehensive information on the size of the Muslim community in the country; estimates ranged from 700,000 to 1,500,000. The Federation of Spanish Islamic Entities (FEERI) estimated that there were more than one million Muslims, including both legal and illegal immigrants. Recent government estimates supported local source reports that there were 30,000 to 40,000 Jews in the country. There were approximately 9,000 practicing Buddhists.

The majority of Muslims were recent immigrants from Morocco, but there were also Algerians, Pakistanis, and immigrants from other Arab or Islamic countries, as well as a number of Spanish converts to Islam. The Ministry of Justice (MOJ) Office of Religious Affairs noted that, although the majority of Muslims emigrated from Islamic countries, there was also a small number of Christians that emigrated from countries such as Egypt and Lebanon. At the end of 2005, the deputy minister for immigration reported that immigrants from Morocco were the largest immigrant group in the country. There were 386,958 Moroccans living in the country legally and as many as 120,000 illegal Moroccan immigrants.

Most Orthodox Christians were from Eastern European countries such as Romania, Bulgaria, and the Ukraine. Evangelical Protestant immigrants typically came from African and Latin American countries, according to government officials.

The country's largest cities, Madrid and Barcelona, contained the largest number of religious confessions, according to government officials. The last government census, taken in 2002, indicated that the largest communities of immigrants from predominantly Islamic countries were located in the autonomous communities of Catalonia, Andalucia, Madrid, Valencia, Murcia, and the Spanish North African enclaves of Ceuta and Melilla. The population of Orthodox Christian communities was largest in Aragon and Valencia. The country also hosted a number of foreign missionaries of evangelical Christian, Mormon, Orthodox, Buddhist, and Islamic faiths.

In January 2005, the MOJ's Register of Religious Entities listed 12,453 entities created by the Catholic Church. There were 1,388 non-Catholic churches, denominations, and communities in the register, including 1,064 Protestant church entities. Protestant entities included 305 charismatic churches, 128 Assemblies of Brethren, 228 Baptist churches, 125 Pentecostal churches, 38 Presbyterian churches, one Evangelical Church of Philadelphia, 10 Church of Christ churches, 1 Salvation Army entity, 18 Anglican churches, 63 interdenominational

churches, 35 Churches for Foreigners, 4 Seventh-day Adventist churches, 3 Reformed Adventist churches, and 121 other evangelical churches. In addition, there were also 10 Orthodox churches, 1 Jehovah's Witnesses entity, 1 Church of Jesus Christ of Latter-day Saints (Mormons), 1 Unification Church, 10 entities of other Christian confessions, 16 entities of Judaism, 254 entities of Islam, 11 entities of the Baha'i Faith, 3 entities of Hinduism, 21 entities of Buddhism, and 3 entities of other confessions. The Church of Scientology was present in the country, although the MOJ declined to register it as a religious organization.

The number of non-Catholic churches and religious communities in the country could have been much larger. Some religious groups chose to register as cultural organizations with the regional governments rather than with the National Registry of Religious Entities in Madrid because the national registration process could take up to six months and required much paperwork.

Section II. Status of Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and the Government generally respected this right in practice. The Government at all levels sought to protect this right in full and did 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 are not 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 2004, taxpayers contributed approximately \$128 million (105.9 million euros) to the Catholic Church. In addition to voluntary taxpayer contributions, the Government provided the Catholic Church an additional \$40 million (32.8 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. These agreements provide certain tax benefits and give civil validity to weddings performed by the religious groups. They also permit the religious groups to place their teachers in schools and chaplains of their faiths in hospitals and prisons. Protestant entities signed the accord as the FEREDE; Jewish entities signed as the Federation of Israelite Communities of Spain (FCIE); and Islamic entities signed as the Islamic Commission of Spain (CIE). The CIE is composed of two federations: the FEERI and the Union of Islamic Communities in Spain (UCIDE). In 2003, the Government expanded this concept of "well-known deeply-rooted" beliefs (notorio arraigo) to allow other religious groups to sign bilateral agreements. The MOJ granted notorio arraigo to the Church of Jesus Christ of Latter-day Saints in 2003; however, the church has not negotiated a bilateral agreement with the Government. Jehovah's Witnesses and the MOJ both reported in early 2006 that they were working to establish the same status for the Jehovah's Witnesses.

Beginning in 2005, a new government-funded Foundation for Pluralism and Coexistence, based in the MOJ, provided funds directly to the minority religion confessions in order to promote religious equality and dialogue among religious groups. The funds, \$3.6 million (three million euros) in 2005, are used for activities not themselves religious, that is, for cultural, educational, and social integration programs. The foundation's board includes representatives of most government ministries as well as members of the religious groups themselves.

Some autonomous regions have also signed agreements with religious groups in order to encourage social integration. For example, the Catalanian government has signed agreements with the Islamic Council of Catalonia, and Protestant, Jewish, and Baha'i religious communities. These agreements were social rather than financial in nature and were intended to encourage social integration.

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); many regional governments also establish local religious holidays. National religious holidays do not have a negative effect on other religious groups. In the 1992 cooperation accords with the FCIE and CIE, the Government agreed to recognize Jewish and Muslim holidays. The 1992 accord with FEREDE accommodates Protestant entities, such as the Seventh-day Adventists, that celebrate Saturday as the Sabbath by giving them Friday afternoon off from work with pay to prepare for the Sabbath.

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 MOJ Office of Religious Affairs, which is updated regularly. To register with the MOJ, 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. Religious groups not officially recognized are treated as cultural associations.

The Church of Scientology has been refused registration as a religious entity in the country since it first applied in 1983. The decision to deny registration was upheld by a Supreme Court decision in 1990. An organization claiming to be affiliated with the Church of Scientology filed an application to register with the MOJ in 1983. The MOJ also rejected this application. Following a 2001 decision by the Constitutional Court to register the Unification Church, and following the opening of a new national Church of Scientology of Spain, the Church of Scientology filed an application again in October 2004. However, the Government denied the application in May 2005 and declined to register the Church of Scientology on the grounds that the MOJ did not have the authority to overturn the 1990 decision of the Supreme Court through an administrative action. The Church of Scientology filed a Notice of Appeal to this denial.

Officials of the Church of Scientology argued that the organization that filed the 1983 application was not affiliated with the Church of Scientology. They also argued that the 1990 decision was based on provisions of law, overturned in a 2001 Constitutional Court decision, that a religion must worship a supreme being. Church officials argued that, under the decision of the Constitutional Court, the Church should be registered. MOJ officials held that the 2001 decision applied only to the Unification Church, and that the Church of Scientology must pursue the case through the court system. The Office of Religious Affairs found that the Church of Scientology held the same doctrine, organizational structure, and leadership as the organization that applied in 1983 and was denied registration at that time. Authorities declared that the Government would not interfere in any way with the activities of the Church of Scientology.

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.

In 2004, leaders of the Protestant, Muslim, and Jewish communities discussed 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 MOJ; in particular, they sought treatment comparable to that enjoyed by the Catholic Church. All religious minority groups requested 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. However, these negotiations ended without an agreement between the Government and religious leaders.

In general, the Government placed no legal restrictions on opening new places of worship; however, representatives of minority religious groups sometimes had difficulty opening places of worship, most frequently because of resistance from neighborhood groups. According to the MOJ Office of Religious Affairs, local governments are obligated to provide land for the opening of places of worship; however, this law was largely ignored by local municipalities. The ministry carried out a campaign to educate local governments about their responsibilities to minority religious groups. The Catalan regional government's director of religious affairs announced that a law was being drafted that would set guidelines for building mosques.

Muslim and Protestant leaders also have called for the Government to provide more support for public religious education in their respective faiths. In 2004, the Government responded to these calls by approving legislation that provides funding for teachers of courses in Catholic, Islamic, evangelical/Christian, and Judaic studies in public school when at least ten students request them. These courses are not mandatory. Those students who elect not to take confessional courses are obliged to take an alternative course covering general social, cultural, and religious themes.

In 2004, the Government set aside funds to pay for twenty Muslim teachers to teach courses on Islam to public school students. The Government required that the teachers hold degrees from a Spanish university, have training in Spanish law, and be fluent in Spanish. As of September 2005, seventeen teachers were providing Islamic instruction in schools in Andalusia (thirteen), Aragon (three) and the Basque Country (one). In addition, twenty teachers already provide Islamic instruction in the Spanish enclaves of Ceuta and Melilla.

There are religious schools for Catholic, Protestant, Muslim, and Jewish students. There are no restrictions placed on parents who want to provide their children religious home school training or enroll them in private religious schools.

The Government has taken steps to promote interfaith understanding through the support or sponsorship of programs on interfaith dialogue, principally through the establishment of the Foundation for Pluralism and Coexistence described above. Members of all religious groups serve as members of a government Committee of Advisors on Religious Freedom. It also sponsors university courses and seminars with representatives of different religious confessions. In 2005, the Government held interreligious roundtables at the University Menendez Pelayo of Santander and the University of Madrid. In 2005, the Government hosted a conference on Anti-Semitism and Other Forms of Intolerance in Cordoba under the auspices of the Organization for Security and Cooperation in Europe. The conference included representatives of all religious groups as well as international experts on the subject of religious freedom. Government officials placed great emphasis specifically on the issue of anti-Semitism in the country and expressed interest in maintaining a regular dialogue with the U.S. government on anti-Semitic activity in the country. The Government also appointed a special envoy within the Ministry of Foreign Affairs to serve as a liaison between the Jewish community and international organizations dedicated to combating anti-Semitism in Europe, such as the Forum for International Cooperation on Holocaust, Education, Remembrance, and Research in Warsaw.

Restrictions on Freedom of Religion

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

The Islamic and Protestant federations continued to report that the building permit process for new mosque and church construction could be difficult and lengthy, especially for building sites in central urban locations. According to FEERI, new mosque construction sometimes was forced into less-visible suburban areas, primarily because of resistance from neighborhood groups. FEERI reported that female Muslim students who wore headscarves did not encounter problems with the uniform codes that private schools are allowed to implement. The Government consistently held that the right to 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 continued to report that there are no military regulations to implement the 1992 agreements. FERDE reported that evangelical military service personnel must leave their barracks to meet chaplains and participate in evangelical religious services. Muslim leaders reported that prison officials generally provide access for imams to visit Muslim prisoners, and on June 9, 2006, the Council of Ministers authorized Evangelical, Jewish and Islamic religious services

for prisoners inside jails. The various religious groups were scheduled to appoint worship ministers who would then be authorized by the Penitentiary Administration to conduct religious services in the jails.

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.

Anti-Semitism

Jewish community leaders reported that, while violent anti-Semitic acts against individual members of the community were rare, they were concerned about anti-Semitism expressed as vandalism against Jewish institutions. Two synagogues in Barcelona belonging to the Jewish community of Barcelona and the Jewish Community Atid of Catalunya were vandalized repeatedly in recent years and again in 2005. The vandalism included anti-Semitic graffiti on the walls of the synagogue. The groups also reported their belief that local extremist groups monitored them. The regional government responded by increasing security at the center.

Jewish community leaders also cited some incidents of anti-Semitic propaganda in the media and in local government institutions. In May 2006, the president of the Federation of Jewish Communities stated that "a new political anti-Semitism," which manifests itself in bias towards the Palestinians, is growing in the Spanish press. In 2004, a Star of David, placed side-by-side with a swastika, appeared on a City Hall webpage in Barcelona. City officials removed the symbols without explaining why they were placed there. In the same year, in the region of Galicia in the northern part of the country, the mayor of the town of Oleiros approved public signs that described the Israeli prime minister as an "animal" and labeled member of his government "neo-Nazis." The Government responded by issuing a strong statement condemning the incident. The mayor later agreed to remove the signs.

Section III. Societal Abuses and Discrimination

The generally amicable relationship among religions in society contributed to religious freedom. The growth of the country's immigrant population at times led to social friction, which in isolated instances had a religious component. Many citizens blamed recent Moroccan immigrants for increased crime rates in the country. These beliefs sometimes resulted in anti-Muslim sentiment, which in some cases led to attacks and vandalism. The attackers were reported to be skinheads who wanted to link Muslims to radical Islamist terrorism, according to police and Muslim leaders. Muslim leaders stated that Islamic communities continued to suffer from discrimination, particularly in obtaining employment and rental housing. They were concerned that media reports appeared to link Islam to the terrorist attacks. In February 2005, Sigma Dos, a private polling agency, conducted a national survey of 1,000 individuals on attitudes on the Muslim population in the country. The poll revealed that 70 percent of those who responded had had no contact with Muslims, and 48 percent stated they knew almost nothing about Islam or Muslims. Nevertheless, approximately 43 percent of respondents said the greatest threat of the presence of Muslims in the country was the possibility that fundamentalists would carry out a terrorist attack.

In 2005, the Government began to observe January 27 as Holocaust Remembrance Day. Regional governments, including those in both Madrid and Catalonia, initiated similar commemoration.

On January 28, 2006, attackers burned the Qur'an and threw religious books into a trash can in a mosque in Soria. Several months earlier, the mosque had been spray-painted with graffiti. Girona, Salt, Palafrugell, and San Vicente de Castellet, four towns in Catalonia, also reported recent attacks on mosques and Islamic butcher shops. On October 23, 2005, in the eastern town of Reus, police detained two carloads of skinheads armed with Molotov cocktails, spray paint, weapons, and Nazi propaganda as they headed towards the local mosque.

In April 2006, an arson attack on a mosque in the enclave city of Ceuta, where one-third of the population was Muslim, raised fears of growing intolerance towards Muslims. The burning of the Sidi Bel Abbas sanctuary came just three months after arsonists attacked another sanctuary in the enclave.

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 facilitated exchanges between U.S. and local religious associations to foster dialogue and promote religious tolerance and freedom. The embassy in Madrid and the consulate in Barcelona organized a Muslim outreach group to coordinate and promote increased contact with the Islamic community. During the period covered by this report, the mission dramatically increased its contacts in this community by reaching out to leadership of the Islamic Commission of Spain and keeping in close contact with Spain's largest mosque. Embassy officers established new relationships with numerous immigrant and religious groups, and nominated a record number of international visitors of Muslim faith. The embassy utilized the Bureau of International Information Programs' speaker program to bring Muslim-Americans to the country to speak on matters of religious tolerance. The ambassador established close links with his counterparts from the Muslim world, and met repeatedly with leaders of the Muslim and Jewish communities in the country. The embassy also discussed with government officials the attempts by the Church of Scientology to register.

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