

SPAIN 2012 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. However, some local governments imposed restrictions that affected members of religious minority groups. For example, some Muslim and non-Catholic Christian groups stated 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. The trend in the government's respect for religious freedom did not change significantly during the year.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Prominent societal leaders, however, took positive steps to promote religious freedom. Muslims continued to experience some societal prejudice and challenges related to integration. Some expressions of anti-Semitism persisted, including graffiti and the dissemination of neo-Nazi messages.

U.S. officials engaged with government and religious leaders to foster dialogue and promote religious tolerance and freedom. The 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 National Statistics Institute estimates the population to be 47 million. The government does not collect data on religious affiliation. According to a survey conducted in October by the Spanish Center for Sociological Investigation, approximately 71 percent of respondents identified themselves as Catholic and nearly 3 percent as followers of another religion. In addition, 16 percent described themselves as "non-believers," and 9 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. The Federation of Jewish Communities estimates there are 40,000 Jews. Other

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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 protect religious freedom. However, some local government policies restrict the religious freedom of minority religious groups, including Muslims and non-Catholic Christians.

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, prisons, and the military.

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.

The government does not require religious groups to register. However, registering enables religious groups to hold worship services legally; to buy, rent,

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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 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 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.

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In several cities, ordinances ban wearing the burqa and niqab (face veil) in public buildings and prescribe fines of up to 600 euros (\$795.50).

The government funds teachers for Catholic, Islamic, Protestant, and Judaic 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.

Military rules allow military funerals by various religious groups.

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

The government observes the following religious holidays as national holidays: Epiphany, Holy Thursday, Good Friday, Assumption, All Saints Day, Immaculate Conception, and Christmas. Many regional governments observe local religious holidays as well. The cities of Melilla and Ceuta also observe Eid el Kebir (Eid al-Adha). The government recognizes Jewish and Islamic holidays and allows members of both religious groups (upon agreement with their employer) to take Friday afternoons off from work, with pay, to observe the Sabbath.

Government Practices

There were no reports of abuses of religious freedom. However, some local governments imposed restrictions that affected members of minority religious groups, including Muslims and non-Catholic Christians.

By year's end the Supreme Court had not issued a final ruling on the Catalan city of Lleida's prohibition of the burqa, niqab, and other clothing that covers the face in public buildings. In June 2011 Catalonia's highest court ruled in favor of the

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prohibition, but in October 2011 the Supreme Court agreed to hear an appeal by a Muslim association in Lleida. Muslim leaders and other observers noted that few women in Catalonia wear the burqa or niqab and stated that the proposed legislation was politically motivated. There were no reports of arrests or fines under the legislation.

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 religious groups also reported difficulties in securing permits and approvals to construct new places of worship. 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. The Office of Religious Affairs continued to inform local governments about their responsibilities to minority religious groups.

Although Catalonia had the highest concentration of Muslims in the country, it lacked a formal mosque; Muslims worshiped in approximately 200 prayer centers. Among the factors that Muslim leaders cited for the absence of a formal mosque was opposition from neighborhood groups and from some political parties.

The Catalan city of Molins de Rei announced in July it was suspending indefinitely construction of new religious buildings. Their stated goal was to plan future expansions better and avoid conflict with community groups. Muslim organizations asserted the ban directly targeted their communities.

The MOJ reported that it was working at the national level to standardize the requirements for obtaining licenses to hold worship services.

Muslims reported difficulty gaining satisfactory treatment and reburial of disinterred remains as well as obtaining approval to construct new Islamic cemeteries. At year's end, there were 24 Islamic cemeteries in the country.

The government took steps to integrate non-Catholic religious groups 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 religions in society.

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The government funded religious services within the prison system for Catholic and Muslim groups, but not for Jewish or Protestant groups, in accordance with their cooperation agreements with the government.

In March the government reached an agreement with the Sefarad-Israel Center to provide political leaders with awareness training about anti-Semitism and xenophobia. In November the government announced it would reactivate a plan in place from 1988-2009 to ease naturalization procedures for Sephardic Jews whose ancestors were expelled from the country in 1492.

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, and some citizens blamed recent Muslim immigrants for increased crime rates. Some expressions of anti-Semitism persisted. Prominent societal leaders, however, took positive steps to promote religious freedom.

Representatives of minority religious groups sometimes had difficulty opening 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. For example, in Torrejon de Ardoz, residents collected signatures on a petition to prevent the city government from granting a license to build a mosque on land purchased in the center of town, suggesting instead a location in the suburbs.

In May Badalona Mayor Xavier Garcia Albiol stated that the Muslim community would no longer be allowed to use public spaces to pray on Fridays and during the month of Ramadan. According to regional police, approximately 400 to 500 Muslims prayed in the city's Plaza de Camaron de la Isla every Friday, and more than 2,500 Muslims prayed there during Ramadan. The municipal government offered the Muslim community use of the courtyard of a closed school at a cost of 31 euros (\$40) per hour, in addition to an initial 6,000-euro (\$7,700) deposit.

In June vandals painted Nazi imagery and the phrases "stop immigration" and "expel immigrants" near the historic mosque and the Muslim worship center in the town of La Aljorra.

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In September the regional prosecutor in Barcelona began an investigation into allegations that a member of the ultra-right Platform for Catalonia party wrote Facebook messages calling for a “Night of the Long Knives” against Muslim imams. The comment was a reference to a series of political murders carried out by the Nazi regime in Germany in 1934.

Some expressions of anti-Semitism, such as graffiti, persisted. On June 22, vandals painted anti-Semitic symbols on two banks in Barcelona to protest the economic crisis. Anti-Semitic graffiti reading “No Jew in this house...Jews... terrorist state!” appeared on the walls of the stadium of the Barcelona soccer team before Israeli sports columnist and former soldier Gilad Shalit, who had been kidnapped by Hamas in 2006 and held for more than five years, attended a soccer match in September. In November vandals spray-painted a swastika and anti-Israeli graffiti on a Barcelona synagogue.

Some Jewish groups, such as the Civil Network Against Anti-Semitism, expressed concern over cartoons perceived as anti-Semitic in newspapers and anti-Semitic content in some media. Most of these media outlets argued that their reporting constituted criticism of Israeli policies rather than anti-Semitic attacks.

In April the Barcelona Provincial Court prosecutor sentenced Marc Mora Garcia to two years in prison for spreading ideas and doctrines justifying genocide and for promoting discrimination, hate, and violence through a Web site. On June 8, a Sabadell court indicted members of two neo-Nazi rock bands as well as the administrator of a company that markets neo-Nazi products for hate crimes related to song lyrics. In November the national police closed down a neo-Nazi Web site and arrested an individual for spreading xenophobic messages and promoting ideas that supported genocide. The police confirmed that the individual had links with extreme right political groups and associations in other European countries.

On November 7-8, the Baruch Spinoza Foundation and city of Barcelona sponsored the country’s first International Seminar on Anti-Semitism, with the support of the Provincial Council of Barcelona and the government of Catalonia. Representatives of religious, societal, and academic organizations participated.

In November the Jewish, Muslim, and evangelical Christian federations held events marking the 20th anniversary of their respective bilateral agreements with the government.

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The television station TVE presented a weekly show entitled “Islam Today” that discussed current events of relevance to the Muslim community and highlighted the country’s Islamic heritage. In March the Spanish Federation of Jewish Communities celebrated the eighth anniversary of Radio Sefarad, a station promoting the history and culture of Judaism in the country.

Section IV. U.S. Government Policy

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

Embassy officials and several embassy-sponsored U.S. speakers participated in roundtables and conferences on religious freedom, tolerance, and the integration of religious minority communities. In February the U.S. consulate general in Barcelona sponsored a talk by a professor from the University of Colorado on media, diversity, and religious freedom at the Blanquerna Observatory of Communication, Religion, and Culture. In October the ambassador hosted a roundtable with the president of a major U.S. Jewish organization and leaders of minority religious groups on how the organization advocates on behalf of religious freedom and religious minorities in the United States. The ambassador also hosted a roundtable discussion in Barcelona in October with representatives of different Muslim communities in the Catalonia region. In December the consulate general in Barcelona and the UNESCO Association for Interfaith Dialogue organized the second Interfaith Youth Dialogue, which brought together a group of young Muslims, Buddhists, Catholics, evangelical Christians, and Jews in the region.

In July the ambassador hosted an iftar for Muslims from numerous regions across the country as well as for representatives from other religious groups.