

SPAIN 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects freedom of religion and worship and acknowledges a special relationship with the Roman Catholic Church. There is no country-wide ban on facial concealment, but 13 municipalities have restricted Muslim women from wearing full veils; no fines have been issued for non-compliance. Muslim groups continued to report difficulties in obtaining building permits for new mosque construction. Central and local government authorities investigated and prosecuted several cases of anti-Semitic and anti-Muslim hate speech, including one resulting in the first sentence of an individual for spreading ideas justifying genocide against Muslims.

Anti-Semitic and anti-Muslim statements continued to appear in social media and public speeches. There were reports of attacks against mosques that caused physical damage, but no personal injury. Muslims faced community resistance to build or expand places of worship.

U.S. embassy and consulate officials met regularly with government officials to discuss anti-Semitism and concerns about societal discrimination against religious minorities. Embassy and consulate officials and several embassy-sponsored speakers organized and participated in roundtables and conferences on religious freedom, tolerance, service, and the integration of religious minority communities. The consulate in Barcelona hosted an iftar for Catalan regional, civic, and Islamic authorities focusing on the ongoing debate over restrictions placed on burqas and niqabs in some Catalan municipalities. The embassy hosted an iftar for Muslims from numerous regions across the country as well as for representatives from local mosques, Muslim youth and women's groups, community business leaders, Muslim immigration nongovernment organizations (NGOs), and other religious leaders to foster interreligious dialogue.

Section I. Religious Demography

The U.S. government estimates the population at 47.7 million (July 2014 estimate). The Spanish government does not collect data on religious affiliation. According to a survey conducted in July by the Spanish Center for Sociological Investigation, approximately 70 percent of respondents identified themselves as Catholics, and 2 percent as followers of other religious groups. In addition, approximately 15 percent described themselves as "non-believers," and 10 percent as atheists.

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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. 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. The regions of Catalonia, Andalusia, and Madrid and the Spanish 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 and worship, but allows limits on their expression if “necessary to maintain public order”. Per the constitution, no one may be compelled to testify about his or her religion or beliefs. The constitution also states that “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.

The government has had a cooperation agreement with the Holy See since 1979. The cooperation agreement covers legal, educational, cultural, and economic affairs, religious attendance of the armed forces, and the military service of clergy and members of religious orders.

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” number 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, which allows them to worship together privately and publicly in their own houses of worship. Additionally, the Catholic,

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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.

Federal tax law provides taxpayers the option of allocating up to 0.7 percent of their income tax to the Catholic Church and/or to a nongovernmental organization (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 – all of which receive some level of financial support.

The government does not require religious groups to register. Registering, however, 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 the group is religious in nature to the Ministry of Justice's (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.

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. Religious groups not officially recognized by the government may be treated as cultural associations.

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.

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The law establishes sanctions against sports 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 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 on facial concealment. In several cities, ordinances ban wearing the burqa and niqab in public buildings and prescribe fines of up to 600 euros (\$730). Legislation in 13 municipalities, primarily in Catalonia, restricts wearing full veils by Muslim women; however, none of the municipalities has imposed fines for non-compliance.

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, following what is established under their individual regional statutes. 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.

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

Government Practices

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Despite protections at the federal level, some minority religious groups have experienced difficulties with local governments in Catalonia, Andalusia, Madrid, and the exclaves of Ceuta and Melilla in terms of receiving building and other permits for places of worship.

Muslim groups continued to report difficulties in obtaining building permits for new mosque construction, 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 continued to confront difficulties regarding compliance with sound regulations.

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 their city councils needed more time to study the impact of such spaces.

The opening of a mosque in the city of Salt, which the Islamic community started constructing in late 2013, was delayed after the developers began to have financial troubles. The city ordered that work be resumed as soon as possible so other spaces currently serving as prayer centers could be used for other purposes. Work on the mosque resumed in late September and continued through the end of the year.

The Bahai community in Madrid was working with the Ministry of Justice to develop its request for *notorio arraigo*.

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

In some cases, municipalities required individual houses of worship 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

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Freedom, only Catalan law required that religious groups obtain a license to hold worship services; in other parts of the country, the policy varied by municipality. Every locality set its own procedure for applying for authorization.

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

Local and central authorities investigated and prosecuted several cases of hate speech. On April 28, the Civil Guard arrested 21 people for online hate speech. Among other things, the individuals were accused of praising radical Islamists, for encouraging further attacks, and for making fun of victims on social networking sites. On May 5, the Catalan regional police Mossos d'Esquadra arrested a 24-year-old man in Roquetes, Tarragona for inciting hatred towards Muslims and Jews and having links to terrorist groups through a social network. In July a Madrid court sentenced an individual to one year in jail for being a member of the illegal anti-Semitic group Blood and Honor.

On March 5, a Barcelona court sentenced an individual to two years in prison for spreading on the internet language justifying the Holocaust and genocide against Jews, and inciting genocide against Muslims and other minorities. This was the first sentence handed down for spreading ideas justifying genocide against Muslims.

A new interagency advisory commission on religious freedom, created by the Ministry of Justice 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 Church of Jesus Christ of Later-day Saints, the Federation of Buddhist Communities of Spain, and the Orthodox Church of Spain participated in the Advisory Commission.

The government's Foundation for Pluralism and Coexistence 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. Local and central

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authorities continued their outreach towards the Muslim community, which included interfaith dialogue and visits.

On July 27, for the third year in a row, the President of the Catalan Parliament hosted a delegation of Moroccan imams along with local Muslim leaders to recognize Ramadan as a demonstration of the Catalan regional government's support for religious freedom and to increase mutual understanding and respect for diversity for this fast-growing population.

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

Section III. Status of Societal Respect for Religious Freedom

Expressions of anti-Semitic and anti-Muslim speech persisted. Muslims continued to experience societal prejudice and challenges related to community integration, including instances of property damage to mosques. Some citizens blamed recent Muslim immigrants for increased crime rates. Muslims also faced community resistance to build or expand places of worship.

Following a May 18 basketball game between Israel's Maccabi Tel Aviv and Spain's Real Madrid, approximately 18,000 anti-Semitic postings against Jews and Israelis were made on social media. Authorities continued to investigate those responsible per the penal code section prohibiting crimes that promote racism or anti-Semitism or inhibit the practice of religious belief or a particular ideology. The investigation followed announcement of a government campaign to "clean the web" of offensive messages.

In August a Muslim cleric in Azuqueca de Henares delivered an anti-Semitic sermon, calling for, among other things, the destruction of the Jews. Jewish groups reported the incident to the Ministry of Interior which was continuing its investigation at year's end.

On February 21, a local councilman from Plataforma per Catalunya, a radical right-wing political party, vandalized a newly inaugurated Muslim prayer center in Tortosa, Tarragona. The councilman painted the words "Neither Moors, nor mosques! Enough!" on an outside wall of the building. Pork meat was also left on the premises. The councilman was charged by the police; as of the end of the year there was no further information on the case. In July unknown assailants threw a

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Molotov cocktail into an Islamic prayer center in Tarragona, but did not cause any injuries.

Muslims in Catalonia continued to worship in approximately 230 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 some political parties. On February 5, the Archbishop of Tarragona became the first archbishop ever to visit a Muslim house of worship in Catalonia, when he attended a Muslim prayer center in Tarragona and met with the president of the Union of Islamic Communities of Catalonia.

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 and concerns about societal discrimination against religious minorities. Embassy officials also met with leaders of religious groups, including imams of local mosques and youth leaders in Muslim communities in Madrid and Barcelona as well as the head of the Spanish Federation of Jewish Communities of Spain, which has a relationship with all Jewish communities in Spain and speaks with the Spanish government on their behalf.

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 July the embassy hosted an iftar for Muslims from numerous 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 consulate in Barcelona also hosted in July an iftar for Catalan regional, civic, and Islamic authorities, which focused on the ongoing debate over the restrictions placed on burqas and niqabs in some Catalan municipalities. The consulate general in Barcelona hosted a representative from the Council on American Islamic Relations in May to share her experience as a Muslim-American woman and how she practiced her religion freely. She spoke to a wide variety of youth and community leaders to foster respect for religious diversity, including sharing strategies to empower local Muslim leaders.