

# **SPAIN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. Some local governments, however, imposed restrictions that affected members of minority religious groups. For example, members of minority religious groups, including some Muslims and non-Catholic Christians, reported that restrictions and policies at the local level inhibited them from assembling to practice their beliefs. The law provides taxpayers the option of allocating a percentage of their income tax to the Catholic Church but not to other religious groups.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Muslims continued to experience some societal prejudice and challenges related to integration. Some expressions of anti-Semitism persisted, and the dissemination of neo-Nazi messages continued. The strong identification of the Catholic Church with the state made places of worship the target of violent acts for political purposes, as well as vandalism. Prominent government leaders took steps to promote religious pluralism.

U.S. officials engaged with government and religious leaders to foster dialogue and promote religious tolerance and freedom. The U.S. embassy and consulate general in Barcelona organized events with leaders of minority religious groups, and hosted speakers to share U.S. perspectives on religious freedom.

## **Section I. Religious Demography**

The U.S. government estimates the population at 47.4 million (July 2013 estimate). The Spanish government does not collect data on religious affiliation. According to a survey conducted in February by the Spanish Center for Sociological Investigation, approximately 71 percent identified themselves as Catholics, and 3 percent of respondents as followers of another religion. In addition, approximately 17 percent described themselves as “non-believers,” and 8 percent as atheists.

The Episcopal Conference of Spain estimates there are 34.5 million Catholics. The Federation of Evangelical Religious Entities estimates there are 1.2 million evangelical Christians and other Protestants, 800,000 of whom are immigrants. The Union of Islamic Communities of Spain estimates there are 1.67 million Muslims, while other Islamic groups estimate a population of up to two million.

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The Federation of Jewish Communities estimates there are 40,000 Jews. Other religious groups include The Church of Jesus Christ of Latter-day Saints (Mormons), Buddhists, Orthodox Christians, Bahais, Scientologists, Hindus, Christian Scientists and other Christian groups.

### Section II. Status of Government Respect for Religious Freedom

#### Legal/Policy Framework

The constitution and other laws and policies generally protect religious freedom. Some local government policies, however, restrict the expression of religious freedom of some minority religious groups, by imposing fines for wearing full-face veils or placing restrictions on building places of worship.

The constitution provides for religious freedom and the freedom of worship by individuals and groups. The constitution also states that “no faith shall have the character of a state religion.” Federal tax law, however, provides taxpayers the option of allocating up to 0.7 percent of their income tax to the Catholic Church or to a nongovernmental organization (NGO), but not to other religious groups.

The government has had a cooperation agreement with the Holy See since 1979. *Notorio arraigo* or “deeply rooted,” status is a prerequisite for non-Catholic religious groups to establish similar bilateral cooperation agreements with the government. Any religious group may request *notorio arraigo* status. To receive this status, a religious group must have an unspecified, “relevant” numbers of followers, a presence in the country for a “considerable” length of time, and a “level of diffusion” that demonstrates a social presence. Islam, Judaism, Protestantism, Mormonism, Jehovah’s Witnesses, Buddhism, and the Orthodox Church have *notorio arraigo* status. Of these groups, the Protestant, Jewish, and Islamic communities have bilateral agreements with the government. These agreements provide the religious groups with certain tax benefits, give civil validity to the weddings they perform, and permit them to place their teachers in schools and their chaplains in hospitals, the military, and in some cases, prisons.

Some autonomous regions have agreements with religious groups to encourage social integration. The Catalan government, for example, has agreements with eight religious groups – Catholics, Protestants, Muslims, Pentecostals, Jews, Buddhists, Bahais, and Mormons – most of which receive some level of financial support.

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The government does not require religious groups to register. However, registering enables religious groups to hold worship services legally; to buy, rent, and sell property; and to act as a legal entity in civil proceedings. To register, a religious group must submit documentation demonstrating that the group is religious in nature to the Ministry of Justice's (MOJ) Office of Religious Affairs, which maintains the Register of Religious Entities. Catholic dioceses and parishes are not required to register to gain benefits, because the Episcopal Conference manages the relationship with the government on behalf of the entire Catholic community.

If the MOJ assesses that an applicant for registration is not a religious group, the group may be included in the Register of Associations maintained by the Ministry of Interior (MOI). Inclusion in the Register of Associations grants legal status as authorized by the law regulating the rights of associations, but does not grant the right to hold worship services. In certain cases, religious groups, such as the Church of Scientology, that are not officially recognized by the government are treated as cultural associations.

In some cases, municipalities require individual churches of registered religious groups to receive authorization at the local level to hold worship services. According to the MOJ's Office for the Coordination and Promotion of Religious Freedom, only Catalan law requires that religious groups obtain a license to hold worship services; in other parts of the country, the policy varies by municipality. Every locality sets its own procedure for applying for authorization.

By law, the authorities may investigate and prosecute criminal offenses committed by neo-Nazi gangs as "terrorist crimes." Holocaust denial is permissible as freedom of speech; however, Holocaust denial to justify or promote genocide is punishable by imprisonment.

The Autonomous Region of Madrid and the regional government of Catalonia have a special prosecutor to monitor hate crimes, which include certain religiously motivated crimes.

The law establishes sanctions against teams and stadiums for actions that disparage religion if committed by professional athletic clubs, players, or fans during sporting events.

According to the Office of Religious Affairs, local governments are obligated to consider requests for land for public use, which may include land for opening

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places of worship. If a municipality decides to deny such a request after weighing factors such as availability and the value added to the community, the city council must explain its decision to the requesting party.

In several cities, ordinances ban wearing the burqa and niqab (face veil) in public buildings and prescribe fines of up to 600 euros (\$826). New legislation in several municipalities in Catalonia restricts wearing full veils by Muslim women.

The government funds teachers for Catholic, Islamic, Protestant, and Jewish instruction in public schools when at least 10 students request it. The courses are not mandatory. Those students who elect not to take religious education courses are required to take an alternative course covering general social, cultural, and religious themes. The development of curricula and the financing of teachers for religious education is the responsibility of the autonomous communities, with the exception of Andalusia, Aragon, the Basque Country, the Canary Islands, Cantabria, La Rioja, and the two autonomous cities of Ceuta and Melilla, which under their individual regional statutes keep religious education under the responsibility of the national government. Religious groups registered with the MOJ are responsible for selecting teachers for their particular religion. Either the national Ministry of Education or the regional entity responsible for education certifies teachers' credentials.

The government funds religious services within the prison system for Catholic and Muslim groups, but not for Jewish or Protestant groups, because the latter's cooperation agreements with the government do not include this provision.

Military rules allow military funerals by various religious groups.

The government is a member of the International Holocaust Remembrance Alliance, formerly the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

### **Government Practices**

Local governments imposed restrictions that affected members of minority religious groups, including Muslims and non-Catholic Christians. The Office of Religious Affairs, however, continued to inform local governments about their responsibilities to minority religious groups.

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On February 28, the Supreme Court annulled the Lleida City Hall ordinance that prohibited wearing burqas, niqabs, and any other items that could prevent the identification and visual communication with people in municipal buildings. The court ruled that the prohibition of the full-face veil (*velo integral*) limited the exercise of religious freedom and that such limitation could only be enacted through a law approved by the Parliament.

On July 18, the Catalan regional parliament approved a proposal urging the Catalan government to enact a bill prohibiting the niqab in all public places. The proposal also included measures to provide local governments with legal tools to apply municipal ordinances to restrict females from wearing the niqab. This proposal would not be subject to challenges in court.

In October, the People's Party of Catalonia from the city of Mollet del Valles distributed pamphlets against Muslim groups, denouncing two months of public prayers in a street in front of City Hall. The Muslim groups had been gathering for prayers in front of the City Hall to protest the City Council's ban on constructing a worship space in an area that the municipal government had declared reserved for commercial use.

Muslim groups continued to report that obtaining building permits for new mosque construction could be difficult and lengthy, especially in central urban locations. Leaders of the Jewish community and some evangelical groups also reported difficulties in securing permits and approvals to construct new places of worship. Existing places of worship confronted difficulties regarding compliance with sound regulations. For example, in September the local government of Hospitalet (Catalonia) responded to complaints by announcing a ban on housing churches and mosques in buildings directly adjacent to existing private homes. New worship centers also would have to be located in stand-alone buildings more than 100 meters away from other centers. Centers already functioning adjacent to private houses were required to install soundproofing. If the groups operating the centers wanted to make substantial changes to the structures, they would be required to move to a new location.

Local municipalities sometimes delayed decisions on requests by religious groups for land on which to establish places of worship, with some requests going unanswered for years. Several municipalities in Catalonia banned the opening of new places of worship; these municipalities stated that their city councils needed more time to study the impact of such spaces.

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In January in the city of Salt, the municipal council approved regulations allowing religious centers to be installed in basements of apartment buildings in designated areas of the city. At year's end, members of the Islamic community in Salt had begun construction on a new mosque that was intended to have a capacity of 750 people.

On March 26, a Barcelona court upheld the February 2012 sentence of Luis Antonio Garcia Rodriguez, the editor of the magazine *Intemperie (Outdoor)*, to one year in jail for "spreading genocidal ideas," and the judge ordered the web page to be shut down. According to the ruling, the magazine had justified the Nazi Holocaust, with references humiliating to Jewish people. The judge further ruled that the magazine had encouraged discrimination, exclusion, and elimination of other racial groups.

In October a Vilanova i la Geltrú court gave a two-and-a-half year jail sentence to each of the three leaders of the neo-Nazi group, Cultural Association Front of Young Workers (Frente Joven Obrero), for inciting hate and discrimination toward foreigners on its webpage.

As of May the government had not yet enacted legislation to make official its plan to ease naturalization procedures for Sephardic Jews whose ancestors had been expelled from the country in 1492.

The government continued to integrate non-Catholic religious groups at a national level through the Foundation for Pluralism and Coexistence. The foundation provided funds to minority religious groups for projects promoting tolerance and dialogue, including conferences on religious diversity, research about religious minorities, and cultural projects to increase knowledge of minority religions in society. At the regional level, the Grup de Treball Estable de Religions (Stable Working Group on Religions), which encompassed the Jewish, Protestant, Muslim, Catholic, and Orthodox religious communities, organized an interfaith meeting under the auspices of the Catalan Parliament.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal discrimination based on religious affiliation, belief, or practice. Muslims continued to experience some societal prejudice and challenges related to integration. Some citizens blamed recent Muslim immigrants for increased crime rates. Expressions of anti-Semitism persisted and some political groups used violence in targeting places of worship.

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In October the Spanish Catholic Bishops Conference and the Federation of Jewish Communities of Spain hosted the 22nd meeting of the International Catholic-Jewish Liaison Committee, to discuss “Challenges for Religion in Contemporary Society.”

The *Study on Youth 2012*, the most recent report available, showed a slight increase in negative attitudes toward Muslims. Nearly 17 percent of Spanish youth between the ages of 15 and 29 said they would find it “problematic” to have a Muslim neighbor, a six percentage point increase from 2004, when the study was last conducted.

Representatives of minority religious groups sometimes had difficulty opening or expanding places of worship because of societal intolerance. The Islamic Commission reported that resistance from neighborhood groups sometimes forced new mosque construction into less visible areas. Muslims reported challenges in accessing and constructing Islamic cemeteries. The Foundation for Pluralism and Co-Existence reported that there were 24 Islamic cemeteries or burial plots in the country at year’s end.

Muslims in Catalonia continued to worship in approximately 200 prayer centers because Catalonia continued to lack a formal mosque. Among the factors that Muslim leaders cited for the absence of a formal mosque was opposition from neighborhood groups and from some political parties.

Because of the strong connections between the Catholic Church and the state, places of worship continued to be targets of violence for political purposes by disaffected groups. On February 7, the anarchist group Comando Insurreccionalista Mateo Morral claimed responsibility for a bomb placed in La Almudena Cathedral in Madrid. The group stated that it had wanted to “strike at the [Spanish] monarchy in its sacred places.” On October 2, a bomb exploded in the Cathedral of Our Lady of Pillar in the city of Zaragoza. Police suspected a left wing political group was responsible. No serious injuries were reported.

In August in the city of Pinto, vandals painted the words “Adolf Hitler was right” and a large swastika on the walls of the city’s bullring before a local celebration. The city did not immediately remove the graffiti, so that the celebration could take place without delay. The city removed the graffiti after the bullfight ended. Another example of anti-Semitism occurred in May when vandals painted the words “Death to Jews” on an elevated walkway in the city of Ourense, in northwestern Spain.

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### **Section IV. U.S. Government Policy**

U.S. embassy and consulate officials met regularly with government officials to discuss religious freedom issues, including anti-Semitism and concerns about societal discrimination against religious minorities. Embassy officials also met with leaders of religious groups and attended conferences that addressed issues facing minority religious communities.

Embassy and consulate officials and several embassy-sponsored U.S. speakers organized and participated in roundtables and conferences on religious freedom, tolerance, service, and the integration of religious minority communities. In May the embassy sponsored a presentation at Casa Seferad-Israel about research on Holocaust survivors. In July the embassy hosted an iftar for Muslims from numerous regions across the country as well as for representatives from the government and civil society organizations. In December, the embassy and consulate hosted an expert on Islam to discuss religious freedom and civic engagement in Madrid, Valencia and Barcelona.