



## Spain

### International Religious Freedom Report 2007

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

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 by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There were some reports of societal abuses or discrimination against Jews and Muslims based on religious belief or practice.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Government also engaged with the Government and religious leaders on the challenges of integrating a growing Muslim population.

#### Section I. Religious Demography

The country has an area of 194,897 square miles and a population of 44,709,000.

The law prohibits the collection of census data based on religious belief, which limits the ability to compile statistical data on the number of adherents in the country. The Center for Sociological Investigation (CIS), an independent government agency, collects statistics on religious trends in the society. In February 2007 a CIS survey reported that 79.1 percent of respondents consider themselves Roman Catholic; however, 54.7 percent of those persons state that they almost never attend Mass. In addition, 11.7 percent of Spaniards consider themselves agnostics, 5.7 percent atheists, and 1.7 percent followers of other religions. There also is evidence that the Catholic demographic of believers is aging; an April 2006 survey by the Santa Maria Foundation indicated that for the first time fewer than half of people between the ages of 15 and 24 described themselves as practicing or nonpracticing Catholics.

The Episcopal Conference of Spain (CEE) estimated on May 10, 2007, that there are 35 million Catholics in the country. The Federation of Evangelical Religious Entities (FEREDE) estimates that there are 1.2 million evangelical Christians and other Protestants in the country, 800,000 of whom are immigrants or live in the country at least six months of the year. A 2006 annual report by Observatorio Andalusi, an institute associated with the Union of Islamic Communities in Spain (UCIDE), estimated that there are 1,080,000 Muslims in the country. The Federation of Jewish Communities estimated that there are 48,000 Jews in the country.

The majority of Muslims are recent immigrants from Morocco, but there are 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. According to the Government, as of March 31, 2007, there were 575,460 Moroccans living in the country legally and as many as 120,000 illegal Moroccan immigrants.

The country also received a large influx of immigrants from Latin America, many of them Catholics. 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. According to a 2006 report by Observatorio Andalusi, the largest communities of immigrants from predominantly Islamic countries were located in the autonomous communities of Catalonia, Madrid, and Andalusia, and the Spanish North African enclaves of Ceuta and Melilla. The most recent government census, taken in 2002, indicated that the population of Orthodox Christian communities was largest in Aragon and Valencia.

On June 30, 2007, the MOJ's Register of Religious Entities listed 12,418 entities created by the Catholic Church. There are 1,851 non-Catholic churches, denominations, and communities in the register, including 1,325 Protestant or evangelical church entities. In addition, there are also 13 Orthodox entities, 2 Jehovah's Witnesses entities, 1 Church of Jesus Christ of Latter-day Saints (Mormons), 1 Unification Church, 10 entities of other Christian confessions, 18 entities of Judaism, 443 entities of Islam, 11 entities of the Baha'i Faith, 4 entities of Hinduism, 28 entities of Buddhism, and 3 entities of other confessions. The Church of Scientology is 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 may be much larger. Some religious groups choose to register as cultural organizations with regional governments rather than with the National Registry of Religious Entities in Madrid because the national registration process requires more paperwork and can take up to six months.**

The country hosted a number of foreign missionary groups.

## 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.

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 the Catholic Church with certain public financing benefits that are not available to other religious entities. These benefits derive from four accords signed with the Holy See in 1979 and cover economic, religious education, military, and judicial matters. The Catholic Church receives financing through voluntary tax contributions and direct payments; however, direct payments are scheduled to end as of January 1, 2008, according to the Government. Taxpayers may select a box on their income tax forms to contribute up to 0.5 percent of their taxes to the Catholic Church. The maximum percentage was expected to increase to 0.7 percent on January 1, 2008, as an offset to the cessation of direct payments, according to the Government. In 2005 taxpayers contributed approximately \$170 million (€125 million) to the Catholic Church. In addition to voluntary taxpayer contributions, the Government provided the Catholic Church an additional \$20.4 million (€15 million) via direct payments. 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 Spanish Federation of Islamic Religious Entities (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 Mormons in 2003; however, the Church has not negotiated a bilateral agreement with the Government. Jehovah's Witnesses received notorio arraigo status on January 16, 2007. On May 8, 2007, the MOJ stated that rather than coming to separate agreements with each minority religious group, the Government intended to change the law on religion to give the same privileges to all groups that had acquired the status of "well-known deeply rooted beliefs."

In a study published on February 12, 2007, the Spanish Evangelical Alliance (AEE) complained that Evangelicals are discriminated against by the Government. AEE said that the country did not have a problem with lack of freedom of religion, but it did have a problem of equality among religions, starting with its special relationship with the Catholic Church. AEE recommended eliminating the tax designation option and suggested that religious faiths should finance their own expenses.

Beginning in 2005 a new government-funded Foundation for Pluralism and Coexistence, based in the MOJ, began providing funds directly to minority religion confessions to promote religious equality and dialogue among religious groups.

The funds, \$6.2 million (€4.5 million) in 2007, are used for cultural, educational, and social integration programs (not religious activities). 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 Catalan 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, 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 an evident 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 and to allow Friday afternoon off from work, with pay, to prepare for the Sabbath. The 1992 accord with FERED also 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 framework 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 and 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 by the Government have in certain cases been treated as cultural associations.

The first section of the Register of Religious Entities is called the "special section." Catholic entities and those non-Catholic churches, denominations, and communities that have an agreement in cooperation with the state, register themselves in the special section (Jews, Muslims, and Protestants). Catholic dioceses and parishes are not required to register to gain benefits under the 1980 law, as the Episcopal Conference manages the relationship with the Government on behalf of the entire Catholic community.

On May 31, 2007, FERED reported that the Government had agreed to study a plan to allow taxpayers to direct 0.7 percent of their income tax to the Protestant community in 2008. Also on May 31, 2007, the Islamic Commission announced its intent to seek a similar arrangement. Negotiations between the Government and Protestant religious leaders began in December 2006 and were ongoing. Many minority religious groups, including Protestant and Islamic groups, requested the Government revise the national income tax form to allow taxpayers the option of donating a percentage of their taxes to non-Catholic entities. These changes began in 2004 when 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.

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.

The law provides for optional Catholic education in public schools. Muslim and Protestant leaders also have called for the Government to provide more support for public religious education in their respective faiths, in accordance with the agreements signed with the government in 1992. In 2004 the Government responded to these calls by approving legislation that mandated funding for teachers for courses in Catholic, Islamic, Evangelical/Christian, and Judaic studies in public schools when at least 10 students request them. The 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. The development of curriculums and the financing of teachers for religious education however, is the responsibility of the autonomous communities, with the exception of Andalucía, Aragon, the Basque Country, Las Canarias, Cantabria, and La Rioja, and the two autonomous cities of Ceuta and Melilla, where religious education is the responsibility of the national Government.

The selection of religion teachers is made by the entity registered with the MOJ to represent each religious community. Either the national Ministry of Education or the autonomous region entity responsible for education certifies the teachers'

credentials. Teachers must hold degrees from a Spanish university, have training in Spanish law, and be fluent in Spanish. For the Muslim community, the Islamic Commission selects religion teachers. UCIDE has the prominent role.

For the 2006-07 academic year, the Government employed 33 teachers to teach courses on Islam to public school students. At the end of the school year in June 2007, the teachers were providing Islamic instruction in schools in Ceuta (11) Melilla (10), Andalucia (10), and Aragon (2). By comparison, the Government funded approximately 15,000 teachers of Catholicism in public schools. The Islamic Commission estimated that there were 74,000 Muslim students who would take classes in Islamic education if possible. Observatorio Andalusi estimated 120,000 Muslim school-age children and called for the hiring of 285 teachers to provide religious instruction for these students.

In Catalonia, although the regional government has declared that it is willing to teach other religions such as Islam in schools, no classes had begun by the end of the reporting period. The Government wanted Muslim leaders to locate professors to give the classes. Approximately 1,250 families requested Muslim religious classes in Catalonia during the 2005-06 school year.

In 2006 the national Government financed the creation and printing of the first Spanish textbook on Islam to be used by first-grade students. The Foundation for Pluralism and Coexistence financed the project developed by UCIDE. Editions for higher primary levels were planned. Although available for use by all school districts (as well as the general public through bookstores), its use can only be mandated in the regions where the national Government has jurisdiction over religious education.

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. Members of all religious groups serve as members of a government Committee of Advisors on Religious Freedom. The foundation also sponsors university courses and seminars with representatives of different religious confessions.

#### *Restrictions on Freedom of Religion*

Government policy and practice contributed to the generally free practice of religion, but there were isolated instances of local and regional government policies that had the effect of restricting some individual religious groups. 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. The Islamic Commission reported that sometimes new mosque construction was forced into less visible suburban areas, primarily because of resistance from neighborhood groups.

On December 10, 2006, the Cultural Islamic Council of Catalonia released a statement signed by more than 50 Muslim leaders demanding mosques suitable for traditional worship in Barcelona as well as a large central mosque. In the Catalan city of Badalona, the city council asked the Muslim community to attend Friday prayers at a different public gymnasium every week. The community resisted this and asserted its right to public land for a place of worship; according to Observatorio Andalusi, the Catalanian government cited paperwork errors in freezing the approval process.

The situation for religiously observant prisoners continued with mixed results as well. In its 2007 budget, the Government allocated \$1,117,000 (€829,000) to finance religious assistance for Jewish, Muslim, and Protestant inmates. Muslim leaders reported that prison officials generally provide access for prayer assistants 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 to appoint worship ministers who would then be authorized by the Penitentiary Administration to conduct religious services in the jails. The 2006 Observatorio Andalusi annual report stated that at the end of 2006, there were no authorized religious assistants for Islamic prisoners. The Islamic Commission reported that the Government was moving forward with its commitment to fund religious assistance, but that there had been no official announcement by the end of the reporting period. The Protestant federation was working with the Government and with individual prison wardens to arrive at a suitable arrangement for religious services inside prisons, but that work was not concluded by the end of the reporting period. However, Protestant chaplains had some access to prisoners.

The Government does not recognize all religious groups with international membership. The Unification Church and the Church of Scientology have gone to court to seek legal status as religions (see Legal/Policy Framework). Although the Unification Church won its court case in 2001, the Church of Scientology failed to gain legal status as a religion and functioned with the status of a community organization.

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 violence against persons in the Jewish community was rare, they were concerned about anti-Semitism expressed as vandalism against Jewish institutions. On July 25, 2006, the building housing the Jewish Information Center in Toledo was defaced with 12 swastikas. Synagogues in Barcelona were vandalized at various times during the year, especially during the July-August conflict involving Israel and Hezbollah in Lebanon. Also, in 2005 Jewish synagogues in Barcelona were defaced with anti-Semitic graffiti. No suspects were arrested.

Jewish community leaders also cited some incidents of anti-Semitic propaganda in the media and in local government institutions. Jacobo Israel Garzon, president of the Federation of Jewish Communities in Spain, stated in a November 5, 2006, article in the *International Herald Tribune* that, despite increased interest in the country's Jewish heritage, "a new anti-Semitism is developing in Spain. It uses the Israeli-Palestinian conflict as its source, but it passes very quickly from anti-Israelism to anti-Semitism." On July 17, 2006, the Spanish newspaper *La Razón* published an article called "Judias," which means "bad acts worthy of Jews," by Jorge Berlanga. The article contained a broad attack on the Jews and said, among other things, that the Jews have "a blood oath which impedes any form of generosity with other races."

The European Jewish Congress, in a report on alleged anti-Semitism during the July-August 2006 conflict involving Israel and Hezbollah in Lebanon, cited an article that appeared in *El Mundo* linking Nazi Germany and Israel, accusing Israel of using the same arguments made by the Nazi leaders to justify its "aggression." The article continued, "Now the victims of this period (the 1930s) have become the executioners."

On November 26, 2006, at a soccer game between Deportivo La Coruna and Osasuna, Osasuna fans shouted anti-Semitic slurs at Dudu Aouate, a Deportivo player from Israel.

The 2006 annual country report on anti-Semitism by the Stephen Roth Institute, released in May 2007, said that "The majority of the media and public opinion blamed Israel for the summer confrontations in Lebanon and Gaza, sometimes lacing their attacks with anti-Semitic overtones." The report also noted that the King, the President, and members of his Cabinet attended the nation's main Holocaust commemoration January 26, 2007, at the Complutense University of Madrid.

#### Improvements in Respect for Religious Freedom

Muslim and Protestant leaders cited the work of the Government's Foundation for Pluralism and Coexistence as a clear step in the right direction for incorporating non-Catholic faiths. The Government itself attributed the Foundation with significant increases in the number of religious organizations officially registered with the MOJ (registration is mandatory in order to apply for Foundation funds).

The Islamic Commission also 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.

On April 15, 2007, leaders of the Jewish community in Madrid and the city of Madrid established the country's first Holocaust memorial.

The Government financed the creation and printing of the first official Spanish textbook on Islam to be used by primary education students, which was first used during the 2006-07 academic year. The Foundation for Pluralism and Coexistence financed and managed the project in cooperation with the Ministry of Education and the Islamic Commission.

### **Section III. Societal Abuses and Discrimination**

The growth of the country's immigrant population at times led to social friction, which in isolated instances had a religious component. Some citizens blamed recent Moroccan immigrants for increased crime rates in the country.

Several books and newspaper articles discussed complex attitudes that society held about Spanish converts to Islam. The articles mentioned the traditional role of converts as the moderate face of Islam and liaison with mainstream Spanish culture; however, the articles alleged that some community and government leaders in the country saw converts as potential targets for extremist recruitment.

In Catalonia on January 29, 2007, a far-right politician introduced a measure before the city council of Vic calling for the prohibition of the full face-covering veil or niqab in public. The measure was defeated and drew criticism from other council members in Vic and from the media. On November 29, 2006, the BBC reported that a prominent member of the Jewish community argued that religious symbols in public were not necessary, preferring to restrict such expression of religious feeling to private life. Some prominent Roman Catholics on the other hand responded that religious freedom should permit all to wear religious symbols, including the veil or the niqab in public, as long as those symbols were freely chosen and not a sign of submission to men.

On December 27, 2006, the Islamic Junta of Spain appealed to Pope Benedict XVI to allow Muslim worshippers to pray at the Cordoba Mezquita, a site of religious significance to both Catholics and Muslims, having been built as a mosque during the Muslim era and turned into a cathedral after Christian monarchs captured Cordoba in 1236. The Islamic Junta asked the Vatican to convert the mezquita into an ecumenical center where members of all faiths could worship. On December 28, the Archbishop of Cordoba declined this request.

On December 19, 2006, the European Observatory for Racism released a report describing the results of a June survey by the Pew Global Attitudes Project which found that only 29 percent of respondents in the country held a good opinion of Muslims; in response to a separate question, 83 percent of respondents associated "Muslim" with "fanaticism." In the opinion of 58 percent of the respondents, being a devout Muslim was incompatible with modern society, and 41 percent believed that at least some of the country's Muslims supported Islamic extremism. In the view of more than 80 percent of respondents, Islam did not respect women.

On November 24, 2006, a Muslim woman was badly beaten by four other women in Santa Cruz de Tenerife, Canary Islands, for wearing a hijab. The victim, a Spanish convert to Islam, reported that the assault took place in front of witnesses in the neighborhood, none of whom came forward. The assailants called the woman a "Moor" based on her Islamic dress.

On November 19, 2006, unknown persons vandalized the Colon Park mosque in Cordoba, defacing it with graffiti of swastikas and other xenophobic symbols.

According to a November 23, 2006, report on the Muslim community produced by the polling organization Metroscopia for the Ministry of Interior, 31 percent of Muslim respondents said they were completely adapted to Spanish life and customs, 49 percent were fairly well adapted, and 19 percent said they were not well adapted. Among respondents, 83 percent said they had not encountered any obstacles to the practice of their religion, while 13 percent said they had. Among the respondents, 57 percent believed Spanish society was tolerant of the Muslim religion, while 37 percent thought there was some prejudice.

Spanish and other newspapers reported stories which indicated that many in society understood the need for religious tolerance. On October 3, 2006, some villages in Valencia that traditionally celebrated the expulsion of the Moors with festivals where Muhammad was knocked off his horse toned down either the extent of the celebration or the actual defilement of the Prophet in deference to the feelings of the local Muslim citizens.

Muslim communities complained of the lack of Islamic cemeteries in Spain. The MOJ is working to increase cooperation between local governments and Islamic communities to resolve this issue.

#### **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 engagement working group and developed a Mission strategy to coordinate and promote increased contact with the Islamic community to more effectively evaluate and understand the unique challenges and obstacles faced by this population. Through informal advocacy and formal representation with foreign diplomats, government representatives and Muslim community leaders, the Embassy sought to sustain and inform the ongoing debate in Spain on religious freedom. During the period covered by this report, the Mission reached out to leaders of the CIE and the largest mosque. Embassy officers maintained

relationships with numerous immigrant and religious groups. The Embassy brought a Muslim-American to speak on religious tolerance and the importance in a democracy for the respect of diversity. The Ambassador established close links with his counterparts from the Muslim world and met repeatedly with leaders of the Muslim and Jewish communities.

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