

SPAIN 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects freedom of religion and acknowledges a special relationship with the Roman Catholic Church. There is no country-wide ban on facial concealment, but 13 municipalities have restricted face coverings; no fines have been issued for non-compliance. The government increased police protection for Jewish communities and passed a Sephardic Right of Return law, reflecting several years of close collaboration with community leaders. The government also signed an agreement with evangelical, Jewish, and Muslim denominations that facilitates assistance to individuals wishing to practice their faith in Foreign Internment Centers (CIEs). In public schools, the government funds teachers for Catholic, Islamic, Protestant, and Jewish instruction 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 Ministry of Justice (MOJ) stated Muslims were opening on average one place of worship every three days, as access to permits eased and community ties with local municipalities improved. Following the violent attacks in Paris in January, Muslim groups reported an increase in nonviolent hate crimes. Anti-Semitic and anti-Muslim statements appeared in social media and public speech. There were reports of insults painted on mosques. Central and local government authorities investigated and prosecuted several cases of anti-Semitic and anti-Muslim hate speech. A new interagency advisory commission on religious freedom, created by the MOJ in January, was tasked with compiling an annual report on religious freedom. The commission is headed by the minister of justice and included representatives from the Office of the Presidency and the Ministries of Foreign Affairs, Finance, Interior, Education, Employment, and Health, among others.

U.S. embassy and consulate officials met regularly with government officials to discuss anti-Semitism, anti-Muslim sentiment, and concerns about societal discrimination against religious minorities. In May the Special Envoy to Monitor and Combat Anti-Semitism visited Madrid and met with Jewish leaders, government officials, and community members to inquire about anti-Semitism, show support for the country's Sephardic Right of Return law, and promote Holocaust education.

Section I. Religious Demography

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The U.S. government estimates the population at 48.1 million (July 2015 estimate.). According to a survey conducted in April by the Spanish Center for Sociological Investigation, 68.8 percent of respondents identified themselves as Catholic, and 2.3 percent as followers of other religious groups. In addition, 15.6 percent described themselves as “non-believers,” and 10.3 percent as atheists.

The Episcopal Conference of Spain estimates there are 34.5 million Catholics. The government estimates there are 1.4 million evangelical Christians and other Protestants; the Federation of Evangelical Religious Entities estimates their numbers at 1.2 million, 800,000 of whom are immigrants. The government estimates there are two million Muslims; the Union of Islamic Communities of Spain estimates there are 1.86 million, while other Islamic groups estimate a population of up to two million. The Federation of Jewish Communities estimates there are 40,000 Jews, while the government estimates 45,000. Other religious groups include Orthodox Christians (1.5 million according to the government); Jehovah’s Witnesses (170,000 according to media reports); Buddhists (80,000 according to the government); The Church of Jesus Christ of Latter-day Saints (Mormons), who number 50,000 according to media reports; Bahais; Scientologists; Hindus; Christian Scientists; and other Christian groups. The regions of Catalonia, Andalusia, and Madrid and the exclaves of Ceuta and Melilla contain the majority of non-Christians.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion, but allows limits on expression if “necessary to maintain public order,” e.g., to restrict overcrowding in small facilities or public spaces. A separate law (known colloquially as the “silence law”) that took effect in June restricts public protest. Neither law has been used explicitly against religious groups.

The constitution states no one may be compelled to testify about his or her religion or beliefs. The constitution also states, “No religion shall have a state character;” however, “public authorities shall take into account the religious beliefs of Spanish society and consequently maintain appropriate cooperative relations with the Catholic Church” and other denominations.

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The government does not require religious groups to register; however, registering endows religious groups with privileges that enable them to function as religious groups. Groups registered in the Registry of Religious Entities may hold worship services legally; buy, rent, and sell property; and act as a legal entity in civil proceedings.

For registration to be confirmed by the MOJ, religious groups must have *notorio arraigo* status. To achieve this status, groups must have an unspecified “relevant” number of followers; a presence in the country for a “considerable” length of time, defined as of July as 30 years; and a “level of diffusion” that demonstrates a social presence. Groups must also submit documentation demonstrating the group is religious in nature to the MOJ Office of Religious Affairs, which maintains the Register of Religious Entities.

It is not necessary for Catholic dioceses and parishes to register to gain benefits, because the Episcopal Conference handles this with the government on behalf of the entire Catholic community. Islam, Judaism, Jehovah’s Witnesses, Buddhism and the Protestant, Mormon and Orthodox Churches are registered groups with *notorio arraigo* status.

If the MOJ considers an applicant for registration not to be 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.

Registered status also allows groups to establish bilateral cooperation agreements with the state. The government has cooperation agreements with the Holy See and the Catholic, Protestant, Jewish, and Islamic communities. 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. The agreement with the Holy See covers legal, educational, cultural, and economic affairs, religious attendance of the armed forces, and the military service of clergy and members of religious orders.

As of March 4, the government guarantees religious assistance in refugee centers known as Foreign Internment Centers (CIEs) so evangelical, Jewish, and Muslim

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groups may provide direct assistance to their followers in the CIEs. A similar agreement exists with the Episcopal Conference.

Federal law provides taxpayers the option of allocating up to 0.7 percent of their income tax to the Catholic Church and/or to nongovernmental organizations (NGO), but not to other religious groups.

Some autonomous regions have agreements with religious groups to encourage social support, such as permitting religious assistance in hospitals and prisons. The Catalan government, for example, has agreements with three religious groups – Catholics, Protestants, and Muslims.

By law the authorities may investigate and prosecute criminal offenses committed by neo-Nazi gangs as “terrorist crimes.” The reform of the penal code that went into force July 1 makes genocide denial a crime if it incites violent attitudes. The definition of hate crimes has expanded to include acts of “humiliation or disrespect” against victims because of their religion, with penalties from one to four years in jail.

Local governments are obligated to consider requests for land for public use, including opening 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.

There is no country-wide law restricting facial concealment. In several cities, ordinances ban the wearing of niqabs in public buildings and prescribe fines of up to 600 euros (\$653). Legislation in 13 municipalities, primarily in Catalonia, restricts wearing the niqab.

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 leave the curricula and financing of education to the national government in accordance with what is established under their individual regional statutes.

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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. The cooperation agreements of Jewish and Protestant groups with the government do not include this provision, and are self-funded.

Military rules allow religious military funerals for Catholics, evangelicals, other Protestants, Jews, and Muslims, should the family of the deceased request it.

Government Practices

The government passed a Sephardic Jew right-of-return law on June 11 to allow descendants of Sephardic Jews expelled from Spain in 1492 to reclaim citizenship after proving their Sephardic heritage and fulfilling a series of requirements. The Jewish Federation of Spain lobbied for the law, and its passing was widely praised by the Jewish community, with some concerns expressed regarding the difficulty of passing civics and language tests and the costs associated with the application and travel requirement. The application fee is 100 euros (\$109), and if the application is accepted the applicant or his or her legal representative must ratify the petition in person. The law went into effect on October 1, when the MOJ launched an online application form. Jewish community sources stated they estimated up to 200,000 of the four million global Sephardic diaspora may apply from Israel, the United States, Turkey, Morocco, Tunisia, and Latin America. Jewish communities stated they expected particular interest from Jewish communities in Turkey and Venezuela, although they added that the bar for fulfilling the language, travel, and application fee requirements might be an inhibiting factor.

The Bahai community in Madrid worked with the MOJ to develop its request for *notorio arraigo*. As of the end of the year, the Bahai community had not been granted that status.

In some cases, municipalities required individual houses of worship of registered religious groups to receive authorization at the local level to hold worship services. Every locality set its own procedure for applying for authorization.

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Some Islamic groups, such as the Federation of African Muslim Communities, stated levels of government support that were cut following the 2008 economic crisis were not restored, inhibiting their ability to travel to conferences and properly represent the growing Muslim community.

In June the National Court rejected a suit by the Federation of Evangelical Religious Entities, part of the Protestant religious community registered with the state, that had requested a box be added to tax forms allowing citizens to make donations to the Evangelical Church in the same manner that individuals may donate to the Catholic Church. The court said the Ministry of Finance was correct in rejecting the Federation of Evangelical Religious Entities' request because the entity did not have a cooperation agreement with the state.

In September the MOJ signed an agreement with the two secretaries general of the Islamic Commission to reorganize the body's statutes and representation before the government. Some 800 Muslim community members protested the move, which the MOJ said it made when a majority of Muslim community representatives complained that the system of two secretaries general was ineffective. The reorganization created a six-month transitional body and called for elections by 25 nationwide Muslim community representatives for a single Islamic Commission president to replace the two secretaries general. No date was set for the adoption of new statutes or the election of the new president.

On March 4, Interior Minister Jorge Fernandez Diaz signed an agreement with the evangelical, Jewish, and Muslim religious groups facilitating assistance for individuals to practice their faith in Foreign Internment Centers (CIEs). The executive secretary of the Federation of Evangelical Religious Entities, the president of the Federation of Jewish Communities, and the secretaries general of the Spanish Islamic Commission were the other signatories. The Ministry of Interior had previously signed a similar agreement with the Episcopal Conference of Spain.

The MOJ's then-liaison to religious communities, Ricardo Garcia, said that between June 2012 and December 2014, 280 Muslim places of worship had opened, averaging one every three days, an indication that the problem of municipalities not granting licenses to religious communities had been resolved.

Despite protections at the federal level, some minority religious groups stated they continued to experience difficulties receiving building and other permits for places

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of worship from local governments. Muslim groups continued to report difficulties in obtaining building permits for new mosque construction, especially in central, urban locations. They stated local municipalities delayed decisions on requests for land on which to establish places of worship, with some requests going unanswered for years. Several municipalities in Catalonia issued a moratorium on the opening of new places of worship; these municipalities stated their city councils needed more time to study the impact of such spaces.

Several Islamic groups wanted to build the second-largest mosque in the world in Medina Azahara, near Cordoba, to serve as a center of Islam in Europe. The mosque would be financed with Saudi and/or United Arab Emirates financing. The land had already been purchased through intermediaries, but the municipal government continually delayed the project and citizens questioned the building of such a large mosque in a city with no more than 1,000 Muslims (the local Muslim association claimed there were 4,500 Muslims.)

Similarly, a group of Muslims funded work on a mosque in the city of Salt in Catalonia. Due to a shortage of funds, work ceased. The city ordered that work be resumed as soon as possible to free up spaces currently serving as prayer centers so that they could be used for other purposes. Work on the mosque resumed in late September 2014 and continued through the end of the year, but stopped again in 2015 for lack of funding. Some observers explained the prohibition in Islam against paying interest on loans could explain the community's lengthy construction process. Representatives of the Catalan Muslim community, however, blamed religious discrimination for the failure of the community to build a single mosque in all of Catalonia.

The state employed 49 Islamic education instructors nationwide, according to the Islamic Commission, which certified teachers.

Some representatives of the Jewish community stated political motives during an election year prevented them from receiving "militarized" protection following the January 2015 Paris terrorist attacks, although they said the authorities increased security measures and police protection at Jewish community centers and places of worship. According to one Jewish community leader, the increased police presence made neighbors feel threatened because of their proximity to a synagogue could make them more of a terrorist target. This fear increased tensions between neighbors and the Jewish community.

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There were no reports indicated of municipalities enforcing the ban on facial veils.

The Autonomous Region of Madrid and the regional government of Catalonia continued to monitor hate crimes, which included certain religiously motivated crimes. Hate crimes increased 13 percent since 2014, and 23 percent were related to religion.

In June it became public that Madrid City Councilman Guillermo Zapata had re-tweeted anti-Semitic comments in 2011. After a public outcry, he resigned his new position as the head of the city department of culture and sports, but retained his city council seat.

The Office of Religious Affairs created an online tool to make information about minority religious groups available, including places of worship, availability of cemeteries, and laws providing guidance on the rights of minority religious groups. The office was tasked with informing local governments of their responsibilities towards minority religious groups, especially in cases of local regulations or restrictions interfering with the right to worship.

The government Foundation for Pluralism and Coexistence continued its outreach to municipalities and local governments with large Muslim communities to improve or establish dialogue, and ensure religious rights were understood and respected. The foundation also took on a new role to work with Muslim communities to detect signs of radicalization as part of the national government's new National Plan to Fight Radicalization, approved January 30. As part of its mission, 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.

A new interagency advisory commission on religious freedom, created by the MOJ in January, was tasked with compiling an annual report on religious freedom. The commission is headed by the minister of justice and included representatives from the Office of the Presidency and the Ministries of Foreign Affairs, Finance, Interior, Education, Employment, and Health. Representatives from the Catholic Church, the Federation of Evangelical Entities of Spain, the Federation of Jewish Communities of Spain, the Spanish Islamic Commission, the Mormons, the Federation of Buddhist Communities of Spain, and the Orthodox Church of Spain participated in the advisory commission.

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On February 3, the president of Catalonia hosted a reception for the leaders of all the religious communities in the region to commemorate World Interfaith Harmony Week.

The government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

Muslim leaders reported Muslims faced community resistance to building or expanding places of worship. According to the Office of Religious Affairs of the Catalan regional government, Muslims in Catalonia continued to worship in approximately 265 prayer centers in the absence of a formal mosque. Among the factors Muslim leaders cited for the absence of a formal mosque was opposition from neighborhood groups and from some political parties.

Expressions of anti-Semitic and anti-Muslim speech persisted. During the first eight months of the year, the police registered 1,324 cases of hate crimes, 23 percent of them related to religion. Muslims were especially targeted after the January Paris attacks and continued to experience societal prejudice and challenges related to community integration, including instances of property damage to mosques.

In December vandals painted insults and threats on a Catholic chapel at the Complutense University of Madrid.

Following the January attack in Paris, there were four incidents of vandalism on mosques. On January 8, vandals painted a swastika and insulting words at the entrance of the Islamic center in San Juan de Lagos, Burgos province. On January 9, vandals painted insulting words in the Abu Baker Mosque in Madrid. On January 12, vandals painted threatening and insulting messages in the headquarters of the Islamic Liga Morisca in Jerez de la Frontera, Cadiz province. On January 11, vandals painted insulting words in the Al-Andalus Cultural Center in Jaen.

In June Xavier Bosch, a writer for the newspaper *Mundo Deportivo*, asserted in a column that the “Jewish lobby” made the rules, and that agents of Israeli intelligence were part of the Barcelona football club. The Jewish community of Madrid sent a letter of protest to the media outlet that went unanswered.

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In August a Jewish-American reggae musician was disinvited from the Rototom Sunsplash music festival in Valencia at the request of an organization supporting the boycott of Israel. The press reported widespread popular criticism by government officials and citizens who pushed the organizers to make a public apology and re-invite the musician, who accepted and performed without incident.

In August the Islamic Commission protested the government's failure to announce vacancies and hire more teachers to meet the demand for Islamic education, which it placed at 750 instructors nationwide.

Muslims in Catalonia reported after the November attacks in Paris, they felt fearful and alienated from the community and that they were being watched. Authorities cited an increase in anti-Islamic chatter on blogs and social media, but no new hate crimes.

In Catalonia, the Stable Working Group on Religions, which encompassed the Jewish, Protestant, Muslim, Catholic, and Orthodox religious communities, continued to hold meetings to promote cooperation.

Section IV. U.S. Government Policy

U.S. embassy and consulate officials met regularly with government officials to discuss anti-Semitism, anti-Muslim sentiment, and concerns about societal discrimination against religious minorities. Embassy officials also met with leaders of religious groups and community members, including imams of local mosques, Muslim youth leaders, NGOs, and Muslim leaders in Madrid and Barcelona. The embassy held several meetings and phone calls with rabbis, Jewish leaders, and the Spanish Federation of Jewish Communities, which maintained a relationship with all Jewish groups in the country and communicated with the government on their behalf. Embassy and consulate officials heard the concerns of community members regarding the free exercise of their religious rights and transmitted those to the appropriate government officials.

During a May visit to Madrid, the U.S. State Department Special Envoy to Monitor and Combat Anti-Semitism met with government officials, NGOs, and Jewish community members. The Special Envoy emphasized the importance of both free speech and protections against anti-Semitism, recommending education to combat religious discrimination.

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Embassy and consulate officials attended religious community events, memorials, roundtables, and conferences on religious freedom, tolerance, service, and the integration of religious minority communities. In July the embassy hosted an iftar for Muslims from various regions across the country as well as for representatives from local mosques, Muslim youth and women's groups, community business leaders, Muslim immigration NGOs, and others to foster interreligious dialogue. The Ambassador expressed his support for equal opportunities for Muslims who suffered discrimination. The iftar led to numerous follow-up meetings with Muslims, which informed embassy officials and helped shape the U.S. message to government officials.

In March the Consulate General in Barcelona participated in a celebration of International Women's Day organized by two Muslim associations in the city of Terrassa. The event helped promote religious tolerance and rights for women in Muslim society. The consulate general representatives' participation demonstrated U.S. support for the initiative and encouraged press coverage of the event. The consulate general also partnered with the Ibn Rochd Intercultural Association on a project to prevent social exclusion among Muslim youth through sports.

In December the Ambassador hosted a Hanukkah dinner with a cross-section of Jewish community members and select representatives from other faiths, including individuals from the Catholic, Muslim, and Orthodox communities. The opportunity allowed the Ambassador to reiterate U.S. support for religious freedom, interfaith dialogue, and combating anti-Semitism, and to underscore support for efforts to promote religious tolerance.