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Annual report on the status of religious freedom in Spain: 2016

2017



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**ANNUAL REPORT ON THE STATUS
OF RELIGIOUS FREEDOM IN SPAIN: 2016**

Working Group for the Drafting of the Annual Report on the Status of Religious Freedom in Spain, created in application of article 20 of Royal Decree 932/2013, of 29 November, via which the Religious Freedom Advisory Committee is regulated (Ms Zoila Combalía, Mr Joaquín Mantecón, Mr Ricardo García and Mr José María Coello de Portugal)

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TABLE OF ABBREVIATIONS

CALR: Religious Freedom Advisory Committee.

CIE: Islamic Commission of Spain.

DGCJIRC: General Directorate for International Legal Cooperation and Faith Relations.

ERE: Evangelical Religious Teaching.

ERI: Islamic Religious Teaching.

FCBE: Federation of Buddhist Communities of Spain.

FCJE: Federation of Jewish Communities of Spain.

FEERI: Spanish Federation of Islamic Religious Bodies.

FEREDE: Federation of Evangelical Religious Bodies of Spain.

LDS CHURCH: Church of Jesus Christ of Latter-day Saints.

RER: Registry of Religious Bodies.

SGRC: Subdirectorato General for Faith Relations.

UCIDE: Union of Islamic Communities of Spain.

INTRODUCTION

The Ministry of Justice (through the General Directorate for International Legal Cooperation and Faith Relations) presents its third annual report on the situation of religious freedom in Spain for 2016.

The objective of this report is to gather the specific data that might help us understand and make known the advancements and setbacks in the appropriate management of religious freedom. Even though we are aware that identifying the problems is not enough, it is an essential starting point in solving them. By publishing the report annually, we ensure that they are not forgotten. As we pointed out in the previous reports, through a more accurate and exact understanding of the actual status of religious freedom in Spain we are seeking to progress in an area that is of vital importance to democratic coexistence within current social contexts, such as that addressed here.

For the purpose of drawing up the report, we used data from the Registry of Religious Bodies, along with the considered opinion of the various faiths with a deeply rooted presence in the country, namely: the Catholic Church, the Federation of Evangelical Religious Bodies of Spain, the Federation of Jewish Communities of Spain, the Islamic Commission of Spain, the Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, the Federation of Buddhist Communities of Spain and the Orthodox Church. Furthermore, this year we used information from the Autonomous Regions and Cities, which were given a questionnaire. The data from the Cities and Regions that replied are included¹.

¹ At regional level, the Regional Government of Catalonia has a General Directorate for Religious Affairs through which it liaises with religious groups in the Autonomous Region, within the framework of the established statutory powers. The data from this Autonomous Region were included in the previous reports together with information submitted from other Regions, even though they lack a specific body with competence in this area.

I. REGULATORY AND MANAGEMENT ACTIVITY

Via the General Directorate for International Legal Cooperation and Faith Relations (hereinafter, DGCJIRC), efforts have been made to promote the modernisation of State management of the fundamental right of freedom of religion and to improve the situation of the various religious faiths in Spain.

1. REGULATORY ACTIVITY PROMOTED BY THE DGCJIRC

The country's political situation in 2016, with a caretaker government until November, meant that no new legislative advancements could be proposed that might have enabled a better and more extensive development of the exercise of the fundamental right of religious freedom by both individuals and groups.

Nevertheless, it is worth mentioning the approval of **Order JUS/577/2016, of 19 April, on the manner of recording, in Civil Registries, certain marriages celebrated in a religious manner and the approval of the model for the certificate of marriage capacity and of religious marriage** (Official State Gazette (BOE) of 22 April).

The entry into force of Law 15/2015, of 2 July, on Voluntary Jurisdiction, has resulted in the amendment of the regulation on religious marriage, among others. It amends certain articles of the Civil Code and, specifically, article 60, paragraph 2 of the Civil Code, which establishes that “the civil effects of religious marriages are recognised where envisaged by churches, faiths, religious communities or their federations that have been recognised as deeply rooted in Spain”.

Furthermore, Law 15/2015, of 2 July, amends article 7 of Laws 24/1992, 25/1992 and 26/1992, of 10 November, approving the respective State Cooperation Agreements with the Federation of Evangelical Religious Bodies of Spain, the Federation of Jewish Communities of Spain and the Islamic Commission of Spain, 2017.

Therefore, a joint initiative between the General Directorates of the Registries and Notaries and the General Directorate for International Legal Cooperation and Faith Relations approved Order JUS/577/2016, of 19 April, after hearing the views of the Federation of Evangelical Religious Bodies of Spain, the Federation of Jewish Communities of Spain, the Islamic Commission of Spain, the Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, the Federation of Buddhist Communities of Spain and the Orthodox Church.

2. ACTIVITY OF THE RELIGIOUS FREEDOM ADVISORY COMMITTEE

The Plenary Session of the Religious Freedom Advisory Committee convened on 28 June and 21 December 2016.

The **Recommendations of the CALR for the protection of children and adolescents** was approved at the Plenary Session of 28 June 2016. The Subdirector General for Faith Relations submitted to the Plenary Session a document that made a series of Recommendations as to how religious bodies should act after the entry into force of Law 26/2015, of 28 July, amending the system of protection for children and adolescents, and Royal Decree 1110/2015, of 11 December, regulating the Central Sex Offenders Register. This document, written based on a draft issued by FEREDE and which listed the contributions of all deeply rooted faiths in Spain, recommended that religious faiths should take precautions including requesting that their religious personnel – whether employed or voluntary – should have a Central Sex Offenders Register certificate, in order to protect minors with whom they have frequent contact.

The Plenary Session of 21 December 2016 decided, *inter alia*, to change the composition of one of the working groups set up by the Plenary Session of 5 March 2015, and to create a new one called the “working group on religious requirements concerning food” and to abolish the “religious marriage” working group. Thus, the **current CALR working groups** are as follows:

- Annual Report on the Status of Religious Freedom in Spain.
- Opening of Places of Worship.
- Selection exams on holy days and dress code in employment posts within the Public Administration.
- Cemeteries of minority faiths.
- Religious requirements concerning food.

The Standing Committee of the CALR was convened on 20 January and 14 September 2016.

The **second Annual Report on the Status of Religious Freedom in Spain** for 2015 was approved at the meeting of the Standing Committee in September 2016. It was published on paper and in digital format. The digital version was also published in English to give it a wider circulation, and was distributed among the various embassies throughout the country, as well as among the various international bodies involved in the protection and promotion of the fundamental right to religious freedom and numerous national and international academics.

3. ACTIVITY OF THE REGISTRY OF RELIGIOUS BODIES

The Registry of Religious Bodies (hereinafter, RER) is a public registry, exclusively serving the entire Spanish State, wherein, on a voluntary basis, bodies of a religious nature and their federations are recorded with a view to obtaining civil legal personality.

In accordance with article 26 of Royal Decree 594/2015, of 3 July, regulating the RER, which entered into force on 1 November 2015, the Registry is divided into the following Sections:

- a) The General Section, wherein Churches, Faiths and Religious Communities are recorded, along with the bodies they establish.
- b) The Special Section, wherein the Churches, Faiths and Religious Communities that have signed or to which a Cooperation Agreement with the State applies, are recorded, along with the bodies they establish.
- c) The Historical Section, to which the entries of bodies that have been annulled and rejected applications are transferred, along with their annexed protocols.

However, the religious foundations of the Catholic Church will continue to be regulated via Royal Decree 589/1984, of 8 February, on the Foundations of the Catholic Church, whilst the foundations of religious bodies remain unregulated at a general level. Until such time, the Registry will continue to operate the Foundations Section envisaged in the aforementioned Royal Decree (Second Transitory Provision of Royal Decree 594/2015, of 3 July).

Management workload

In terms of the number of registered bodies, in 2014, when the first Annual Report on Religious Freedom was issued, the percentage of entries belonging to the Catholic Church was 76.07%, then 75.89% in 2015, and in 2016 it accounted for 75.90%.

The management workload relating to the individualised procedures corresponding to the RER over the course of 2016 can be broken down as follows:

2016	Pending at start of year	Applications received	Applications processed	Pending at end of year
Recording of bodies in the RER	211	597	573	235
Modification of RER entries	78	2,221	1,749	550
RER annulments	30	122	134	18
Certificates of RER entries or records	0	4,560	4,320	240

In addition, since 3 May 2016, a **declaration of operation** can be made, as provided for in Article 29 of Royal Decree 594/2015, of 3 July, via an electronic form which is accessible on both the Ministry of Justice portal and the Ministry website. The form requests verification, completion or modification, as appropriate, of the following data: address for notification purposes, territorial scope, telephone number and email address. The declaration has to be made by those who are registered as the legal representatives of the body in the Registry of Religious Bodies.

II. ESTIMATED NUMBER OF DEVOTEES PERTAINING TO THE FAITH

1. FAITHS WITH AN AGREEMENT WITH THE SPANISH STATE

1.1. The Catholic Church

The most important data relating to the Catholic Church is as follows:

- 32,556,922 Catholics.
- 23,098 parishes.
- 19,163 priests.
- 106,512 catechists.
- 865 monasteries.
- 57,986 members of religious orders.
- 10,899 cloistered monks and nuns.

1.2. FEREDE

The Federation of Evangelical Religious Bodies of Spain (FEREDE) is the organisation that encompasses and represents the majority of the evangelical churches in the country, primarily with regards to adherence to and application of the Cooperation Agreements signed with the Spanish State in 1992 (Law 24/1992, of 10 November).

This Federation raises doubts in relation to the propriety of requesting data relating to the number of devotees of this faith. Moreover, no reliable studies exist regarding the number of devotees who are members of FEREDE. Nevertheless, in order to have a rough approximation of the evangelical or protestant reality in Spain, the following criteria may prove useful:

- a) Taking into consideration the number of places of worship and recorded bodies

More than the belief, it is religious practice that requires a response from the State and the envisagement of a series of measures aimed at ensuring the free

exercise of the right of religious freedom. Congregational worship is a fundamental aspect of religious practice, whereby awareness of the number of places of worship is an important detail when evaluating the degree to which a religious community is established.

According to data from the Observatory of Religious Pluralism, as of December 2016 there are 3,910 evangelical places of worship, which account for 57.83% of those belonging to religious minorities.

This information can be supplemented with the number of bodies recorded in the Registry of Religious Bodies. Of the total of 2,409 evangelical bodies recorded with their own legal personality, 1,427 are members of FEREDE. This detail is to be evaluated along with the more significant data provided on places of worship, as protestant bodies include entries for local independent churches with a single place of worship and others of a much larger scale and with a national scope that, within their internal organisation, might boast dozens or hundreds of places of worship that are all recorded under a single registry entry number. By way of example, the Church of Philadelphia – the primary evangelical movement of the Roma people – has more than 700 places of worship.

b) Estimated number of devotees

FEREDE has no available up-to-date statistical data. It provides the following estimates obtained from a study that was carried out some years ago:

- a) People who congregate in evangelical churches. The estimate stands at 500,000 people. The vast majority congregate in churches with Spanish devotees, but there are also churches with members from various countries and churches providing pastoral care to foreigners.
- b) Non-congregational protestants or evangelicals from within the European Union. It is estimated that between 800,000 and 1,000,000 people from within the European Union reside in Spain for more than six months each year.
- c) Non-congregational protestants or evangelicals from outside the European Union are estimated to number between 100,000 and 150,000 people, hailing mainly from non-EU European countries, Latin America, Asia and Africa.

The total estimated number of protestants in Spain is approximately 1,500,000 devotees.

1.3. FCJE

Although no census has been carried out, there are estimated to be around 45,000 devotees pertaining to this faith in Spain, with more than 30 synagogues throughout the country, some with capacity for up to 800 people.

It should be borne in mind that, with the nationalisation of Sephardic Jews under Law 12/2015, of 24 June, on the conferral of Spanish nationality to Sephardic Jews with Spanish origins, and its implementation by Royal Decree 893/2015, of 2

October, conferring Spanish nationality on specific Sephardic Jews with Spanish origins by naturalisation, despite the fact that the terms “Sephardic” and “Jew” are not synonymous, it is possible that the number of Spanish Jews will increase.

1082 Sephardic Jews have been granted nationality to date, according to the following distribution by nationality:

Country	Number of Applications Granted	Country	Number of Applications Granted
Venezuela	222	Costa Rica	4
Israel	181	Republic of Serbia	4
Colombia	107	Greece	3
Argentina	103	Bulgaria	2
Turkey	102	Guatemala	2
Mexico	92	Switzerland	1
United States	55	Ecuador	1
Brazil	55	Bolivia	1
Peru	55	United Kingdom	1
Chile	28	Cuba	1
Panama	15	Belgium	1
France	14	Puerto Rico	1
Morocco	11	Italy	1
Canada	6	Sweden	1
Russia	6	Ukraine	1
Uruguay	5		

1.4. CIE

The estimated number of devotees of this faith in Spain totals 1,919,141 Muslims, according to the al-Andalus Observatory of the UCIDE.

The Observatory offers general figures in relation to the Muslim population in Spain, breaking down the data by Autonomous Region and taking into consideration the nationality of the residents. These statistics are drawn up on the basis of information gathered from the Municipal Register of Inhabitants. The figures for Spanish citizens are compared with the registries of the Islamic communities in each Autonomous Region.

cf. Demographic study of the Muslim population. Mining of data from the census of Muslim citizens in Spain as of 31/12/2016, p. 9, available at: <http://observatorio.hispano-muslim.es/estademograf.pdf>.

Autonomías	Argelia	Bangladesh	España	Gambia	Guinea	Mali	Marruecos	Nigeria	Pakistán	Senegal	Otros	Totales
Andalucía	4,963	529	137,276	1,021	923	4,829	130,643	6,176	4,074	10,689	8,463	309,586
Aragón	4,987	14	19,625	2,013	806	1,768	17,881	747	1,729	3,069	1,365	54,004
Principality of Asturias	449	30	2,066	14	38	20	2,884	307	370	1,251	391	7,820
Balearic Islands	1,106	347	17,455	140	239	829	23,395	2,599	1,367	4,056	1,249	52,782
Canary Islands	540	329	44,649	128	620	255	16,836	1,539	454	3,223	4,043	72,616
Cantabria	271	17	1,215	19	33	25	1,806	280	231	566	550	5,013
Castile and León	1,404	133	12,737	154	53	360	20,471	372	983	752	833	38,252
Castile-La Mancha	1,620	95	23,541	93	180	1,388	31,600	1,537	981	961	1,076	63,072
Catalonia	8,751	6,022	182,304	14,479	4,603	7,139	210,838	6,260	42,967	20,098	12,021	515,482
Ceuta	5	0	31,634	0	0	0	4,805	2	2	2	24	36,474
Valencian Community	23,971	341	74,146	310	612	2,151	74,984	5,371	12,119	5,151	5,323	204,479
Extremadura	172	11	10,559	10	24	50	7,721	62	296	179	173	19,257
Galicia	676	137	5,200	40	55	68	6,727	542	445	2,471	1,239	17,600
Autonomous Region of Madrid	1,916	4,878	171,122	260	1,237	1,532	76,759	8,959	3,425	3,162	9,813	283,063
Melilla	11	0	32,700	0	0	0	11,825	0	9	0	19	44,564
Region of Murcia	2,602	137	11,177	262	377	1,555	77,166	1,376	586	1,951	978	98,167
Autonomous Region of Navarre	2,266	21	8,422	25	153	300	10,441	1,054	467	792	463	24,404
Basque Country	5,384	305	11,180	185	409	726	19,809	4,168	5,011	3,972	3,074	54,223
La Rioja	893	4	7,009	33	135	237	6,834	135	2,555	144	304	18,283
(19)	61,987	13,350	804,017	19,186	10,497	23,232	753,425	41,486	78,071	62,489	51,401	1,919,141

Breakdown of other nationalities: Remainder [51.404]; Albania (2.002), Turkey (3.409), Benin (343), Burkina Faso (1.224), Cameroon (5.768), Cote d'Ivoire (2.904), Egypt (3.615), Guinea-Bissau (4.648), Mauritania (8.692), Sierra Leone (712), Togo (426), Tunisia (1.937), Saudi Arabia (704), Indonesia (1.442), Iran (3.519), Iraq (1.168), Jordan (1.207), Kazakhstan (1.765), Lebanon (1.667), Syria (4.249).

There are 1,579 Islamic organisations in the Registry of Religious Bodies. The CIE estimates there are 1,323 mosques, which suggests that measures should be established to ensure that the registered Islamic bodies perform some kind of religious activity, because upon inspection some addresses turn out to be empty premises or private homes.

2. FAITHS THAT HAVE A RECOGNISED DEEPLY ROOTED PRESENCE IN SPAIN BUT THAT HAVE NO AGREEMENT WITH THE SPANISH STATE

2.1. Church of Jesus Christ of Latter-day Saints

The Church commenced its activity in Spain in the 1960s, via American members of the Church stationed at the military bases in Zaragoza, Madrid, Seville and Cadiz who were organised into a district that formed a part of the French Mission. When the Spanish Mission was set up in 1970, there were 658 members.

Currently, the Church of Jesus Christ of Latter-day Saints estimates that it has 53,993 parishioners.

2.2. Jehovah's Witnesses

They affirm that the number of active members of the faith stands at 113,000 and that those numbers attending the annual Memorial of Jesus' Death, was 191,000 on 23 March 2016.

The Registry of Religious Bodies holds records of 709 places of worship for this faith.

2.3. FCBE

According to the Federation's data, the number of practising Buddhists in Spain is approximately 85,000. Their sociological composition is the same as the rest of the population. They are mostly of Spanish origin, except in the case of the most important teachers (not simply ministers of religion), where there is still a majority of foreigners, particularly in communities that follow the Tibetan tradition. There is a slight majority of women among practising Buddhists (around 53%).

Supporters or persons who occasionally engage in ritual practices or activities at the various places of worship are not included, and nor are immigrants from China and other countries whose number and activities are not known to the FCBE.

2.4. Orthodox Church

The various historical Patriarchates have established themselves in Spain, taking in the different ethnic backgrounds of their devotees. Thus, the Registry of Religious Bodies includes entries for the Patriarchates of the Orthodox Churches of Serbia, Moscow, Bulgaria, Romania, Georgia and Constantinople.

In January 2010, the Orthodox Episcopal Assembly of Spain and Portugal was created in order to facilitate ecclesiastical organisation to afford Orthodox Christians and their communities representation before the State and society as a whole. However, this association was not set up as a religious body recorded in the RER.

The Church did not provide data updated to 2016. According to the data from the 2014 Report, there are 1,500,000 Orthodox Christians.

2.4.1. The Greek Orthodox Church or Ecumenical Patriarchate of Constantinople affirms that it cannot calculate its number of devotees, given the multi-ethnic nature of its ecclesiastical jurisdiction. It has a presence throughout the country, with the exception of the Autonomous Regions of Asturias, Cantabria, Extremadura and Murcia.

2.4.2. Russian Orthodox Church. According to data provided by the National Statistics Institution, there 65,034 Russian citizens, 88,594 Ukrainian citizens and 17,438 Moldovan citizens living in Spain. The majority identify themselves as devotees of the Orthodox Church of the Moscow Patriarchate in their countries of origin.

On the Church's website (<http://orthodoxspain.com/es/>), information is provided on the priests and places of worship of the Russian Orthodox Church in Spain, affirming that there are a total of 24 churches and parishes.

The Church has a presence in the Autonomous Regions of Andalusia, Asturias, the Balearic Islands, the Canary Islands, Catalonia, Galicia, Madrid, Murcia, the Basque Country and Valencia.

2.4.3. Romanian Orthodox Church. It is estimated that, in Spain, the Romanian Orthodox community makes up 70-75% of the Romanian population, a percentage that is calculated taking into account that in Romania, 83% of the population are Orthodox Christians. The Romanian Orthodox Church indicates that some 75,000 worshippers regularly attend church. Around 225,000 worshippers attend the Holy Liturgy of the Resurrection at Easter.

There are a total of 124 Orthodox bodies recorded in the RER.

III. RECOGNITION AND INSTITUTIONAL REPRESENTATION OF FAITHS

1. THE CATHOLIC CHURCH

The Spanish Synod is the representative institution of the Catholic Church in Spain. It is made up of 75 bishops (including titular and auxiliary bishops) of the 70 dioceses in Spain, along with 38 bishops emeriti, who have a say but have no voting rights. The civil legal personality of the Synod is recognised in the Agreement between the State and the Holy See of 3 January 1979.

The Registry of Religious Bodies of the Catholic Church records 13,290 Catholic bodies. Moreover, it should be borne in mind that the Dioceses, Parishes and other territorial divisions of the Catholic Church, in accordance with the stipulations of the Agreement between the State and the Holy See, of 3 January 1979, are afforded civil legal personality insofar as they possess canonical legal personality and the competent bodies of the State have been notified of this status.

The Catholic Church has four representatives in the CALR.

2. FEREDE

The various evangelical churches and bodies, whilst possessing full organisational autonomy and freedom of action, frequently form a part of a different denominational groups that play an important role within the evangelical faith. By way of example, attention might be drawn to the following, amongst others: the Federation of Assemblies of God of Spain (FADE), the Spanish Evangelical Baptist Union (UEBE), the Spanish Evangelical Church (IEE), the Federation of Independent Evangelical Churches of Spain (FIEIDE), the Assemblies of Brethren or the Anglican Communion.

In terms of their relationship and cooperation with the Spanish State, the majority of the churches form a part of the Federation of Evangelical Religious Bodies of Spain (FEREDE).

FEREDE has two representatives in the CALR.

3. FCJE

The Spanish Jewish community is represented before the State by the Federation of Jewish Communities of Spain, a body that is a signatory of the Agreement of 1992, under its original name of “Federation of Israelite Communities of Spain”, which was changed to its current designation in 2004. The Sixth Final Provision of Law 15/2015, of 2 July, on Voluntary Jurisdiction stipulated that “the title of this Law has been amended and now becomes ‘Law 25/1992, of 10 November, approving the Cooperation Agreement between the State and the Federation of Jewish Communities of Spain’”.

There are Jewish communities in the cities of: Alicante, Barcelona, Benidorm, Ceuta, Madrid, Málaga, Marbella, Melilla, Oviedo, Las Palmas de Gran Canarias, Palma de Mallorca, Seville, Tenerife, Torremolinos and Valencia.

The FCJE has a representative in the CALR.

4. CIE

On 20 October 2016, the Registry of Religious Bodies recorded an amendment to the Articles of Association of the Islamic Commission of Spain and its new legal representation. The reform created a Standing Committee as the representative body, with 25 members, and a Board of Directors featuring a President and 7 members. It also establishes the power to set up Regional Delegations and Technical Committees.

The CIE is seeking the repeal of Royal Decree 1384/2011, of 14 October, implementing article 1 of the State Cooperation Agreement with the Islamic Commission of Spain approved by Law 26/1992, of 10 November, by stating that its application has led to an institutional crisis and caused instability, because people who use religious institutions as a means to other ends have been joining the CIE.

The CIE, in view of its position as one of the faiths with the largest number of devotees, has two representatives in the CALR.

5. CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

With regards to the institutional representation of the faiths, the LDS Church deems it appropriate at State level. Nevertheless, it affirms that there are shortcomings at regional and local level.

They would appreciate greater participation of public authorities in the faith’s important acts.

Under article 9.2 of the Constitution, they point out that “it is the responsibility of the public authorities to promote conditions wherein the freedom and equality of individuals and the groups they form are real and effective; to remove any barriers that prevent or hinder their fulfilment, and to facilitate the participation of all citizens in political, economic, cultural, and social life”, the LDS Church believes that more

steps should be taken to promote greater citizen participation in religious bodies as agents of civil society.

The LDS Church has a representative in the CALR.

6. JEHOVAH'S WITNESSES

In terms of organisational aspects, as their website indicates (<https://www.jw.org/es>), a group of elders or overseers attends to each congregation. Congregations are grouped into circuits and the circuits are organised into districts. Each circuit consists of approximately twenty congregations, and each district contains roughly ten circuits. The circuits and districts are the charge of travelling overseers who periodically visit the congregations.

The offices of the Jehovah's Witnesses in Brooklyn, New York, via a central council referred to as the Governing Body, provide guidance and bible study courses to congregations all over the world. All members have been Witnesses for many years.

During the processing of Royal Decree 932/2013, of 29 November, regulating the CALR, they affirmed their unwillingness to form a part of this Committee on the basis of their religious principles. Via a document issued in January 2014, they waived this right.

7. FCBE

The Buddhist faith is represented as an institution by the Federation of Buddhist Communities of Spain, which applied for and obtained recognition as a deeply rooted faith in October 2007.

The legal representation of the FCBE is, in accordance with its articles of association, vested in its President. The President, like the other members of the Governing Council, are elected from among the community representatives for two-year terms, up to a maximum of three, after which the community that held it previously cannot do so for the following term.

According to the Registry of Religious Bodies, three communities are part of the FCBE, which in turn are made up of a large number of practice centres established in diverse legal forms. However, on the FCBE website there are 18 member communities.

The FCBE amended its articles of association to allow the admission of Buddhist communities with no accredited historical derivation, providing that they show due observance of traditional practices. As a result of this change, devotees within such communities are afforded access to the rights arising from the articles of association deriving from the recognition of the status of being deeply rooted, which was obtained by the FCBE. There are currently several communities that have informed the FCBE of their intention to apply for membership of the Federation.

The FCBE has a website (www.federacionbudista.es) which has the details of all of the member communities, with a link to their websites and to people and bodies with collaboration agreements.

Within the year covered by this report, the FCBE has signed a friendship and collaboration agreement with the Catalan Coordinator for Buddhist Bodies (CCEB), as part of its statutory powers.

The RER holds records on a total of 77 Buddhist bodies.

Buddhism, through the FCBE, has a representative in the CALR and a patron in the Foundation for Pluralism and Co-existence.

8. ORTHODOX CHURCH

The Greek Orthodox Church draws attention to problems of institutional representation as a result of the failure to recognise the Orthodox Episcopal Assembly of Spain and Portugal as a religious body in the RER.

The Romanian Orthodox Church has affirmed its desire to take steps with a view to signing a Cooperation Agreement with the State.

The Orthodox Churches have one representative in the CALR, and it should be mentioned that, following consultation with the Orthodox Episcopal Assembly of Spain and Portugal, they decided that the term of office of their representative would last for two years and rotate amongst the various Orthodox dioceses in Spain.

9. PUBLIC MANAGEMENT OF RELIGIOUS MATTERS IN THE AUTONOMOUS REGIONS AND AUTONOMOUS CITIES

9.1. Catalonia

The Regional Government of Catalonia boasts the General Directorate for Religious Affairs, whose functions are:

- a) Assisting religious bodies in Catalonia.
- b) Applying government orders with the representative bodies of the various religious faiths in Catalonia and ensuring they are complied with.
- c) Acting as an ordinary representative of the Catalan Regional Government to the religious bodies.
- d) Conducting studies, writing reports and promoting awareness-raising activities on religious affairs.
- e) Establishing and maintaining relations with the heads of institutions for matters concerning religion.
- f) Participating in the management of the Registry of Religious Bodies in coordination with the General State Administration.
- g) Any similar function entrusted to it.

In addition, the Regional Government of Catalonia has Advisory Council for Religious Diversity, whose functions are:

- a) Advising and informing the head of the department of the Catalan Regional Government competent in religious affairs on the issues brought before it.

- b) Proposing actions or plans that it deems appropriate within the context of relations with the various churches, faiths and religious communities that are active in Catalonia.
- c) Advising and giving support, at the request of the head of the department of the Catalan Regional Government competent in religious affairs, on the collaborative or cooperative partnerships requiring the involvement of the Government or Parliament of Catalonia in State institutions or international organisations.

The General Directorate has published a map indicated the places of worship and organisational structure of the main faiths within the territory that can be found on the following website: http://governacio.gencat.cat/ca/pgov_ambits_d_actuacio/pgov_afers-religiosos/pgov_serveis/pgov_mapa_religions/

9.2. In the other Autonomous Regions and Autonomous Cities

There is no specific body in the Regional Government of Andalusia that deals with matters of religion or religious diversity. Diversity is a line of action that spans various areas of public policy of the Regional Government of Andalusia, covering the social, workplace and cultural integration of the immigrant population. The reference point is the Regional Ministry of Justice and the Interior, via the General Directorate for the Coordination of Immigration Policies.

In the Autonomous City of Ceuta, there are two ministries that have powers in matters concerning religion. First, there is the Regional Ministry of the Presidency and Institutional Relations, which is responsible for supporting the President of the Government in cultural and religious community relations. Secondly, the Regional Ministry for Education and Culture, which is in charge of managing collaboration agreements with the religious communities.

The following Autonomous Regions have expressly stated on their questionnaires that they have no plans to set up a specific body for the public management of religious matters for the time being: Aragón, Balearic Islands, Castile and León, and Madrid.

IV. PROBLEMS DETECTED RELATING TO

1. PLACES OF WORSHIP: ESTABLISHMENT OF PLACES OF WORSHIP, LAND RESERVES, OPENING LICENCES. DISRUPTIONS OR OTHER CONFLICTS WHEN HOLDING ACTS OF WORSHIP

1.1. Religious faiths

a) FEREDE

The evangelical churches still have the same problems as in previous years when opening places of worship.

- They point to instances where certain municipal by-laws prevent the establishment of places of worship. As an example, a municipal by-law is still in force in Torrejón de Ardoz which prevents a place of worship from being set up within 500 metres of another, so that there are only a handful of streets (three, it seems) in the whole city where new places of worship can be set up.
- Overly stringent requirements on opening places of worship are still being applied, which makes it difficult to open places officially. For example, in Madrid, municipal by-laws put places of worship on a par with public shows and recreational activities (night clubs, dance halls, etc.), meaning that they require the same levels of soundproofing, which are practically unachievable for church premises. In 2016 FEREDE, together with Evangelical Council of Madrid, requested a change to these rules by claiming that they violated the fundamental right to establish places of worship, and offered alternatives to uphold this right and ensure that the neighbourhoods remained peaceful. However, FEREDE states that the City Council denied the request.
- In the opinion of FEREDE, many city councils do not comply with the provisions of Law 27/2013, of 27 December, which provides for a prior statement of compliance or communication when opening places of worship. For example, in 2016 Valencia City Council required a “change of use licence” in all cases, since this is its criterion when opening centres of worship which – according to FEREDE – goes beyond what is necessary under the aforementioned law.

b) FCJE

No reported problems in this regard.

c) CIE

Along the same lines as FEREDE, the Islamic Commission of Spain claims that there are urban planning regulations that restrict the opportunities to open places of worship, provide inappropriate places in the outskirts of cities, or that declare moratoriums. On occasion, municipal by-laws impose limits on setting up places of worship by applying rules for annoying, unhealthy, harmful and dangerous activities, or for public shows and recreational activities, which involve capacity limits, car parking requirements or others, beyond the requirements of the law.

d) Church of Jesus Christ of Latter-day Saints

The Mormons also note that they have seen an increase in urban planning restrictions on the religious use of buildings in city centres in recent years. The common denominator in cities where they have experienced problems consists of allowing the establishment of centres of worship only on industrial estates or in the outskirts of cities, far from the residential areas. This makes it difficult for worshippers to attend to a large extent since in the majority of cases, the places where centres of worship can be set up are not accessible by public transport, have few people, are unsafe at weekends and are poorly lit. They also believe that licensing procedure for opening a place of worship should be standardised, since each city council creates its own rules.

e) Jehovah's Witnesses

Although Jehovah's Witnesses believe that, in general, the treatment by city councils is acceptable, they state that in some cases there are certain requirements that are not established by law, and in other cases there are disproportionate requirements for the type of building and its use.

The problems with finding land on which to building a Kingdom Hall are common throughout Spain: There are cities where religious use is expressly not covered and no urban regulation applicable to such use exists. In these cases, city councils apply regulations on meeting places, auditoriums, cinemas and shows, requiring, for example, a certain number of parking spaces or other requisites that make some proposals unviable.

In other municipalities, although religious use is considered compatible with other uses, they call for the construction of both. In Jaén for example, religious use of a plot of land normally intended for industrial or residential purposes is permitted. So in order to build a Kingdom Hall on one of these plots of land – a 350 square metre hall, for example – a house, warehouse or storage unit with the same surface area also needs to be built.

Furthermore, municipal plans do not cover land reserved for “religious use”. The only land classified as such is that of existing churches; the need for more land with that classification has not been considered. In these cases, the procedure for changing the use takes two years at best.

In municipalities that allow applications for an administrative transfer, the councils’ legal departments create obstacles and they take a long time to decide. For example, the legal departments of Marbella and Málaga have delayed issuing their report for more than a year. Every time a municipal application is filed, they systematically ask for proof of its “social utility” and that it is a “non-profit” organisation.

Jehovah’s Witnesses have also found that some city councils reject the transfer of municipal land for fear that it might lead to a “signal effect” to other faiths. Of course, these reasons are never given in writing but they are expressed verbally. In some municipalities where the faith group has been interested in setting up a Kingdom Hall, they were not able to make an appointment with the Mayor or the urban planning councillor.

f) FCBE

The Buddhist communities are calling for improvements to legislation on urban property rentals to make it possible to provide adequate legal protection for its places of worship located in rented properties. They have not found any situations of note in terms of licensing.

This year again, the FCBE regrets that there is no provision in any urban plan for any non-residential land reservation for the faith. This is a recurring issue for minority religions. In its opinion, municipalities need to be aware of this shortfall and to create appropriate provisions in the planning stage.

g) The Orthodox Church

The Romanian Orthodox Church mentioned that the church of Saint Nectarius the Miracle Worker, which started up in 2007 in an area of the Santa Cruz Catholic Church in Coslada, is a special case. Over two years, the number of attendees at the religious services increased and they had to move to another space on the city’s periphery. The church is currently in a dispute with Coslada City Council which asked it to clear the space where it holds its services, without anywhere else to go.

There have also been disputes with some residents in Almería over a place of worship.

1.2. Autonomous Regions

The map of places of worship of the various religions in each of the Autonomous Regions can be found on the Places of Worship Directory of the Observatory of Religious Pluralism in Spain, at: <http://www.observatorioreligion.es/directorio-lugares-de-culto/>

a) Catalonia

Catalonia points out that there is a piece of regional legislation regulating the establishment of places of worship (Law 16/2009, of 22 July, on centres of worship, and Decree 94/2010, implementing the Law on centres of worship).

It mentions the following difficulties:

- The opening of centres of worship without a licence (especially by evangelical churches), it believes, due to a lack of awareness.
- The fact that certain urban planning regulations make opening centres of worship impracticable, thus impeding the exercise of the right to religious freedom.
- It notes that Law 27/2013, of 27 December, on the streamlining and sustainability of Local Administration, allowing centres of worship to open under a communication regime, permits many communities to open their centre of worship without complying with the legal conditions, leading them to close and causing frustration for the communities.
- It highlights the existence of impoverished communities that cannot cover the cost of adapting places of worship to the minimum conditions required by law and, therefore, have problems when processing the licence for such places.
- There have been a misgivings about and moves against the opening of centres of worship by residents of neighbourhoods where they intend to set up (it occurs especially when opening Islamic prayer rooms).
- Closure of centres of worship with a licence due to a breach of laws on protection from noise pollution (especially with regard to Pentecostal Evangelical churches).

On a positive note, Barcelona City Council hands out grants every year to adapt centres of worship to comply with the law.

b) Andalusia

It points out that practically all religions have at least one purpose-built place of worship. Málaga is the province with the greatest number and diversity. However, the most common form of places of worship nowadays are adapted industrial warehouses, small premises, garages or single-family houses. They are sometimes warehouses located in industrial parks or in the outskirts of municipalities.

According to the Observatory of Religious Pluralism in Spain, Andalusia counts 225 Muslim places of worship and 593 Evangelical places of worship, among others.

The Regional Government of Andalusia notes that it has no record of problems regarding places of worship and does not keep a register of them.

c) Aragón

The Regional Government of Aragón states that new places of worship have been set up for minority religions, such as the new mosque in Sarrión, Teruel or

the new Romanian Orthodox Church in Catalayud, Zaragoza. It has not found any problems.

d) Castile and León

Land reservations for religious facilities is provided for in urban planning regulations in Castile and León. Article 38.1 of Law 5/1999, of 8 April, on Urban Planning in Castile and León (urban quality and social cohesion) states that: "urban planning shall aim to improve the town's quality of life and social cohesion, and to this end it shall specify land reserves for the following urban endowments, respecting the benchmarks and criteria laid down by statutory provisions: (...) d) Facilities: system of buildings, installations and connected spaces used to provide sanitary, social, educational, sporting, administrative, logistical or religious services, as well as accommodation, inclusion, security, leisure and other services, as considered necessary."

In implementing the law, the sole additional provision of Decree 22/2004, of 29 January, approving the Urban Planning Regulation of Castile and León, establishes that "for the purposes of urban regulations, the following terms are defined below: (...) f) Urban endowments: all systems and elements that are used for the town's services, which include public streets and roads, urban services, open public spaces, facilities and protected areas. The terms relating to this concept are defined as follows: 5. Facilities: system of buildings, installations and connected spaces used to provide basic services to the community of a sanitary, social, educational, sporting, administrative, logistical or religious nature, as well as leisure, transport and logistics, security, cemetery, accommodation and inclusion services..."

In these terms, religious facilities are subject to the same system, in terms of obtaining municipal licences, as the other facilities described in the provisions cited.

e) Ceuta

In only 19 square metres, the streets of Ceuta reflect a plural and welcoming society, defining it as a uniquely intercultural, open and tolerant city. This makes Ceuta a human, economic and religious space shared between people of different ethnic and religious origins, including, most notably, those of Christian and Muslim origin, who live side-by-side with Jews, Hindus and other groups.

Each of these religions have spaces and buildings in the city where they can practice their religion with absolute normality and respect, whether publicly or privately owned institutions, and in perfect harmony with the rest of the population.

The places of worship that have an opening licence in Ceuta are as follows:

- 15 Catholic
- 27 Muslim
- 2 Hindu
- 1 Jewish

- 4 Evangelical
- 1 for Jehovah's Witnesses

There are also spaces for small, private prayer rooms that are pending regulation because of their nature.

The Autonomous City's yearly budget contains specific allocations for the conservation, restoration and construction of churches. The sum of these budget allocations is not fixed; rather, the amount is set on an annual basis depending on the needs identified by the above-mentioned groups.

f) Madrid

It states that it has not found any major problems with establishing and opening places of worship, although powers over urban planning and the management of the administrative authorisations necessary for this purpose are held by the city councils. To this end, it notes that it would be desirable to apply legislation to harmonise Local Administration, which could establish a common nationwide procedure for opening places of worship.

**2. PROBLEMS WHEN EXERCISING RELIGIOUS FREEDOM IN PUBLIC SPACES:
AUTHORISATION TO HOLD PROCESSIONS OR RELIGIOUS ACTIVITIES IN PUBLIC
SPACES. PROVIDING PUBLIC SPACES (LOCAL, MUNICIPAL OR OTHER) TO HOLD
ACTIVITIES PROMOTED BY RELIGIOUS COMMUNITIES**

2.1. Religious faiths

a) The FCJE, CIE and FCBE

State that they have not found any problems in this regard.

b) FEREDE

FEREDE has stated that it has found an increase in the problems faced by its churches in publicly manifesting their faith, as well as in using public streets and other public areas to carry out their activities.

- FEREDE has received cases of fines and penalties imposed on people for conducting religious activities in public, or for distributing leaflets with religious content. City councils increasingly wish to control these manifestations, normally by restricting them through their municipal by-laws.
- Declarations of principles and rules, based on the preconception that religious communities should be sidelined and cannot participate in public life, are proliferating. As an example, FEREDE points to the case of Huelva City Council, which in 2016 approved the Regulation on the Temporary Use of Municipal Buildings, Premises and Installations in Huelva, excluding religious bodies from using public municipal spaces. Article 3.3 expressly states that natural or

legal persons “that have a religious or political profile, or that are linked to political parties, and apply for spaces to conduct liturgical acts, proselytising activities or activities that disseminate a creed or political ideology” cannot use such spaces. FEREDE, together with the Evangelical Council of Andalusia, submitted a statement in the public hearing procedure to express its concern and to ask for the exclusion to be withdrawn, given that allowing all associations except religious ones from using municipal installations is, in its opinion, discrimination on religious grounds. With measures such as this, citizens are prevented from being able to participate in the public life of their city and to access public spaces that are partly funded by their taxes. The statement presented, which was also sent to the Chairman of the Spanish Federation of Municipalities and Provinces, has not yet received a response.

c) Church of Jesus Christ of Latter-day Saints

It states that its missionaries face problems and prohibitions on freely disseminating ideas and opinions when they make banners. Although it does not take up even a single metre of public space, city councils often prohibit this form of dissemination.

The same has happened when they tried to set up stalls at various book fairs. In this religion’s opinion, such a prohibition restricts freedom of expression as well as religious freedom.

d) Jehovah’s Witnesses

Jehovah’s Witnesses believe that the number of city councils that place obstacles on preaching in public spaces has decreased. However, there are municipalities where a licence to occupy public space is required for this activity, otherwise fines of up to 600 euros are imposed in some cases.

There are some occasional problems with granting licences for public spaces if the religious body is not registered with the Municipal Registry of Associations. It should be noted that religious faiths are not associations and so, because they cannot supply the information requested as an association, they are refused registration and thus not granted a licence to use a public space.

2.2. Autonomous Regions

a) Catalonia

It has found the following problems:

- There are municipalities that do not allow use of public space (or the use of public facilities) by bodies that are not registered in their Municipal Registry of Associations.

- The case of certain municipalities where religious bodies have been fined for distributing leaflets on their activities for having contravened by-laws on advertising; or they have been asked to pay fees; or they have been asked to have insurance for distributing publications in public areas.
- With regard to the use of public facilities, it mentions the unavailability of facilities that can cope with varying demands at certain times of year. For example, many municipalities that had granted the use of sports centres to celebrate Ramadan, when those celebrations were held between July and September, cannot now do so because there are sporting events scheduled. This poses a problem for many communities that cannot find places where they can organise a celebration of this holy month. The fact that the premises are needed for several hours every day for a whole month limits supply.
- Many municipalities require a centre of worship licence for premises used to celebrate Ramadan, since they believe that daily use for a whole month cannot be written off as a "one-time" use.

b) Ceuta

It claims that no problems arise when exercising religious freedom in public spaces. The four main religious faiths use public spaces as required by their celebrations, with the necessary permits from the competent authorities. In all cases, the Autonomous City acts in close cooperation, granting the spaces and contributing the human and material resources necessary to properly conduct such celebrations. Depending on their volume and/or importance, the celebration of any religious act in public has economic and institutional support and the logistical and material contributions, including municipal staff, necessary to run smoothly.

c) Madrid

It affirms that it has not found any major problems in exercising religious freedom in public. The actions of city halls have been significant in ensuring respect for the diversity of beliefs in public and in not prohibiting certain external religious manifestations that are an essential part of the right to religious freedom. The purpose of this is not to discriminate against certain religious bodies with respect to other non-religious bodies that may use public spaces for similar activities.

3. MINISTERS OF RELIGION, HEADS AND REPRESENTATIVES. ENTRY AND FREE MOVEMENT. CASES OF DISCRIMINATION. OTHER PROBLEMS

3.1. Religious faiths

a) FEREDE

FEREDE reiterates the difficulties expressed in previous years. In 2016, discrimination against Evangelical pastors who could not pay taxes before 1999 has persisted, which, in its opinion, shows that Royal Decree 839/2015, of 21 September, did not

resolve the issue. In this regard, see the Judgments of the High Court of Justice of Catalonia 4177/2016, of 16 June, and of the High Court of Justice of Madrid 753/2016, of 21 September.

Furthermore, there are an increasing number of cases where family members (spouse and children below legal age) of foreign evangelical clerical and religious ministers invited by evangelical churches in Spain are required to prove that they have disproportionate sums of money to support themselves financially. The requisite applied is making it difficult for some evangelical missionaries to come to Spain. FEREDE has submitted a proposal to apply more reasonable criteria to enable them to enter the country and perform their religious business, while ensuring they are supported financially and do not place a burden on the Spanish State.

b) FCJE

Although the FCJE has no record of any major problematic situations, they are asked to have accreditation as ministers of religion to provide religious assistance in prisons and hospitals. The FCJE believes that, in places where there is no minister of religion, there should be an opportunity to appoint a representative of the local Jewish community endorsed by the FCJE who could provide religious assistance.

c) Church of Jesus Christ of Latter-day Saints

Mormons have found problems with residency permits for missionaries who come to Spain from outside the European Union – primarily Latin America – on the part of Spanish consulate staff. These problems arise from the fact that the requirements for this type of visa are written with professed religious figures in mind, who must be registered, by law, with the Registry run by the Ministry of Justice. Given that Mormon missionaries come to Spain with a Non-work Residency visa, and that there is no specific visa for their activity, consulates often make it difficult to obtain such visas. The problem can take months to resolve; there have been delays of up to 14 months in some cases. These are recurring problems.

The solution that the faith group proposes is to send consulates a document informing them of the status of Mormon missionaries. A copy of this document could be submitted with the visa application at the appropriate consulate.

Mormons have also found difficulties in Castile and León when renewing residence permits. While in other Autonomous Regions permits are renewed with no complications, this Region believes that it is a requirement for Mormon missionaries to have a personal bank account in order to cover their financial needs. As part of the paperwork for the renewal, the Church submits a sponsorship letter explaining that it will cover any expense incurred by the missionary, as well as a bank certificate that guarantees that the Church has sufficient funds to do so.

Given that the start and end dates of the mission are known beforehand, it would be best to create a residency permit specifically for Mormon missionaries for the duration of their service, which would avoid costly renewal paperwork for both the

Church and the State. This type of residency permit already exists in other European Union countries (for example, the United Kingdom, France and Germany).

d) **Buddhists**

Foreign teachers frequently visit Spain in order to impart certain teachings. There are cases of obstacles and immigration problems for such teachers every year, particularly for those of Tibetan origin. The length and complexity of the administrative procedures (especially in the event of refusal) means that, in practice, teachings are impeded on many occasions.

e) **The CIE and Jehovah's Witnesses**

Have found no problems in this regard.

3.2. **Autonomous Regions**

There are no problems in this regard.

4. **CEMETERIES AND BURIALS**

4.1. **Religious faiths**

a) **FCJE**

There are applications for plots in municipal cemeteries in Valencia and Alicante where the execution of the projects remains pending.

b) **CIE**

The Islamic Commission of Spain draws attention to the need for the provision of a burial site on each of the Balearic and Canary Islands. It also deems it necessary for there to be at least one burial site in each Autonomous Region where the requirement for the deceased to be born, to have resided or to have died in the municipality, province or regional territory is waived.

The various regional regulations of the Mortuary Sanitary Police are in need of review in order to take religious diversity into account, including burial without a coffin. The CIE states that it is currently permitted in Ceuta, Melilla, the Valencian Community and Andalusia, where the Mortuary Police Regulation expressly states that: "In cases where, for reasons of religious faith, it is thus requested and authorised by the City Council, the use of a coffin for burial may be waived, except during transport, provided that the cadavers are included in group 2 of article 4 of this Regulation".

c) FCBE

There are no Buddhist cemeteries, and they refer back to the heading on urban endowments.

Traditional funeral rites, especially in Tibetan schools, are still possible through the agreement with the company PARCESA, which was reached thanks to the efforts and work of the General Directorate and Subdirectorate for Faith Relations, as stated in previous years.

It reported the problem arising in the Autonomous Region of Madrid due to the requirement to use formaldehyde to preserve the bodies over the several days that the rituals can last, which, in fact, prevented them. The problem could be in the process of being solved, since the courts have declared that other non-invasive measures can be used, which fulfil the same purpose of preservation, as occurs in other Autonomous Regions.

d) FEREDÉ, the Church of Jesus Christ of Latter-day Saints and Jehovah's Witnesses

Have not found any problems in this regard.

4.2. Autonomous Regions

a) Catalonia

It claims that there are few plots reserved for religious burials of certain faiths within the territory. Many municipalities do not have plots, although there is some demand for them.

b) Aragón

The municipal cemetery of the City of Zaragoza covers 3,100 m², where Moroccan Muslim combatants who died in Zaragoza during the Civil War were buried. It has areas for ground burials of adults and infants. In 2012, the cemetery was given a building with facilities where the cadavers could be washed and Islamic rites could be practised. On 8 May 2013, the Collaboration Agreement between the City Council and the Islamic Community of Zaragoza was signed for the use of the plot and the aforementioned building, solely for funeral practices.

c) Castile and León

In addition to the general provisions of urban planning regulations (applicable in that it is a type of land use), cemeteries are specifically regulated by Decree 16/2005, of 10 February, regulating the Mortuary Sanitary Police in the Autonomous Region of Castile and León. Consideration has begun of an amendment to article 18.3 of Decree 16/2005, of 10 February, regulating the Mortuary Sanitary Police

in the Autonomous Region of Castile and León, which establishes that “all interments shall use coffins”, so that burial without a coffin is allowed in certain circumstances and in compliance with the requirements established by Public Health provisions, in order to permit the ritual funeral practices of the Islamic Community.

d) Ceuta

There are 3 cemeteries (Christian, Muslim and Jewish, plus a Hindu crematorium). All are owned by the city, which also covers their costs.

e) Madrid

It states that there is an increasing number of places where burials can take place in accordance with the specific rules of the various faiths, thereby guaranteeing the right to religious freedom while respecting municipal and/or regional regulations in such matters.

5. RELIGIOUS FREEDOM IN THE WORKPLACE: CASES OF DIRECT DISCRIMINATION IN RECRUITMENT. CASES OF INDIRECT DISCRIMINATION: HOLIDAYS, FOOD, CLOTHING OR OTHER

5.1. Religious faiths

a) The Catholic Church

It states that difficulties persist with regard to the Social Security of ministers or adherents to this faith who, whether Spanish or not, are in Spain temporarily and for whom providing health coverage is complicated.

It upholds the recommendation of adapting regulations in immigration and Social Security matters, in order to allow those people who are not ordained priests or members of the clergy, and who come solely for religious study or a religious experience at a convent or monastery, to stay in Spain. The intention, therefore, is that they should be exempt from work permits under current immigration legislation.

Difficulties have also been found when workers express their faith in the workplace through religious symbols. In this regard, it points to the case of municipal proposals aimed at preventing public officials from attending work with religious symbols or from requesting exemption from the civil calendar for religious festivals. They also bring to light certain actions characterised by diverse legislative initiatives that, at local level, prevent any public authority from attending festivals and religious acts of celebration. There are also proposals along these lines called “initiatives for institutional secularism and religious freedom”. This decision fits in with the “network of municipalities for a secular State” (<https://laicismo.org/2014/propuesta-de-ordenanza-o-reglamento-de-laicidad-municipal/74793>).

Thus, at regional level, it is worth noting that some provisions of the Autonomous Regions have prevented health science students at Catholic universities from doing work experience at public health centres.

b) FEREDE

The problem of evangelical pastors who, having reached retirement age, cannot access Social Security benefits has already been mentioned in the “Ministers of religion” section. This includes retirement, widow’s and orphan’s pensions.

The holding of examinations and competitive selection processes for entry into public employment on Saturdays has been a problem for the Adventist Church.

c) FCJE

The Federation of Jewish Communities of Spain reports that it is aware of a number of cases where employees are forced to request holidays in order to celebrate the Jewish festivities envisaged in article 12 of the Agreement with the State. Although these festivals are included in the Cooperation Agreement, they have not been implemented in that they are not recognised in the working calendar, and are not taken into account when allocating holidays and/or days off.

The holding of examinations and competitive selection processes for entry into public employment on holy days and Saturdays has also occasioned problems for the Orthodox Jewish community. In a number of cases, devotees have been forced to waive their right to sit the exams.

In terms of food and dress, no such cases have been reported.

d) CIE

The Islamic Commission of Spain reports no particular problems in relation to festivals (Eid al-Fitr and Eid al-Adha), halal food or fasting during Ramadan. They have found some discrimination, as they have for several years, towards women wearing the hijab to job interviews or while on work experience. The reality is that women wearing the hijab are not normally found dealing with the general public. The Islamic Commission suggests promoting periodic campaigns to encourage the acceptance and normalisation of the outward expression of religious affiliation on the part of employees may prove apposite.

In 2016, it is worth pointing out the controversy over the use of the hijab, which has had certain repercussions in the media. There was the case of an employee at Acciona Airport Services in Palma, Balearic Islands, who decided to wear the hijab to work at the airport, and was sanctioned for failing to wear the uniform required by company regulations. In any case, neither internal regulations nor the collective work agreement specified it as a punishable act. After a series of tensions in the workplace, with disciplinary actions, the worker insisted on wearing the item of clothing, resulting in her dismissal. It has been proven that other workers also wore other

religious symbols in their place of work, and had not faced disciplinary measures. The case was resolved by the social jurisdiction, in the first instance by Social Court No. 1 in Palma de Mallorca via Judgment No. 2/2017 of 6 February 2017.

This court judgment distinguishes between different cases that, within the labour jurisdiction, could alter the working relationship with penalties on the worker, such as absences from the workplace, changing working days for religious reasons or the use of the hijab which, when there is no religious neutrality policy at the company, cannot be limited or subject to company restrictions.

In terms of festivals, we can cite the controversy that has arisen in the Autonomous City of Ceuta, since the local government did not specify the day after the last day of the Muslim holy month of Ramadan as a holiday.

e) Other faiths

The Federation of Buddhist Communities of Spain, Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints and the Orthodox Churches have not found any problematic situations in this regard.

Finally, it can be said that practically all of the religious bodies agree on educational activities, in that work needs to be done in the medium and long term through educational activities to give religious minorities greater visibility to enhance their social integration.

5.2. Autonomous Regions

a) Catalonia

Catalonia mentions the difficulties faced by Muslim nursing students who wear the veil, as they are not accepted at any hospital to carry out work experience.

It mentions the lack of awareness of some companies of the fact that agreements have been established with the religious faith groups with regard to festivals and the working calendar.

b) Andalusia

It is not aware of any cases of direct or indirect discrimination on religious grounds or their manifestations in the workplace. It has had information about some incidents relating to workplace clothing. It affirms that it is a matter on which it will consult with employers and unions.

The General Directorate for the Coordination of Immigration Policies subsidises the projects of non-profit organisations that concern the social and workplace integration of persons of immigrant origin residing in Andalusia, in terms of guidance, training and awareness-raising of business leaders.

c) Aragón

It has not highlighted any problems in this regard.

d) Balearic Islands

It states that no reports of discrimination in terms of religious freedom in the workplace have been received by the Regional Ministry of Labour, Commerce and Industry.

e) Castile and León

In the specific case of Castile and León, the Labour Administration (the Regional Ministry for Employment – General Directorate for Labour) is responsible for overseeing such matters. This is done in close coordination with the Labour and Social Security Inspectorate, and has various manifestations:

As part of the territorial programme comprising objectives of the labour and social security inspectorate system in Castile and León for this year, section 2.2, on working conditions, provides for the development of a specific programme (2.2.3) on “Discrimination on grounds other than gender”, for which a total of 28 activities have been planned in the Region. This programme will monitor “any type of discrimination on grounds other than immigrant status and gender, for example: ideology, sexual orientation, union member status or being a workers’ representative”, and it is especially aimed at the department store and catering and hospitality sectors. Since it is not an exhaustive list, potential breaches of religious freedom in the workplace may fall within its scope. The Action Plan of the Territorial Labour Offices for this year stipulates that these Offices should “coordinate the monitoring of the results of the actions taken by the Labour and Social Security Inspectorate in the Campaigns of the Territorial Programmes for Action Objectives in labour relations matters”.

6. RELIGIOUS FREEDOM IN THE CONTEXT OF EDUCATION

6.1. Religious faiths

a) The Catholic Church

During 2016, the data submitted by the Church are as follows:

- 25,660 teachers of the Catholic religion.
- 3,561,970 pupils enrolled in Catholic religion classes.

In essence, the same difficulties as in previous years persist:

- lack of information for parents and pupils from the educational authorities in a number of schools regarding the opportunity to study Catholic religion.

- In the opinion of the Catholic Church, the LOMCE (Organic Law for the improvement of the quality of education) fails to respect the fundamental nature of the subject of the Catholic religion according to the terms of the Agreement on Teaching and Cultural Matters signed between the Spanish State and the Holy See on 3 January 1979.
- Some regional Administrations are placing obstacles for the teaching of Catholic religion in state schools, in violation of the agreements signed. For example, Aragón, Asturias, Cantabria and Extremadura have attempted to reduce the number of hours spent on Catholic religion. This issue is being appealed before the courts of justice.

In terms of teaching staff, it has found:

- Difficulties in integrating Catholic religion teachers in staff meetings, especially in state schools.
- Difficulties for the local Ordinary to withdraw the *missio canonica* from Catholic religion teachers on religious or moral grounds, which is considered discriminatory and against the international case law of the European Court of Human Rights.

In 2016, it became concerned as the Regional Ministry for Education of the Valencian Community excluded students at Catholic universities and diocesan schools from the opportunity to apply for various study grants, against the opinion held until then by the Regional Administration itself.

b) FEREDE

FEREDE reiterates that in 2016, there were still problems that meant a significant proportion of students of the evangelical faith were not able to exercise their right to receive religious teaching in state schools.

The difficulties include the lack of information regarding ERE on school enrolment forms and the scant involvement of school staff. FEREDE highlights an example where the enrolment form for many schools does not even contain a box for the evangelical religion option, meaning that parents often lack information and the option to request it. This is what happens in Castile and León, for example.

When, despite the difficulties, parents manage to apply for ERE, those applications often go unanswered by the regional education ministries. By way of example, it points to the case of the Regional Ministry of Education of La Rioja, to which the Evangelical Council has submitted 180 applications which have received no response at all. The Regional Ministry denies requests to start with ERE at meetings in the Autonomous Region. Another example is that of the Valencian Community. ERE has been requested in 4 schools through the Regional Ministry for Education, with a total of 50 applications. Despite having held meetings and submitted the required documentation, there has been no reply to ERE for students who applied. The same happens in the Autonomous Region of Madrid, where the difficulties in the management of ERE are increasing. Applications at 10 schools have gone unanswered and have not even been registered in the Region's computer system.

There are also obstacles in Andalusia and the territory managed by the Ministry of Education. There are centres that are not aware of how to transmit the applications. Some require copies of the applications submitted at the schools to be sent (a task performed by volunteers who spend many working hours on them) for verification by the High Inspectorate. However, no responses are received, or when they are, they arrive late. In some cases, the reasons for rejection are not given. The case of the province of Granada is particularly serious. ERE has been requested at two schools for many years (with 30 and 50 applications respectively), and parents have not received a response to their application in three years.

In the opinion of FEREDE, compounding these difficulties are those arising from the application of ratios and grouping – especially in schools with many courses – provided for in the 1996 Agreement on the appointment and economic regime of persons in charge of evangelical religious teaching in state primary and secondary schools (Decision of 23 April 1996). FEREDE believes that the Agreement is outdated and does not address current issues. For this reason, it has formally asked the Ministry of Education to amend it.

ERE is currently imparted to some 16,000 pupils by 240 teachers at more than 800 schools.

c) CIE

The Decision of 14 March 2016, of the General Directorate for Evaluation and Territorial Cooperation, publishing the teaching curriculum for Islamic Religion in early education, and the Decision of 14 March 2016, of the General Directorate for Evaluation and Territorial Cooperation, publishing the curriculums for Islamic Religion in compulsory secondary education and upper secondary education, have been published.

The majority of the Regional Ministries for Education have not reported or gathered information on the demand for Islamic religion classes. It should be pointed out that the education administrations of Andalusia, Aragón, Castile-La Mancha, Catalonia, Extremadura, Madrid, Murcia, Valencia and Ceuta and Melilla have not informed the CIE of the applications for ERI per school, thereby breaching the Agreement. It has found that there is also a lack of information for parents and pupils on the opportunity for ERI by the education authorities of a large number of schools. Schools are unaware of legislation on this right and some Education Administrations do not cooperate in dealing with applications for the appointment of teaching in schools that meet the requirements, even though CIE has enough trained teachers.

The CIE affirms that it has encountered no noteworthy problems in relation to festivals (Eid al-Fitr and Eid al-Adha) or fasting during Ramadan, although it has found cases of inflexibility in school menus. There are still schools that discriminate against pupils wearing the hijab. The CIE proposes that the centres whose internal regulations prohibit head coverages should include religious and health-related exceptions or review them, in line with the Recommendations of the Department of Education of the Basque Government of 6 September 2016, which state: “The schooling of female pupils who wear scarves on their head should not be impeded,

and Basque schools whose education plans or organisation and operation regulations do not allow it should be reviewed, from the standpoint of inclusive education and respect for diversity...”

In terms of Islamic religious teaching, teachers of this subject are only found in Andalusia, Aragon, the Canary Islands, Castile and León, Madrid, the Basque Country, Ceuta and Melilla. In the other Autonomous Regions, no teachers have been hired, in spite of the existence in all of these territories of qualified individuals who meet the requirements to be appointed as teachers.

The al-Andalus Observatory provides the following data on ERI in the Demographic Study of the Muslim Population of 31/12/2016 (<http://observatorio.hispanomuslim.es/estademograf.pdf>):

Autonomous Regions and Cities	Teachers of religion
Andalusia	22
Aragón	3
Principality of Asturias	0
Balearic Islands	0
Canary Islands	1
Cantabria	0
Castile-La Mancha	0
Castile and León	1
Catalonia	0
Ceuta	14
Extremadura	0
Galicia	0
La Rioja	0
Autonomous Region of Madrid	1
Melilla	10
Region of Murcia	0
Autonomous Region of Navarre	0
Basque Country	3
Valencian Community	0
NATIONAL TOTAL	55

d) FCJE

There is no Jewish religious teaching in the public sphere.

With regard to festivals, as in the work sphere, educational institutions are unaware of the Jewish festivities envisaged in the Agreement between the FCJE and the State, whereby both the FCJE and communities receive a number of requests over the course of the year to certify the absence of Jewish pupils before public educational institutions as a result of these festivities.

Difficulties arise with competitive examinations for entry into public service and other examinations in public institutions on holidays marked by the Jewish calendar. Although Jewish holidays are included in the Agreement with the State, they do not have recognition in the school calendar, and are not taken into account when determining dates for university entrance or public service examinations.

Therefore, for each examination that takes place on a Saturday or on Jewish holidays and that members of those communities wish to take, the FCJE, working with the corresponding Administration, must seek a solution to ensure that these pupils and candidates can participate under the same conditions and guarantees as their peers, without violating their own religious beliefs.

On several occasions, solutions to these needs have been found. However, they rely on the understanding, compassion and personal sensitivity of administration officials.

e) Jehovah's Witnesses

There is no record in 2016 of any consultation with Jehovah's Witness pupils having had problems with not being able to participate in activities or having to perform work that went against their religious beliefs.

f) FCBE

Buddhist teaching is not currently imparted in schools. However, there is a growing number of Buddhists who believe that there needs to be teaching in the future. To this end, the Federation is seeking to work with the Administration to achieve this objective, which is still in its very early stages at the time of writing.

As in all other areas, Buddhist religious festivals enjoy no official recognition whatsoever.

6.2. Autonomous Regions

a) Catalonia

The Regional Government's General Directorate for Religious Affairs states that no responses are being given to applications for a subject on Islamic religion in the classroom.

Several schools have received petitions to offer menus with duly accredited halal meat.

It also highlights the lack of awareness of many schools concerning freedom of religion legislation when it comes to responding to certain requests (such as the special menu for Adventists).

The General Directorate for Religious Affairs of the Regional Government of Catalonia published a guide in 2015 for the respect of religious diversity in schools. Throughout 2016, several sessions were held to present the guide to cultural mediators, teachers and inspectors at primary and secondary schools.

b) Andalusia

Educational regulations are respected and the last piece of legislation was published on 25 May 2017: Instructions on the procedure to follow to collect information on the teaching of religion when enrolling pupils in schools that teach second cycle of early education, primary education, compulsory secondary education or upper secondary education for the 2017/18 school year.

The Andalusian Network of “Area of Peace” Schools, which brings together 2,287 schools, and the Andalusian Network of Learning Community Centres with more than 70 centres guarantee and promote diversity as a valuable asset.

The Regional Government of Andalusia notes that it signed a Framework Collaboration Agreement with the Regional Evangelical Council of Andalusia (CEAA) on 3 July 2006. The aim of this Agreement was to establish the objective conditions by which parents could exercise the right for their children to receive evangelical religious teaching at non-university, publicly funded education centres. Subsequently, on 23 November 2011, a new collaboration agreement was signed by the Regional Ministry for Education of the Regional Government of Andalusia and the Regional Evangelical Council of Andalusia, on Evangelical religious teaching in Andalusia. As a result, as of the 2012/13 academic year, the Andalusian Regional Ministry of Education hired evangelical religion teaching staff to give classes at all stages of secondary education in state schools, under the terms set out in the Agreement and in accordance with education planning criteria.

c) Balearic Islands

The information provided by the Regional Ministry for Education and Universities for the 2016-17 academic year is as follows:

- Students enrolled in Catholic religion at approved private and state schools (no data on the private centres are available, since they do not use the education management application of the Balearic Islands):
 - Early education: 7,227
 - Primary education: 40,338
 - Secondary education: 19,996
 - Upper secondary education: 1,776

There are no students enrolled in Islamic, Jewish or Evangelical religion.

- Teachers of religion (this information refers exclusively to state schools; in approved private schools, many teachers of Catholic religion combine teaching of this topic with other duties):
 - Primary education: 140 (of these, 8 do not have the minimum qualifications. The decision of the Regional Minister for education to allocate teachers of religion for the 2017-2018 academic year set a deadline to obtain such qualifications – Official Gazette of the Balearic Islands (BOIB) of 13 May 2017).
 - Secondary education: 42 (of these, 12 do not have the minimum qualifications. The decision of the Regional Minister for education to allocate teachers of religion for the 2017-2018 academic year set a deadline to obtain such qualifications – Official Gazette of the Balearic Islands (BOIB) of 13 May 2017).
- School meals: in certain state schools with a significant presence of Muslim pupils, there are adapted menus for them.

d) Cantabria

In the Autonomous Region of Cantabria only Catholic religious teaching is given. No problems have been found in this respect.

The number of teachers, which refers only to competence in religious teaching in secondary education, is 46 in the 2016-17 academic year. The total number of teachers of religion in state schools is 139. The Regional Ministry of Education indicates that the number of students varies every year.

e) Castile and León

With regards to the teaching of religion in Castile and León within the framework of Organic Law 2/2006 of 3 May, on Education (LOE), amended by Organic Law 8/2013 of 9 December, to Improve the Quality of Education (LOMCE), it is worth noting that the teaching of Catholic religion in schools in the Autonomous Region comply with current legislation at all levels and at all stages of schooling. Thus, the regional regulations establishing the curriculum and regulating the introduction, evaluation and development of primary education, compulsory secondary education and upper secondary education, respectively, have been complied with.

The teaching of other religions is also in line with the provisions of the Cooperation Agreements made by the Spanish State.

As regards teaching staff, current legislation on religious teaching that governs each of the various faiths with an agreement with the Ministry of Education in this area and that have a presence in the Autonomous Region (Catholic, Evangelical and Islamic) has been strictly adhered to.

Teachers are put forward by the various faiths on behalf of the education authority. They are only checked to ensure that they have the appropriate civil qualification, and it is the religious authority that determines the religious training requirements.

The teachers currently number 714.

f) Ceuta

The Autonomous City of Ceuta does not have any powers within the education sector. Ceuta and Melilla are the only territories that are governed directly by the Ministry of Education, Culture and Sport. This notwithstanding, the City does have Muslim religion teachers in primary education, at the request of parents' associations. Work is also being done (together with the Ministry of Education, Culture and Sport and the competent religious institutions) to gradually introduce it into secondary schools.

g) Madrid

The Autonomous Region of Madrid claims that it scrupulously complies with current regulations on the freedom of religion in schools. The Education Inspection Services inspect various aspects of the functioning of schools on a yearly basis, including the timetable for the subject of religion and social and civic values in the case of primary education, or ethical values in the case of secondary education.

Among the actions taken in this area, these Services provide advice, guidance and information to the various sectors of the education community in exercising their rights, which includes the religious sphere.

- The trained teaching staff is sufficient to cover the needs of schools and complies with the qualification requirements under general legislation, both in state and private schools.
- The School Calendar published every year includes class time and holidays. The holidays include national, regional and local holidays as established by law for each year for the respective State, regional and local administrations, some of which coincide with festivals on the Catholic religious calendar.
- With regard to school meals in state institutions, legislation states that, in general, the daily menu shall be the same for all children. However, such legislation also provides that the schools themselves have some autonomy in establishing and authorising alternative menus through the School Council. Normally, it is common practice in state schools to avoid putting food that is unacceptable for pupils from Muslim families on the daily menu or, failing this, to offer them alternative dishes and menus.

7. RELIGIOUS FREEDOM IN THE CONTEXT OF HEALTHCARE

7.1. Religious faiths

a) The Catholic Church

The Catholic Church repeats its concern over the recognition of the right to conscientious objection in healthcare, as in previous years.

It has a negative view of the composition of Ethics Committees in hospitals, which do not have a fixed number of representatives from the Catholic Church and,

in some cases, they have even been excluded. This has happened in the Valencian Community, which excludes religious representatives since they are not considered natural members, as had been the case before.

It notes the following with regard to religious assistance in hospitals:

- Significant salary differences are noted amongst the various Autonomous Regions, as those responsible for providing Catholic pastoral care in hospitals do not receive the same or similar remuneration.
- There are still problems with setting up Catholic chapels in public hospitals, disregarding the need for collaboration that the public authorities should offer when it comes to providing religious assistance to those who request it, as part of their fundamental right to religious freedom.
- Similarly, it has come to light that, on numerous occasions, patients are not informed of the existence of a Catholic Pastoral Care Service in the hospital.

b) CIE

The Islamic Commission of Spain has found no problems in this regard, although it reiterates the lack of specific agreements in healthcare to guarantee religious assistance.

c) FCJE

The Federation of Jewish Communities of Spain has not received reports of any incidents, and states that religious assistance is channelled through contact with the hospital authorities as needs arise. In any case, it has suggested improving the system by better identifying religious staff who assist patients and, where there is no religious minister, allowing a representative of the local Jewish community appointed and approved by the FCJE to provide religious assistance.

It proposes a regulation covering the food provided in health centres.

d) FCBE

The Federation of Buddhist Communities of Spain has requested religious assistance in hospitals in isolated cases. In this regard, following a request by a patient, the hospital did not allow the minister of religion entry since he did not have accreditation to that effect. This situation is evidence of a potential problem which should be resolved in a similar way to other faiths. The FCBE is currently preparing a network for religious assistance, which is intended to suitably train those who fulfil such a role, in a psychological and technical, as well as religious context. A group of professionals is already being set up to properly carry out this work. All of this, once achieved, will appear on the website of the FCBE, with specific geographical references.

The FCBE insists on the need, as it did in previous reports, to respect religious specificities. In the case of Buddhism, it is not acceptable to unnaturally prolong a

life that will only be vegetative, since this constitutes, according to its traditions, mental torture for the person, which negatively affects their spiritual development at such a delicate time. It is not about defending positions that may be confused with a type of euthanasia, but nor is it about going to the opposite extreme. Furthermore, transplants that have not been expressly authorised beforehand by the donor in a public document should also be avoided. The Federation gives advice on last wills and testaments. It is important to bear in mind that the clinical determination of death does not match the religious one for a Buddhist; a minister of religion needs to declare that the person has passed away.

e) Church of Jesus Christ of Latter-day Saints

The Church of Jesus Christ of Latter-day Saints calls for a legal regulation that establishes authorisation to guarantee free access by ministers in order to ensure free entry to lend religious assistance in hospitals. In this case, religious assistance is arranged through unpaid volunteers as a type of “lay clergy”.

f) Jehovah’s Witnesses

For Jehovah’s Witnesses it is not easy to determine the number of adherents to their faith who have been treated in various kinds of health centre. Nevertheless, approximately 25,000 Jehovah’s Witnesses reside in areas covered by the health centres that will be mentioned below, where care in accordance with their convictions cannot be assured. On occasion, they are rejected when they request a surgical operation, or they receive an invitation to sidestep the clinical problem by changing hospital, travelling to another city or province, a private hospital (in fact, many Jehovah’s Witnesses have private healthcare to avoid finding themselves facing a problem of this type if surgery was required), etc. The Information Services for Hospitals of the National Headquarters of Jehovah’s Witnesses only becomes aware of the case when the patient has not found a solution.

The Church affirms that the problems are similar to those specified the year before and that, basically, there are three factors that concern and penalise patients who are Jehovah’s Witnesses as users of the public health system.

- First, there are public hospitals, some of which are first level (as indicated in the table included later), which systematically refuse to treat patients who are Jehovah’s Witnesses. Most of the time, this rejection occurs in the “pre-anaesthetic” medical appointment, when patients wish to refuse transfusion on the written informed consent document. Hospital anaesthetists then respond that they do not operate on Jehovah’s Witnesses, a declaration that, among other things, the Church sees as a violation of the Constitution. Other health centres insist on the obligation of signing the informed consent document without adding anything, even though it normally entails the possibility of transfusing blood even where the operation in question does not require it. The religious group believes such a use of the informed consent document to be abusive and that it may become an instrument of discrimination.

A doctor’s decision to refuse to treat patients who reject blood transfusions certainly is to be respected. However, in the opinion of Jehovah’s Witnesses, it defies

belief that among the scores of anaesthetists and surgeons in a hospital, there is not a single doctor whose conscience and knowledge enable him or her to treat a certain pathologies without transfusions, while in other hospitals surgery of this nature is a matter of routine. Furthermore, they believe that collective (of an entire service) or institutional (of an entire hospital) conscientious objection is not possible under the code of ethics of the Organisation of Medical Colleges.

- Secondly, when there is a refusal to treat patients who are Jehovah's Witnesses, sometimes the surgical team, the patient care team and even the hospital management staff refuse to act and leave patients to their fate. They do not attempt to find a doctor among their staff who is willing to provide treatment or transfer the patient to another hospital willing to offer care. They thus violate the patients' right as a user of the public health system to receive care free from discrimination. This therefore creates an ethically unsustainable situation for patients that, on the other hand, collaborate with any other form of medical or surgical treatment offered to them.

The situation is especially serious in some small cities where there are no other alternatives for such patients. By systematically refusing to treat patients who are Jehovah's Witnesses, and even refusing to transfer them to another hospital in the Autonomous Region, public hospitals are placing patients who do not want to receive transfusions in a situation of defencelessness and discrimination. This type of conflict proves terribly frustrating for Jehovah's Witnesses, and creates a lot of stress and suffering both for patients and their family members.

The Church holds that such actions constitute a violation of the freedom enshrined in the Spanish Constitution, article 9.2 of which provides that "it is the responsibility of the public authorities to promote conditions so that the freedom [including religious freedom] and equality of individuals and the organisations into which they become integrated will be real and effective; to remove any barriers which prevent or obstruct their full implementation, and to facilitate the participation of all citizens in political, economic, cultural, and social life". Law 41/2002, on Patient Autonomy, not only protects the patient's right to object to certain forms of medical or surgical treatment, but also stipulates that patients are not to be abandoned or excluded from the health system under any circumstances (article 21.1).

- Thirdly, health policy in many areas does not make it easier for doctors who are willing to provide treatment without blood transfusions. Far from receiving support from managers at their hospital and the Health Administration, they hit obstacles and hindrances that make their work harder, sometimes within the hospital service to which they belong.

Problems also arise when transferring rejected patients to other public centres offering bloodless surgery. On many occasions, the administrative hindrances or difficulties, or the managers' lack of interest, prevent the patient from receiving appropriate care in another hospital in the public network, sometimes even in the same Autonomous Region.

Furthermore, frequently, hospitals that refuse to treat Witnesses transfer all such patients, even those with minor complaints with no risk of blood loss, which unnecessarily increases waiting lists and the workload of collaborating

hospitals, whilst placing more burden on their budget. Operational mechanisms would need to be created for budgetary compensation, to correct the current situation whereby hospitals that reject patients are “rewarded” (fewer costs, reduced waiting lists, etc.) and those that accept them are “penalised” (increased costs, long waiting lists, etc.)

The faith group stated, in 2016, that the following hospitals refused to treat members of their church:

Autonomous region	Province	Municipality	Centre
Andalusia	Jaén	Andújar	Alto Guadalquivir Hospital
	Málaga	Antequera	Antequera Hospital
		Ronda	Ronda Hospital
Canary Islands	Las Palmas	Fuerteventura	Fuerteventura General Hospital
Castile and León	Burgos	Burgos	Burgos University Hospital
	León	Ponferrada	Bierzo Hospital
	Palencia	Palencia	Río Carrión Hospital
	Segovia	Segovia	Segovia General Hospital
	Zamora	Zamora	Zamora Hospital Complex
Castile-La Mancha	Albacete	Villarrobledo	Villarrobledo Hospital
Catalonia	Lleida	Lleida	Arnau de Vilanova University Hospital
			Santa María Provincial Hospital
Autonomous Region of Madrid	Madrid	Leganés	Severo Ochoa Hospital
		San Lorenzo de El Escorial	Escorial Hospital
		San Sebastián de los Reyes	Infanta Sofía Hospital
		Parla	Infanta Cristina Hospital
		Alcorcón	Alcorcón Foundation
		San Fernando de Henares	Henares Hospital
Valencian Community	Alicante	Alicante	San Juan de Alicante University Hospital
		Villajoyosa	Marina Baixa Regional Hospital
		Alcoy	Virgen de los Lirios Hospital

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Autonomous region	Province	Municipality	Centre
Valencian Community (continuation)	Castellón	Castellón	Castellón Provincial Hospital
		Vinaroz	Vinaroz Regional Hospital
	Valencia	Valencia	La Fe University Hospital
			Valencia General Hospital
		Requena	Requena Hospital
Extremadura	Badajoz	Mérida	Mérida Hospital
		Cáceres	Virgen de la Montaña Hospital
	Cáceres	Plasencia	Virgen del Puerto Hospital
		Coria	Coria City Hospital
Galicia	Ourense	Ourense	Ourense University Hospital Complex
		Verín	Verín Hospital
Balearic Islands	Balearic Islands	Palma de Mallorca	Son Llätzer Hospital
Principality of Asturias	Asturias	Mieres	Vital Alvarez Buylla Hospital
		Arriendas, Parres	Francisco Grande Covián Hospital of Eastern Asturias
Region of Murcia	Murcia	Murcia	Virgen de la Arrixaca Hospital
		San Javier	Los Arcos del Mar Menor General University Hospital

g) The Orthodox Churches

The various Orthodox Churches have not drawn attention to any specific circumstances.

The Romanian Orthodox Church indicates that 850 patients were visited, and religious assistance was provided to 900 people.

7.2. Autonomous Regions

a) Catalonia

There is no record of the number of conscientious objections by healthcare staff or requests for religious assistance in healthcare centres. On many occasions, religious assistance is given on an informal basis (it is not requested via the centre, but the patients or their family directly contact the religious figure from whom they wish to receive assistance).

It is aware of several hospitals that are working on protocols to formally offer religious assistance from the various religions present in the municipality. In some cases, such as in Lloret de Mar and Olot, inter-religious dialogue groups play an active role in the process of creating and implementing such protocols.

There have been agreements between the Regional Government and the Diocese of Catalonia in place since 2014, and between the Regional Government and the Evangelical Council of Catalonia to ensure Catholic and Evangelical religious assistance, respectively.

The General Directorate for Religious Affairs of the Regional Government of Catalonia published a guide in 2015 for the respect of religious diversity in healthcare centres. Throughout 2016, several sessions were held to present the guide to nursing students, cultural mediators with hospital projects and healthcare staff (medical and nursing) and administrative staff at various primary care centres and hospitals.

b) Andalusia

No remarks have been made in this regard by the Autonomous Region.

c) Aragón

No remarks have been made in this regard by the Autonomous Region.

d) Balearic Islands

In terms of religious freedom in the field of healthcare, there are no registers to indicate the alleged conscientious objections, or religious assistance in public health centres both in terms of access to centres by ministers of religion and the number of people receiving treatment who belong to a certain religious faith.

e) Castile and León

The Regional Ministry of Health of the Regional Government of Castile and León guarantees conscientious objection of health staff in accordance with current legislation and within the framework in which patients can be assured that they may receive health care from other professionals, preferably public employees, or failing this (induced termination of pregnancy, therapeutic cloning, certain transplants, voluntary sterilisation, limiting treatment efforts, application of some assisted reproduction techniques and pre- and post-implantation genetic diagnosis, prescription of emergency contraception, vaccination, practice of circumcision, blood transfusions – especially in the case of Jehovah's Witnesses – or pre-procedure instructions), by professionals at approved centres.

The Bioethics Commission of Castile and León was set up in the Autonomous Region by Decree 108/2002, of 12 September, as a consultative body for the Regional Health System, under the Regional Ministry of Health.

Regarding religious assistance in hospitals, it is worth noting that treatment differs depending on whether it concerns Catholic assistance, which is provided on a stable basis and is financed by the Autonomous Region, and assistance of other faiths for which an open access system is established.

Catholic religious assistance is provided for in article IV of the Agreement between the Spanish State and the Holy See on Legal Matters of 3 January 1979. The provision recognises the right of hospital patients to receive religious assistance and also indicates how the effective exercise of this right can be made possible: by common agreement between the Ecclesiastical and State authorities. This is why the legal regime for Catholic hospital assistance is agreed between Ecclesiastical and State bodies.

The Spanish health organisation, over which the State, the Autonomous Regions and the various owners of public hospitals have powers, has meant that the regulation agreed concerning Catholic assistance is implemented at various levels:

- At State level, the Framework Agreement of 24 July 1985, between the Ministers of Justice and Health and the chairman of the Spanish Episcopal Conference guarantees Catholic assistance in all public sector hospitals, with the exception of military and prison hospitals. It was published by the Ministerial Order of 20 December 1985.
- At regional level, the Autonomous Region of Castile and León signed a Collaboration Agreement on 2 December 2004 between the Regional Health Authority of the Autonomous Region of Castile and León and the Bishops for Catholic religious assistance in public hospitals run by the Autonomous Region of Castile and León.

Under the Agreement, the Regional Health Authority of the Autonomous Region of Castile and León recognises, protects and enables exercise of the right to religious assistance of Catholic patients, and any others who so wish, in hospitals run by the Autonomous Region of Castile and León. To this end, there is a Catholic Religious Assistance Service in every hospital complex.

Religious assistance in other faiths is regulated by their respective Cooperation Agreements through the open access mechanism. Religious ministers of the FERED, FCI and CIE must be authorised by the hospital in order to lend religious assistance to patients who had requested it beforehand. Once authorisation has been given, they have free access at any time of day, but with due respect for the organisation's rules and internal hospital regulations. The costs incurred by these religious services are to be covered by the faith group itself.

On 23 March 2017, a General Action Protocol was signed between the Administration of the Autonomous Region of Castile and León and the Evangelical Council of Castile and León to define the relationship between both bodies.

The Administration of the Autonomous Region of Castile and León supports inter-ecclesiastical collaboration agreements for the shared use of spaces of worship in hospitals between faiths that have signed or to which a cooperation agreement with the State is applicable under article 7.1 of Organic Law 7/1980, of 5 July, on Religious Freedom. In the absence of such agreements, hospitals shall provide

access, depending on the availability and organisation of the hospitals, to the spaces necessary for the provision of suitable religious assistance.

There is no register of the number of requests for religious assistance.

f) Ceuta

Powers in terms of health care fall to the Ministry of Health. However, the Autonomous City of Ceuta has not received reports of any type of restriction or problem in this area.

g) Madrid

With regard to conscientious objection, it points to a lack of regulations governing conscientious objection of healthcare staff in terms of refusing to administer certain types of medical treatment, outside of the provisions of Organic Law 2/2010, of 3 March, on sexual and reproductive health, and voluntary termination of pregnancy.

In terms of religious assistance in hospitals, there have been no reported problems or specific cases found regarding authorisation to access hospitals and provide religious assistance to members of the religious faiths.

The right of patients to religious freedom is reflected in the following collaboration agreements:

- "Collaboration Agreement between the Autonomous Region of Madrid and the Ecclesiastical Province of Madrid for Catholic religious assistance in public hospitals run by the Autonomous Region of Madrid".
- "Agreement between the Madrid Health Service and the Evangelical Council of Madrid for Evangelical religious assistance in hospitals run by the Madrid Health Service".

Pursuant to these agreements, there is a Religious Assistance Service available 24 hours a day, 7 days a week in every hospital, with either a physical or local presence, for patients or their family members on request. In addition, there are prayer rooms in all hospitals and special meals are available that respect the beliefs of certain groups of patients.

There is no record of the number of patients who have requested religious assistance. In the event a patient expressed the need for representatives of other religions to be present, they would be contacted via the hospitals' Patient Care Services, which shall arrange for them to visit.

The range of services offered by the 112 Medical Emergency Service of the Autonomous Region of Madrid covers the coordination and healthcare for accident and emergency both on-site and in non-hospital emergency centres. They affirm that they operate without distinguishing between sex, age, race, religion or illness, and no incidents have been found within the service concerning the care of patients on account of their religious faith.

As regards the treatment given, by the nature of their work, where there is a serious and immediate risk to the physical or psychological integrity of the patient, the patient's care takes priority (pursuant to Law 41/2002, of 14 November, the basic regulation on patient autonomy, article 9). In cases where the medical problem poses no threat to life, the patient's decision concerning treatment is respected, and alternative measures are taken (if possible) and/or the patient is informed of the risks to their health in accordance with the law. The Medical Emergency Service has received no notifications of religion-related problems when administering accident and emergency treatment.

Professionals from various faiths work for the 112 Medical Emergency Service, and they have not found any conflicts on these grounds to date, either between professionals and patients or between professionals themselves.

8. PASTORAL CARE IN PUBLIC CENTRES

Data on religious assistance in hospitals are given in section 7, on religious freedom in the context of healthcare, so this section focuses in particular on the prison context.

8.1. General religious assistance

Religious faiths

a) The Catholic Church

The Catholic Church has not highlighted any case in particular.

b) FEREDE

FEREDE makes an observation in relation to the model for pastoral care in public institutions and services, affirming that a different legal system is applied to the various faiths, which, in its view, leads to situations of discrimination when exercising this right. To improve this situation, it proposes that a multid denominational pastoral care service should be set up, provided and financed by the Government, and made available to anyone requesting the service.

c) FCJE

The Federation of Jewish Communities of Spain reports no problems in this regard. In any case, it believes that religious assistance in the Armed Forces and in hospitals and prisons needs to be regulated. To this end, the Federation affirms that it has proposed improvements to the system to enable, for example, the identification of personnel attending to sick or dying patients and a regulation covering the food provided in prisons and health centres.

d) CIE

There are estimated to be 370 Muslim inmates on average in internment centres for foreign nationals as a whole, and the Islamic Commission of Spain has reported no problems.

With regard to the Armed Forces, the CIE believes that the Religious Assistance Service needs to be reformed in order to make provision for other faiths.

e) Church of Jesus Christ of Latter-day Saints

The Church of Jesus Christ of Latter-day Saints points out that the access of ministers to public centres should be improved to resolve inequalities. The Church operates via unpaid volunteer lay preachers. However, it draws attention to the need for accreditation authorising free access to centres in order to provide pastoral care to their parishioners.

Autonomous Regions

a) Catalonia

The General Directorate for Religious Matters of the Autonomous Region of Catalonia has published Guides on respect for religious diversity in schools, prisons and health centres.

8.2. Religious assistance in prisons

The right to receive pastoral care from your own faith forms part of the right of freedom of religion and its provision represents an obligation for public authorities when individuals are in public institutions that require their intervention, such as prisons (article 2 of the Organic Law on Religious Freedom).

Pastoral care in prisons is regulated as follows:

- a) For the Catholic Church: In the Order of 24 November 1993, mandating the publication of the Agreement on Catholic pastoral care in Prisons of 20 May 1993, which enacts the stipulations of the Agreement between the Spanish State and the Holy See, of 3 January 1979, on Legal Matters.
- b) For other faiths with an Agreement: Royal Decree 710/2006, of 9 June, implementing the Collaboration Agreements signed by the State with the FEREDE, FCJE and CIE, regarding religious assistance in prisons.

On 24 October 2007, a Collaboration Agreement was signed between the Ministry of Justice, the Ministry of the Interior and the CIE, in order to defray the costs arising from Islamic pastoral care to be charged to the General Directorate of Prisons, providing that at least ten inmates request and receive Islamic pastoral care in the same prison.

In 2015, FEREDÉ signed an agreement with the Ministry of the Interior for pastoral care in prisons that improves the system.

The Regional Government of Catalonia, which has competencies over penitentiary policy, has signed collaboration agreements with the representative bodies of the Catholic Church, evangelical churches and Muslim communities, via which regular pastoral care is afforded to inmates who are devotees of these faiths in the prisons falling under its charge.

The basic data on religious bodies that have provided pastoral care in prisons over the course of 2016, without considering pastoral care afforded during an informal “visit” with any inmate, is as follows:

Visitors providing requested pastoral care, classification and faith

Faith	Classification	Post	Number
Catholic	Catholic	Assistant chaplain	21
		Head chaplain	143
			164
Evangelical	FEREDE	Religious assistant	115
		Minister of religion	136
	Independent	Religious assistant	2
		Minister of religion	15
			268
Islamic	F.E.E.R.I.	Imam	2
	Islamic other	Imam	-
	U.C.I.D.E.	Imam	8
			10
Jewish	FCJE	Rabbi	1
			1
Romanian	Orthodox	Religious assistant	1
		Orthodox priest	6
		Orthodox priest	1
			8
Jehovah's Witnesses	Jehovah's Witnesses	Minister of religion	250
			250
TOTAL			547



Religious faiths

a) The Catholic Church

The Catholic Church submits the following data concerning religious assistance in prisons: 164 chaplains, including head and assistant chaplains, chaplaincies in all prisons, and the voluntary action of more than 3,000 volunteers in the Prison Pastoral Care service who take part in all types of activities, ranging from religious activity support to training and social and labour integration courses, etc., all in conjunction with the Catholic Church.

No problematic situation of particular note has been reported.

b) FEREDE

Evangelical religious assistance is one of the most widespread in terms of the number of accredited churches (84) and of the number of religious ministers and assistants (268), according to the penitentiary institutions.

FEREDE indicates that these are individuals who perform this role on a voluntary basis, in their free time and defraying the costs themselves. Therefore, whilst there are more people, this does not signify that a better service is provided.

c) CIE

The Islamic Commission of Spain affirms that it has detected a certain degree of ignorance that has caused the prisoner’s request for pastoral care to be confused with potential radicalisation, whereby, on a number of occasions, when a Muslim inmate asks for the provision of care, this has been viewed with suspicion and subjected to special monitoring, giving rise to the so-called “discouragement effect”, leading the prisoner to refrain from requesting the service again, and discouraging other inmates from doing so. The CIE is working with the General Secretariat of Penitentiary Institutions to improve the situation.

The Muslim prison population is estimated at around 6,000 inmates, of whom around 1,600 are incarcerated in Catalonia. The Region holds powers over the prison system and has accredited imams who lend regular religious assistance in the Region. A further ten prison imams render their services in the rest of the State.

Islamic religious assistance was given in the following prisons:

Municipality	Centre	Days/hours/no. of inmates
Bilbao	Basauri Prison	Half day on Fridays. Assistance is provided to fewer than 10 inmates by one imam

.../...

.../...

Municipality	Centre	Days/hours/no. of inmates
Castellón	Castellón I Prison	Half day once per month. Assistance is provided to fewer than 50 inmates by two imams
	Castellón II Prison	Half day once per month. Assistance is provided to fewer than 50 inmates by two imams
Madrid	Madrid II Prison	Half day twice per month. Assistance is provided to fewer than 50 inmates by one imam
	Madrid IV Prison	Half day on Fridays. Assistance is provided to fewer than 50 inmates by one imam
Malaga	Málaga Prison	There is one imam authorised by the Islamic Commission who has not yet gone to the prison
San Sebastian	Martutene Prison	Religious assistance is not provided due to problems with the authorised imam
Tenerife	Tenerife Prison	Full day on Tuesdays. Assistance is provided to around 60 inmates by one imam
Zaragoza	Zuera Prison	2 hours on Fridays. Assistance is provided to 32 inmates by one imam
Melilla	Melilla Prison	Full day, one-hour sessions. Care is provided to 50-150 inmates by one imam

d) Jehovah's Witnesses

Jehovah's Witnesses actively provide religious assistance in prisons. They lend religious assistance to inmates on request and give Bible courses on their faith to whoever asks for it. It claims that positive results have been achieved in terms of the personal and social rehabilitation of inmates. However, some prisons place obstacles to access or accreditation, or they do not allow religious assistance to take place in a separate and private area. Ministers therefore have to meet with inmates in common areas (visiting rooms), where they do not need authorisation. Moreover, inmates prefer to reserve time in visiting rooms for family members, which, to a certain extent limits communication between inmates and ministers of religion. The church has come across this restriction in the following prisons: Alcalá de Guadaíra, Seville; Madrid VII, Estremera; Bonxe, Lugo; Pamplona; Melilla; Valladolid; Topas, Salamanca.

With regards to the data, 820 interns requested weekly Bible courses from Jehovah's Witnesses in 2016. Some prisons offer a room where inmates can attend Bible study meetings, which follow the same pattern as those that are regularly held in places of worship. The meetings explain how biblical principles help change the behaviour and habits of prisoners. Other inmates who are interested in the content of the meetings attend, in addition to the 820 inmates mentioned.

437 volunteers and ministers of religion offer religious assistance in prisons.

e) Orthodox churches

The various Orthodox Churches have not drawn attention to any specific circumstances. It is worth pointing out, however, that Russian Orthodox priests offer one-time religious assistance, when requested by inmates of this religion in any prison run by the Penitentiary Institutions.

Autonomous Regions

a) Catalonia

Catalonia, which holds powers over the prison system, has submitted data on accredited staff in the Autonomous Region's prisons who can provide religious assistance:

Faith	Number
Seventh-day Adventist Church	11
Catholic Church	147
Evangelical churches	98
Orthodox churches	3
Islam	8
Jehovah's Witnesses	61
GENERAL TOTAL	328

9. OFFENCES AGAINST RELIGIOUS FEELINGS AND HATE CRIMES FOR RELIGIOUS MOTIVES**9.1. Religious faiths**

In general, faith groups have noticed an increase in offences against religious feelings and hate crimes for religious motives throughout 2016.

However, according to the statistical data gathered in the Report on Trends in Hate Crime Related Incidents in Spain drawn up by the Ministry of the Interior (at: <http://www.interior.gob.es/documents/642012/3479677/Informe+2016+delitos+de+odio+en+España/6746b021-9197-48a0-833b-12067eb89778>, in Spanish), they have decreased by 32% in 2016, going from 70 registered incidents in 2015 to 47 in 2016. The Autonomous Regions with the largest number of incidents were: Catalonia (14), Madrid (8) and Navarre (7). We should bear in mind that the report does not count anti-Semitism (7 in 2016), racism or xenophobia (416) as hate crimes, which are both religiously and racially motivated.

a) The Catholic Church

The Catholic Church expresses its concern over the increase in displays (publications, protests at places of worship, “artistic” expressions, etc.) which, in its opinion, seriously offend the religious sentiments of Catholic citizens, even though some courts hand down acquittals for the corresponding offences on the grounds that there was no “intention to offend”.

To see these cases in detail, refer to the Report of the Observatory for Freedom of Religion and Conscience, which makes special reference to Christianophobia, although it is not the main focus: <http://libertadreligiosa.es/2017/06/22/informataques-a-la-libertad-religiosa-en-espana-2016/>

b) FEREDE

FEREDE believes that anti-religious (anti-Christian in general, and anti-Evangelical in particular) discourse is increasing significantly. It expresses its concern over trends in such conduct and displays which are increasingly virulent. It also calls attention to the fact that, while other groups are strongly protected when they suffer discrimination and are victims of hateful discourse, Christians (Evangelicals in this case) are often ignored, and the offences are seen as consequences of freedom of expression which are worth tolerating.

FEREDE expresses its concern over a range of legislation that regional governments are approving to protect LGBTI groups. As a minority that has suffered discrimination, FEREDE is on the side of the ones who suffer, and supports all measures intended to prevent it. However, it points out that some of the laws passed, including that of the Autonomous Region of Madrid (Law 3/2016, of 22 July, on Comprehensive Protection against LGBT-phobia and Discrimination on Grounds of Sexual Orientation and Identity), have worrying aspects that not only protect against discrimination, but also go beyond by coming out in favour of the ideological positions of LGBTI groups and punishing legitimate divergences from such positions. It is especially concerned that certain aspects of these laws could lead to unjustified restrictions on religious freedom and freedom of expression, since any questioning of the LGBTI ideology, even if done respectfully, is interpreted as LGBTI-phobia which can be subject to sanctions.

FEREDE believes that the CALR should analyse the increase in hate speech and violence against everything related to religion in general, and against (Evangelical) Christianity in particular.

c) FCJ

The anti-Semitic attacks or offences catalogued by the FCJE in the Anti-Semitism Observatory (<http://observatorioantisemitismo.fcje.org/>) that occurred in 2016 include the following:

The boycotting of a Jewish professor at the Autonomous University of Madrid; statements of a number of politicians such as the deputy who, during a speech at

the Parliament of Catalonia, claimed that the chairman of the Israeli Community of Barcelona was the “speaker’s tormentor” (referring to the director of the Palestinian Centre for Human Rights, who had been invited to give a speech that day).

It mentions cases of Nazi and anti-Semitic graffiti in public places and highlights the anti-Semitic nature of a range of newspaper articles and television programmes.

With regard to anti-Semitism on social networks, the presiding judge at the Court of Criminal Matters number 1 in Pamplona sentenced someone who had uploaded a highly anti-Semitic video entitled “Kill all the Jews” on Facebook to one and a half years in prison and a fine of 1,920 euros.

The public observatory publishes a complete report every year, although the 2016 report is not available.

d) CIE

The Islamic Commission of Spain mentions an increase in reports of hate crime and speech in 2016. It states that attacks and desecrations against mosques, and the number of posters and the amount of graffiti on mosque walls and other places with highly insulting and threatening messages have increased in a number of towns and cities, as have such messages on social networks.

The proliferation of Islamophobic messages on social networks and websites is worrying in view of its hostile and scornful content. At times they are promoted by various political parties with extreme-right leanings.

Campaigns have been launched against Islam, Muslims and refugees through mobile telephones and social networks which spread false news and which ask receivers to forward them to their contacts, creating a constant stream of hate.

Attacks against Muslims in the street, and sometimes in homes, have also been reported. It highlights cases of organised rallies against mosques.

Islamophobia against female Muslims is particularly serious. They have been doubly attacked both for their gender and their religion. It mentions the case of a woman wearing a hijab who was kicked in Barcelona.

For further information on Islamophobic behaviour, see the reports by the following bodies:

- al-Andalus Observatory. At: <http://ucide.org/es/observatorio-andalusi>
- Citizen Platform against Islamophobia. At: <https://plataformaciudadanacontralaislamofobia.files.wordpress.com/2016/04/informe-islamofobia-en-espac3b1a-2015-pcci-informe-anual-20164.pdf>

It notes that in 2016, the Citizen Platform against Islamophobia counted 573 incidents aimed: 14.14% against women and 4.01% against children, 12.57% against mosques, 5.41% against refugees and 6.63% against non-Muslims (for example, against Pope Francis). The increase compared with incidents in 2015 is 106.12%.

Islamophobia against refugees has remained constant. By Autonomous Region: Andalusia, Catalonia and Madrid are those that have seen the greatest number of Islamophobic incidents.

e) Church of Jesus Christ of Latter-day Saints

It states that hate speech has continued to proliferate, especially against immigrants, and therefore against certain religious minorities.

It points to the classification made by the European Commission which talks of a “dramatic increase” in hate crimes in Europe. For Mormons, dialogue between religions and with various administrations will help minimise and alleviate this. They propose setting up public centres and forums for inter-religion dialogue, as well as teaching religious culture in schools.

f) FCBE

The FCBE affirms that it has nothing to state in this regard.

g) Jehovah’s Witnesses

They state that they only have a record of one case in Barcelona where somebody was reported for insulting and threatening various Jehovah’s Witnesses while they were preaching in a public space. The court case is ongoing.

9.2. Autonomous Regions and Cities

a) Catalonia

Catalonia states that it has no official register of cases of offences against religious feelings. In 2016, the press revealed some cases such as the poem “Mare Nostra” – in clear reference to Our Father – read by the poet Dolors Miquel during the City of Barcelona awards, which offended many Christians. The New Dawn Association in Christ lodged a criminal complaint against the poet and the mayoress of Barcelona, which was dismissed by the courts.

According to data from the Barometer of religiousness and the management of its diversity (2016), 5.5% of the population has felt discriminated against on religious grounds in the last two years, whereas 94.2% have not.

b) Andalusia

It makes reference the “Attacks on Religious Freedom in Spain” report by the Observatory for Freedom of Religion and Conscience, according to which Andalusia is in the group where attacks against religious freedom have increased, along with

the Autonomous Regions of: Aragón, Cantabria, Castile-La Mancha, Castile and León, Catalonia, Canarias, Balearic Islands, La Rioja, Madrid and Melilla.

The Autonomous Region supports some projects that monitor hate crimes and reports such as that submitted by SOS Racism, “Testing, sensitivity and anti-racist care”, to the sum of €49,999, the project of the Association for Public Education: “Intercultural education against racism”, and conferences on interculturality of the Movement against Intolerance.

c) Madrid

It states that, although it has no record of cases of offences against religious feelings and incitement to hatred in the Region, it has found suggestions that there has been an increase in anti-religious manifestations in general, as well as in attitudes that side-line religious considerations as a strictly private matter.

d) Aragón, Balearic Islands, Castile and León, Ceuta and la Rioja

State that they have no record of any reports or incidents of this type.

10. RELIGIOUS MARRIAGES WITH CIVIL EFFECTS

It should be noted that in 2016, Order JUS/577/2016, of 19 April, was passed, which outlines the regulations governing the manner of recording, in Civil Registries, marriages celebrated in a religious manner, as envisaged in article 7 of the Cooperation Agreements between the State and the Federation of Evangelical Religious Bodies of Spain, the Federation of Jewish Communities of Spain and the Islamic Commission of Spain, passed, respectively, by Law 24/1992, Law 25/1992 and Law 26/1992, of 10 November, and in paragraph 2 of article 60 of the Civil Code, relating to marriages celebrated in a religious manner envisaged by the churches, faiths, religious communities or their federations that, subsequent to their recording in the Registry of Religious Bodies, have been acknowledged as being deeply rooted in Spain.

With regards to the legal issues surrounding religious marriages, the most significant is that there were marriages held in Spain and abroad which, despite not having been entered in the Civil Registry, have given rise to claims and legal proceedings in Social Security matters claiming widow’s pensions for the surviving spouse. This situation is reflected in certain Judgments of the Social Courts or the High Courts of Justice, which, for illustrative purposes, include: Judgment of the High Court of Justice of Madrid, Section 3, Social Matters, No. 790/2016, of 14 December 2016 and Judgment of the High Court of Justice of Madrid, Section 2, Social Matters, No. 658/2016, of 13 July 2016.

To see the social representativeness of religious marriages with civil effects, the provisional data of the National Statistics Institute for 2016 can be cited, which became available at the time of writing this report:

2016 (provisional data). Data as of June 2016

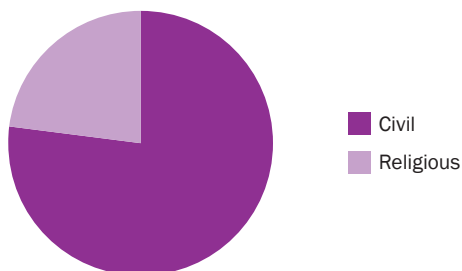
	Total	According to the Catholic religion	Solely civil	According to another religion	N/A
		Total	Total	Total	Total
Total	172,243	46,436	122,603	975	2,229
Andalusia	30,822	11,744	18,658	149	271
Aragón	4,378	1,400	2,946	24	8
Asturias, Principality of	3,718	972	2,732	11	3
Balearic Islands	4,709	727	3,826	23	133
Canary Islands	7,305	1,432	5,545	50	278
Cantabria	2,258	527	1,564	8	159
Castile and León	7,451	2,480	4,869	21	81
Castile-La Mancha	7,250	2,836	4,188	26	200
Catalonia	28,360	3,874	24,210	191	85
Valencian Community	18,606	3,895	14,526	98	87
Extremadura	3,574	1,545	2,015	10	4
Galicia	9,331	2,250	6,879	29	173
Madrid, Community of	24,852	7,175	16,968	103	606
Murcia, Region of	5,111	1,868	3,216	20	7
Navarre, Chartered Community of	2,430	594	1,780	4	52
Basque Country	7,553	1,373	6,096	28	56
La Rioja	1,141	343	793	2	3
Ceuta	484	42	298	143	1
Melilla	396	58	323	13	2
Abroad	2,514	1,301	1,171	22	20

Source: National Statistics Institute: <http://www.ine.es/jaxi/Datos.htm?path=/t20/e301/provi/I0/&file=03008.px>

In view of these data we can extract some conclusions:

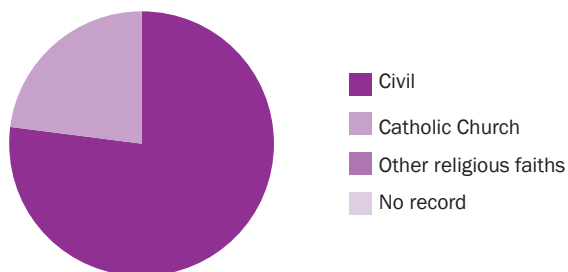
1. Religious marriages that have recognised civil effects account for less than 27.52% of all marriages in 2016.

Total marriages



2. The Catholic Church performs the largest percentage of marriages, since they account for 29.95%, compared to 0.56% for other religions.

Marriages

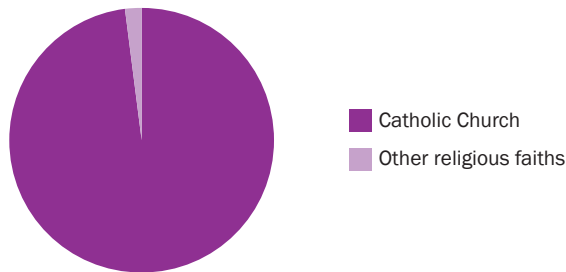


3. The Catholic Church performs the largest number of marriages compared to other religious marriages with civil effects. It should be borne in mind that the civil effects of religious marriages were recognised by the Spanish legal system in 1992 (Evangelical, Jewish and Muslims) and in 2015 (Mormons, Jehovah’s Witnesses, Buddhists and Orthodox churches), and all must go through the civil processing period for marital eligibility. Furthermore, in many cases, the lack of recognition in Civil Registries means that for statistical purposes the details are not properly filled out in the forms, as the faith groups point out.

In any case, numerical data aside, the important thing is that rights are respected, most notably the fundamental right to freedom of religion in this area.

The opinion of the faith groups are much the same, in that there is a need to improve public awareness of the civil effectiveness of religious marriages and for them to be processed more swiftly.

Religious marriages



10.1. Religious faiths

a) The Catholic Church

The Catholic Church reports no incidents in relation to the celebration of religious marriages with civil effects.

b) FEREDE

In the case of FEREDE, a number of difficulties have been encountered with the processing of the prior marriage capacity certificate and the recording of marriages in the corresponding Civil Registries. They feel that, at times, Registry personnel lack sufficient awareness in this regard. A number of Registries call for proof that the minister of religion possesses FEREDE accreditation, whilst others do not, and the documentation requested also varies from one Registry to another. Problems sometimes arise when the certificate is processed in a Registry in a given province and the marriage is performed in another and therefore needs to be recorded in another Civil Registry. FEREDE affirms that, to improve this situation, it would be advisable to unify criteria for action.

c) CIE

After the publication of Order JUS/577/2016, of 19 April, on the manner of recording, in Civil Registries, certain marriages celebrated in a religious manner and the approval of the model for the certificate of marriage capacity and of religious marriage, the Islamic Commission of Spain has found problems with the preliminary processing of the marital eligibility file and the recording of marriages in the corresponding Civil Registries. At times, Registry personnel lack sufficient awareness in this regard.

For deeply rooted faiths that do not have an agreement, the assessment is different in each case, following the extension of the law which allows recognition of religious marriages conducted in accordance with such faiths for civil effects. Specifically:

d) Church of Jesus Christ of Latter-day Saints

Although the Church of Jesus Christ of Latter-day Saints hold this right, they did not make use of it in 2016.

e) Jehovah's Witnesses

The main problem found by Jehovah's Witnesses is the lack of information at some Civil Registries on the new regulations following enactment of the Law on Voluntary Jurisdiction in 2015. Certificate forms are handed out that were used previously for the faith groups with an agreement with the State, but which are now obsolete due to the amendments introduced by the Law on Voluntary Jurisdiction. In one case, the registration of a marriage in Parla was denied.

f) FCBE

The Federation of Buddhist Communities of Spain indicates that, although there were only a handful of marriages, problems were found in one case. After a marriage took place in June and the couple went to register with the Justice of the Peace Court in charge of the Civil Registry, the couple were informed that the registrar was unaware of the procedure for registering Buddhist couples, and so they sent the marriage documents to the Civil Registry to request instructions concerning the registration procedure. A file was opened at the Registry to hand in to the court Judge, in order for her to make a decision over registration. The Judge decided, in turn, to send the documentation to the State Prosecutor's Office for information on how to register the marriage. After that, the Judge at the Registry ordered the registration of the marriage, and issued a request to that effect to the Registry that had initiated the procedure in the municipality where the marriage took place. The couple spent months going to different courts asking after the procedure. They even brought a copy of the legal reform from the Official State Gazette, to which the reply was "that's useless". Four months after the marriage, in October, they managed to register the marriage and receive their family record book.

10.2. Autonomous Regions

The Autonomous Regions have no powers in this regard.

11. PUBLIC FUNDING RECEIVED. PROBLEMS DETECTED AND RECOMMENDATIONS. GRANTS FROM THE FOUNDATION FOR PLURALISM AND CO-EXISTENCE

Recent consolidated data from the Ministry of Justice in 2016 for the various religious faiths may reflect the economic reality of previous years and pertain to one or even two tax years previously, given the long process of managing taxes and calculating expenditure, as well as of consolidating these economic results.

Funded religious activities help guarantee citizens a real and effective opportunity to exercise their religious freedom individually and collectively. It also ensures the sustainability of activities of social interest (educational, cultural, social and welfare, and even those of tourist interest) carried out by the various faith groups present in Spain. Public funding also helps guarantee citizens the opportunity to exercise their religious freedom effectively by ensuring that the religious pluralism of Spanish society remains visible, and by supporting social initiatives of collective interest carried out by the religious faiths, in the same way that other social groups, such as political parties, unions or private non-religious foundations which promote social interests within their own specific area also receive funding.

11.1. Religious faiths

a) The Catholic Church

According to the most recent consolidated data available in 2016, which affect the 2014 accounts declared in 2015, the religion that received the largest amount of public funding is the Catholic Church. This religion has received, based on the current tax allocation system, just under €250,000,000, supplemented with financial deposits of a further €1,850,000, for the maintenance of its seventy dioceses and central body. These funds are essentially from some 9,000,000 citizens who decided to allocate to the Catholic Church a portion of their taxes collected by the State through the Personal Income Tax. This option for taxpayers was provided by additional provision 18 of Law 42/2006, of 28 December, on General State Budgets for 2007, via which the Catholic Church only receives from the State the amount that citizens decide to allocate it every year as part of this particular tax contribution.

According to data provided by the Church, of these sums, the largest budget allocation, of almost €200,000,000, was distributed across its seventy dioceses. The lesser allocation of more than €50,000,000 was spent on welfare activities. Other major costs covered by this allocation was the conservation of buildings and internal staff salaries.

Of the remaining €50,000,000, more than €16,000,000 was paid into Social Security, since diocesan priests of this religion contribute to the national minimum wage, and more than €6,000,000 was allocated to solidarity activities through *Cáritas Diocesana*. Another sum of around €6,000,000 was spent on training centres and activities.

The Catholic Church submits an annual financial statement of its activities to the General State Administration, which shows and justifies where the money is spent. It hires an independent auditor of high standing (PwC) to conduct a "Reasonable Assurance Report", which confirms the appropriateness and reliability of the data submitted by the Church in its Annual Activity Report, published by the Spanish Episcopal Conference. The Activity Report and the Reasonable Assurance Report are supplemented with the signature of the NGO "Transparency International Spain" to improve transparency both within the Spanish Episcopal Conference and the various diocesan units of the Church. The aim is to give them reliable information, management and oversight tools to guarantee transparency in their economic activities and practices.

Minority faiths that have signed a Cooperation Agreement with the State receive public funding through the Foundation for Pluralism and Co-existence, a State public sector body created by the Order of the Council of Ministers of 15 October 2004, part of the Ministry of Justice, and which finances the initiatives of these faiths for the strengthening and institutional development of their Federations. The aim is to enable their local religious communities to carry out activities oriented towards culture, education and social integration.

b) FEREDE

The Federation of Evangelical Religious Bodies of Spain has asked the General State Administration to amend the agreement signed with the State with regard to the appointment and economic regime of those in charge of evangelical religious teaching in state primary and secondary schools (Official State Gazette of 4 May 1996), on the grounds that it is not in harmony with current education legislation.

c) CIE

Religious communities and their federations that form part of the CIE receive grants from the state-run Foundation for Pluralism and Co-existence for non-religious programmes. The CIE believes that the “System for the channelling of funds in support of the projects of Islamic communities in Spain”, through the Foundation for Pluralism and Co-existence, should be brought back, given the negative effect on religious communities that stopped receiving donations for religious purposes.

d) FCBE

With regard to public funding for the maintenance of the activities of these minority religious communities, the Federation of Buddhist Communities of Spain has expressed its support for the Foundation for Pluralism and Co-existence to develop new lines of action from which this faith group can benefit.

e) Church of Jesus Christ of Latter-day Saints

The Church of Jesus Christ of Latter-day Saints has also underlined the desirability of extending funding from the Foundation for Pluralism and Co-existence to all deeply rooted faiths in Spain, as well as eliminating differences in terms of funding between confessions that are recognised as deeply rooted in Spain but which lack an Agreement with the State, compared to those that either have a specific financing system (as in the case of the Catholic Church) or that, as well as being considered deeply rooted, have signed an Agreement with the State.

In 2016, the funds granted by the Foundation for Pluralism and Co-existence to finance programmes related to institutional enhancement, coordinate the Federations with their religious communities, and improve and maintain infrastructure and

facilities of the federative bodies of the minority religious faiths with a Cooperation Agreement with the Spanish State, are as follows:

- Federation of Evangelical Religious Bodies of Spain (FEREDE): €356,800.00.
- Federation of Jewish Communities of Spain (FCJE): €169,362.83.
- Islamic Commission of Spain (CIE): €255,000.00, which is distributed:
 - UCIDE: €150,000.00.
 - FEERI: €85,000.00.
 - CIE: €20,000.

The following grants for carrying out projects relating to education, culture and social integration of the bodies, religious communities and places of worship belonging to the minority faith groups with a Cooperation Agreement with the State were awarded in 2016:

Projects and amounts

Torrent Islamic Centre, Torrent	€1,200.00
Islamic Religious Centre of Asturias "At tauhid" Mosque, Ciaño-Langreo	€1,500.00
Association of Young Muslims for Peace, Valencia	€4,200.00
Canary Islands Islamic Cultural Centre, Las Palmas de Gran Canaria	€4,300.00
Arrahma de Carrizal Mosque, Carrizal - Ingenio	€2,100.00
Islamic Community, Melilla	€4,300.00
Masjid Umm Al Qura Islamic Centre, Zaidin	€1,500.00
Aloumma de Lleida Islamic Community, Lleida	€1,600.00
La Hermandad Islamic Centre, Palma de Mallorca	€4,200.00
Cristo Vive Evangelical Church, Madrid	€4,000.00
First Baptist Church of Alicante, Alicante	€2,200.00
Castelldefels Evangelical Church, Castelldefels	€3,600.00
Muslim Association of Spain, Madrid	€4,500.00
El Salvador Church (Spanish Evangelical Church) - C/ Noviciado 5, Madrid	€3,000.00
Rubí Spanish Evangelical Church - C/Descubridor Colom, 4-6, Rubí	€3,600.00
Móstoles Evangelical Church, Móstoles	€3,000.00
Islamic Community of Fuensalida, Fuensalida, Toledo	€1,295.00
Islamic Community of Valencia, Valencia	€4,200.00
Islamic Community of Zaragoza, Zaragoza	€4,200.00
Islamic Community of Galicia, Santiago de Compostela	€2,600.00
Islamic Community of the Principality of Asturias, Oviedo	€2,900.00

Masyid An-Noor Religious Association, Ceuta	€3,000.00
Tayba Islamic Community, Madrid	€4,700.00
Muslim Community of Tenerife, Santa Cruz de Tenerife	€1,800.00
Madrid Urban Evangelical Mission, Madrid	€4,000.00
Islamic Community of Badajoz, Nur-Al Da-Rain Mosque, Badajoz	€3,400.00
Spanish Muslim Community of the at-Taqwa Mosque in Granada, Granada	€1,800.00
Islamic Community of Logroño, Al Huda Mosque, Logroño	€3,200.00
Islamic Community of Murcia Assalam, Murcia	€1,600.00
Muslim Community of Alcorcón Al Imán, Alcorcón	€1,500.00
Diaconia of Madrid, Madrid	€4,000.00
Islamic Community of Collado Mediano. Attauba Mosque, Collado Mediano	€2,300.00
Islamic Community of Galicia, Mohamed Mosque, Vilaboa	€2,600.00
Islamic Community of Colmenar Viejo, Al-Hiyra Mosque, Colmenar Viejo	€1,700.00
Muslim Community of Tenerife Al Muhsinin, Arona, Los Cristianos	€1,300.00
Ihsan Islamic Community of the Balearic Islands, Palma de Mallorca	€4,200.00
Islamic Religious Community Al-Fath Mosque of Leganés, Leganés	€3,300.00
Evangelical City Mission of Seville, Seville	€4,000.00
Islamic Religious Association Al-Iman Mosque of Collado Villalba, Collado Villalba	€1,500.00
Assalam Islamic Community of Almoradí (C.I.A.A.), Almoradí	€2,800.00
Evangelical City Mission of Zaragoza, Zaragoza	€3,510.00
Community of Christian Love, Córdoba	€3,000.00
Buena Semilla Asambleas de Dios Evangelical Church, Cádiz	€2,100.00
Islamic Community of Lucero, Madrid	€2,200.00
Islamic Community of Sant Joan Despí, Al Huda Mosque, Sant Joan Despí	€2,300.00
Evangelical Mission of Catalonia, Sabadell	€2,500.00
Islamic Community of Melilla, Melilla	€1,300.00
La Roca Evangelical Church of Valladolid, Medina del Río Seco	€3,200.00
Islamic Community of Las Fuentes, Zaragoza	€1,700.00
Islamic Community of Las Delicias, Zaragoza	€1,200.00
Islamic Community of Almozara, Zaragoza	€2,000.00
Al Huda Islamic Community, L'Hospitalet de Llobregat	€3,300.00

Islamic Community of Montmeló, Montmeló	€4,500.00
Islamic Community of Biscay, Assalam Mosque, Bilbao	€3,400.00
Islamic Community of Cerdanyola del Vallés, Cerdanyola del Vallés	€4,400.00
Fuentes de Ebro Islamic Community, al Ummah Mosque, Fuentes de Ebro	€1,300.00
Al Huda Islamic Community, Playa Blanca, Lanzarote	€2,300.00
Servidores de Vida, Madrid	€2,100.00
Islamic Community of Patraix, Valencia	€1,400.00
Islamic Community of A Coruña, A Coruña	€4,600.00
Community of Muslim Women of Zaragoza, Zaragoza	€3,100.00
Islamic Community of Gijón, Gijón	€1,300.00
Mountainview International Church, Alpedrete	€2,200.00
“Al Manar” Islamic Community of Torre Pacheco, Torre Pacheco	€2,900.00
Al Ijlas Islamic Community of Terrassa, Terrassa	€4,400.00
Gospel Madrid, Madrid	€2,100.00
Albujari Islamic Community, Murcia	€1,400.00
Islamic Community of Vigo, Vigo	€2,500.00
Al Faruq Islamic Community of Naval Moral de la Mata, Naval Moral de la Mata	€3,000.00
Islamic Community of Berga, Berga	€2,100.00
Islamic Board, Córdoba	€2,100.00
Assafwa Islamic Community of San Javier, San Javier	€2,600.00
Islamic Centre of Valencia, Valencia	€4,200.00
Muslim Women for the Light of Islam, Valencia	€3,400.00
Assalam Islamic Community of Navàs, Navàs	€1,700.00
Arrayan Islamic Community of Valdemoro, Valdemoro	€1,600.00
Islamic Community of Manzanares El Real, Manzanares El Real	€1,600.00
TOTAL ALLOCATED	€211.205.00

12. THE CULTURAL HERITAGE OF FAITHS

12.1. Religious faiths

a) The Catholic Church

According to the most recent data, of the 44 assets on the World Heritage List by UNESCO in Spain, 22 were created by the Catholic Church, which continues to be

their current owner, or retains a significant presence in them. It is also worth mentioning that 3,168 assets of cultural interest in Spain currently belong to the Church, which is responsible for their conservation and management.

In general, assets that are part of Church-owned heritage are widely catalogued and preserved, and access for tourism, cultural and research purposes is permitted. The vast majority are assets that are simultaneously used for worship and cultural purposes, though preference is given – where the two cannot be combined – to the former over the latter, bearing in mind the essential nature of religious freedom, which enjoys maximum protection under the Spanish Constitution. It ranks higher than protection of the right to enjoy historical, cultural and artistic heritage as the guiding principle of social and economic policy.

b) CIE

Among the minority faiths, the Islamic Commission of Spain has expressed its interest in having its cultural heritage appropriately preserved and protected. It therefore suggests drawing up new agreements with the Public Administrations concerned.

c) FCJE

The Federation of Jewish Communities of Spain has underlined its particular concern over the adequate conservation and protection of ancient Jewish cemeteries that are part of Spanish cultural heritage. Some, of medieval origin, were recently discovered when carrying out unrelated work.

Furthermore, the religion is seeking to be involved in a number of historical buildings linked to the faith, and to play a role in certain cultural management bodies. More specifically, it indicates that it has called for a registry amendment in relation to the registration made in 1930 of the former Synagogue, currently Santa María la Blanca in the city of Toledo, as it believes that the registration is null and void, lacking any legal basis, and the legitimate owner is the State, to which it will apply for recognition as the Great Synagogue of Toledo open to the public. They believe that the FCJE should be part of the Board of the Sephardic Museum of Toledo, as well as the Network of Jewish Quarters.

d) FCBE

The Federation of Buddhist Communities of Spain stresses that the adherents to this faith take responsibility for funding, managing and protecting the assets of its cultural heritage.

e) Church of Jesus Christ of Latter-day Saints

For its part, the Church of Jesus Christ of Latter-day Saints has pointed out that this cultural heritage must be protected not only for its historical, cultural or artistic

value, but also because they contribute to making these minority religious faiths visible to Spanish society.

12.2. Autonomous Regions

a) Catalonia

It points out that the General Directorate for Religious Affairs offers subsidies for the conservation, preservation and dissemination of literary or documentary religious heritage. Subsidies are also available from the Regional Government of Catalonia Department of Culture.

The Regional Government and the Church Coordination Commission of Catalonia for Cultural Heritage is a collegiate body of the Regional Government in charge of establishing programmes and budgets concerning archives, libraries, museums, architectural heritage and cultural outreach of the Catholic Church, to help preserve this heritage, among other objectives.

b) Cantabria

The Law on General Budgets of Cantabria establishes, in the General Directorate for Culture, the item “Bishopric of Santander. Plan for the Opening of Religious Monuments” (chapter IV), and another item “Bishopric of Santander. Recovery and Maintenance of Religious Heritage” (chapter VII).

It should be recalled that, among other protected assets in Cantabria, the heritage of the Catholic Church accounts for around 20%. There is no significant real estate property belonging to other faith groups in the Autonomous Region.

c) Castile and León

Relations with the Catholic Church concerning cultural heritage are channelled through the Catholic Church and Regional Government of Castile and León Joint Commission, the coordination body established by Law 12/2002, on the Heritage of Castile and León. This collaboration with the Catholic Church is especially necessary in this Region given the immense legacy of cultural heritage owned by the Catholic Church. The Commission held a meeting on 28 April. At the meeting, the Regional Ministry for Culture and Tourism stated its intention to promote the institutional agreement and collaboration policies, to the greatest extent possible throughout the legislature. It believes that the excellent results yielded by this way of working leads to greater efficiency and effectiveness, now more than ever.

With regard to the other faiths, in 2013 the Garden of Sepharad was completed in the city of Ávila, in conjunction with the Jewish Community of Spain. It is an ancient Jewish necropolis in this historic city that was unearthed during work being carried out by the Regional Ministry of the Environment and Ávila City Council. The Regional Ministry of Culture and Tourism has completed the development of this historic place, in accordance with Jewish customs, rites and traditions.

Furthermore, numerous authorised and sometimes also financed archaeological excavations have taken place in Jewish and Muslim necropoli, such as in Castrillo Mota de Judíos, Burgos.

d) Ceuta

The government of the Autonomous City of Ceuta has stated that it provides annual grants for the conservation of cultural heritage belonging to the religious communities present in the City. The budget allocation varies depending on the applications from the religious communities themselves and the needs identified by cultural heritage experts. The budget allocation established in 2016 for 2017 was €300,000.

13. THE MANNER IN WHICH FAITHS ARE TREATED IN THE MEDIA. ACCESS TO PUBLIC SERVICE MEDIA. RESOURCES OWNED BY FAITH GROUPS

The media coverage of the diverse activities of the churches, faith groups and religious communities with a presence in Spain generally complies with the constitutional framework and fully respects the freedoms of expression, information and communication as laid down in the Constitution. The range of privately owned press, radio, television and other media sources work daily to provide informative coverage of the various social groups. They often take an interest in religious events or observances and in the opinions of the different churches, faith groups and communities on a variety of aspects of social reality.

In Spain there are also publicly owned media outlets that are accessible to the main groups that make up the social fabric, including churches, faith groups and religious communities present in the country. Such media sources often set aside specific slots for religious information. Similarly, as part of the Spanish media landscape, there are numerous privately owned media sources that are interested in religious information and that offer confessional slots, and even church-owned media outlets funded or maintained by the various churches, faith groups and religious communities, exercising their right to free enterprise.

13.1. Religious faiths

a) The Catholic Church

The Catholic Church regrets the attempt by certain political parties to cancel religious programmes on Sunday mornings which, as part of the State's duty to promote fundamental rights, including religious freedom, undeniably offers a public service by televising Sunday Mass for those who have serious difficulties attending church.

b) CIE

The Islamic Commission of Spain has highlighted that there is a major lack of understanding of Islam in some media outlets. This is why it is seeking a greater

presence in the public media and closer cooperation with private media organisations to contribute to the correct exposure of various issues of social interest affecting this faith.

c) FCJE

The Jewish community, for its part, notes that the treatment of issues concerning its religion in the Spanish media is infrequent. Despite this, it has been making an effort to disseminate information on its major festivals and important dates through various media outlets. It rarely receives a response. It has found that cultural affairs such as activities at the Sephardic Museum of Toledo, film series, book presentations, conferences or seminars, etc. are better received, primarily in the local media.

On the other hand, this faith group points out that its official opinion is sought relatively frequently concerning matters more of political than religious interest, as is the case with certain international disputes such as those affecting the State of Israel.

On a less positive note, this religious community highlights that some information sources divulge the Jewish origin of a person, even if this religious affiliation contributes no significant or relevant detail to the information divulged for any purpose. The Jewish community also expresses its concern over the appearance on some occasions of offensive statements or expressions of disdain towards Judaism. The numerous protests that the Federation of Jewish Communities of Spain has lodged have almost always received, according to the faith group, an understanding and positive response from the media.

Regarding public media, the FCJE has a programme called “Shalom” on TVE which has been aired every Sunday for 30 years, and the programme “La Voz de la Torah” (The Voice of the Torah) which is broadcast every Saturday on RNE (Radio 5).

Radio Sefarad (www.radiosefarad.com) is a communication project created by the Federation of Jewish Communities of Spain. Its content is aimed at a Spanish and Spanish-speaking audience essentially with the aim of disseminating the ethical, cultural and scientific values of Judaism through its history and current development.

d) FCBE

The Federation of Buddhist Communities of Spain states that, despite the fact that there are no Buddhist-owned media outlets, there is often a media interest in Buddhism-related issues. Some private media organisations frequently inform their readers about aspects of Buddhism.

e) The Church of Jesus Christ of Latter-day Saints

The Church of Jesus Christ of Latter-day Saints notes that it would be beneficial if various media outlets could use style manuals in order to deal with religious

information properly, to which end it suggests entrusting a composition of this material to the Foundation for Pluralism and Co-existence. For example, the media sometimes claims that Mormons are polygamists even though this is not the case.

f) Jehovah's Witnesses

Although they have no general problems, Jehovah's Witnesses highlight the importance for the public media to handle information on religious affairs with due awareness and rigour. This faith group highlights its frequent demands for rectification of certain media outlets regarding information disseminated on its religious community.

13.2. Autonomous Regions

a) Catalonia

The Catalan Regional Government informed this Ministry of its commitment to religious and informative pluralism. It points out that in this Autonomous Region, the Catholic Church and the Evangelical Council of Catalonia have permanent slots in the media outlets owned by the Autonomous Region, in which other minority faiths also occasionally feature. In the course 2016, Catalan Television broadcast special programmes on Islam in Catalonia, the Jewish celebration of Rosh Hashanah, and Luther and Protestantism.

b) Andalusia

The Regional Government of Andalusia stated in the information sent to the General State Administration that during this period, slots for religious content have been permanently broadcast on the media outlets owned by the Autonomous Government. It specifically states that some of these public media outlets have Catholic ministers among their staff, even though the decision to appoint them for such a role, based on a principle of neutrality, was made by Andalusian bishops. The Programme Contract estimated the annual cost of religious programmes on Canal Sur Televisión to be around 800,000 euros.

c) Castile and León

The Autonomous Region of Castile and León does not have any publicly owned media outlets.

d) Ceuta

In the case of the Autonomous City of Ceuta, its government has highlighted the ease with which the various religious communities have access to publicly and privately

owned media in Ceuta. Believers of different religious faiths may access numerous programmes and broadcast any number of faith-based activities.

14. SOCIAL CARE PROVIDED BY FAITHS

14.1. Religious faiths

a) The Catholic Church

The Catholic Church currently manages more than 9,000 care centres throughout the country, with almost a thousand hospitals and medical centres, more than 800 social care centres for the elderly, chronically ill or persons with disabilities, and more than 250 children's nurseries.

This Church provides social care in practically all areas and, according to figures submitted by this faith to the General State Administration in its Activity Report, maintains almost 7,000 centres for the mitigation of poverty or the promotion of work distributed throughout the country, as well as more than 400 protection centres for children and families, more than 80 rehabilitation centres for drug addicts, and more than a hundred centres for the advancement of women, help for victims of victims and legal advice for vulnerable groups.

Some Catholic organisations, such as Cáritas, also boast a significant presence in Spanish society, which includes around 80,000 volunteers and annual investment in activities and programmes for social development, international cooperation and emergency situations of approximately €300,000,000. Similarly, there are Catholic organisations for foreign development such as Manos Unidas, which manages some 600 new development cooperation projects in more than 50 countries, including action for the advancement of women, promoting education and agricultural development, with approximately €40,000,000 of investment and more than 5,000 volunteers.

Finally, this religious organisation has developed an extensive network of Catholic-inspired institutions for sectoral action that operate in Spain, including the Foundation for the Gypsy Secretariat.

b) FEREDE

In the case of the Federation of Evangelical Religious Bodies of Spain, there is also a major network for social action linked to this religious organisation. It is called Diaconia (<http://www.estudioaccionsocial.diaconia.es/>) and focuses its efforts for social advancement through education, social integration and volunteer work. FEREDE believes that this endeavour is not sufficiently well known and sometimes it is not easy to participate in tertiary sector forums and platforms, or to obtain funding on a par with other organisations and social platforms that carry out similar work within the area of social volunteering, childhood and family, gipsy population, women, immigration and interculturality, international cooperation, etc.

c) FCJE

The Federation of Jewish Communities of Spain has informed the Ministry of Justice that each Jewish community appearing in the Registry of Religious Bodies comprises an organisation for help and assistance for the needy. In parts of the country where no Jewish community exists, this role is assumed by the Federation itself.

d) CIE

Its religious communities hold campaigns for blood donation, food donation and collections for the needy and for the accommodation of refugees.

e) FCBE

For its part, the Federation of Buddhist Communities of Spain has reported that Buddhist communities present in Spanish society often focus their humanitarian activity on cooperation with Asian countries and, in particular, Tibetan communities where various forms of action is taken to combat poverty and provide food and education, and to care for refugees.

At national level, specific action has been taken to help certain groups. For example, terminally ill patients and their families are given help and support, meditation is taught in prisons, food is distributed among the homeless, etc.

f) Jehovah's Witnesses

Jehovah's Witnesses have indicated that, although they do not provide social care, their religious activity over this period has contributed to the integration of a large number of immigrants in Spain, as well as the integration of groups of speakers of other languages within the context of the places where they worship and practice their faith.

14.2. Autonomous Regions

a) Catalonia

In terms of the role of the Autonomous Regions and Cities in this regard, the Regional Government of Catalonia has stressed that the numerous religious bodies present in that Autonomous Region that undertake social initiatives have at their disposal the Regional Registry of Bodies, Services and Social Facilities under the Department of Work, Social Affairs and Family with which many of these churches, faith groups and religious communities register their social activity.

b) Castile and León

The Regional Government of Castile and León has underscored its collaboration, through the Social Services Authority, with multiple religious institutions, especially the dioceses of the Catholic Church and Evangelical bodies, for the implementation of social integration activities concerning drug addiction, protection of children, minors, persons with disabilities and gender-based violence. The religious congregations and institutions carried out social work on 26 occasions in 2016, including the various Diocesan Cáritas organisations.

Likewise, it highlights the presence of a large number of social care centres run by a range of religious institutions, including private centres, as well as those run in conjunction with the Regional Administration.

c) Ceuta

For its part, the government of the Autonomous City of Ceuta has reported that an average of €750,000 per year is spent on care activities carried out by various religious communities. It should be pointed out that none of these communities discriminate against the beneficiaries of their care for reasons of creed.

d) Madrid

The Autonomous Region emphasises the important care work carried out all over the Region by various religious faiths, and the Catholic Church in particular, given its deep roots in Spanish Society, with the aim of combating poverty and social exclusion, and helping integrate people who find themselves in such situations.

V. PROPOSALS TO IMPROVE THE PROTECTION OF RELIGIOUS FREEDOM IN SPAIN

1. RELIGIOUS FAITHS

a) The Catholic Church

As in previous years, it values the work carried out by the General Directorate through the Subdirectorate General for Faith Relations to facilitate the exercise of the fundamental right to religious freedom of the Catholic Church, in its individual and collective aspects.

On an institutional level, the relations between the Catholic Church and the State are cordial, and the channel for dialogue is open. On a regional level, the Administration poses certain difficulties in facilitating and removing obstacles preventing the legitimate exercise of a fundamental right, such as religious freedom.

The Catholic Church is particularly concerned by the increase in intolerance and attacks against the Catholic Church and its various strands.

The Church expresses its desire to continue cooperating with the Administration to continually improve the current legal framework, both in terms of awareness and its application. However, it is worth recalling the problems that arise for the normal and peaceful exercise of the fundamental right to religious freedom of Catholics, especially in the following areas:

- Healthcare, with the issues as expressed above, which impacts on the recognition of the conscientious objection of health workers.
- Education, where certain problems are found, both in the introduction of the subject of Catholic religion and in the effective integration of Catholic religion teachers among teaching staff.
- It must be noted that there has been a significant increase in attacks against the religious feelings of Catholics, in certain media outlets, as well as in supposedly festive events, which are not, in our opinion, receiving the appropriate legal response that should be required under the Spanish legal system.
- It should also be pointed out that acts and decisions have been handed down, especially by some city councils, that are clearly anti-Catholic. These include prohibiting the Local Police from celebrating the holiday of the Patron Saint, cancelling religious festivals or restricting the religious services of the Catholic Church.

In short, the Spanish outlook is somewhat worrying in view of the lack of tolerance and respect for fundamental rights, not only of individuals but also of public institutions.

b) **FEREDE**

FEREDE believes that the difficulties described for previous years in matters of religious freedom are broadly the same as those in 2014 and 2015, which have not been resolved. In the opinion of this faith group, the most urgent problem is that of the regulatory asymmetry in Spanish law concerning religious matters, given that while the Agreements with the Catholic Church are widely implemented, the implementation of the Agreements with minorities is practically inexistent. This gives rise to situations of inequality and discrimination in practice (in the opening of places of worship, registration of religious bodies, social protection of ministers of religion and religious staff, religious assistance, etc.)

To solve this issue, FEREDE believes that a decisive political will is required to face up to the task of amending the current regulatory system governing religious freedom in Spain, and approving a common regulation that would be applicable to all religious faiths equally. This could be compatible with Cooperation Agreements which would regulate the unique points of each religion, rather than creating a preferential statute with one faith over the others.

Within the current legal framework, the following proposals are made:

- Undertake to implement the Cooperation Agreements signed in 1992 with the Protestant Federation, since some of the rights set out therein are not effective due to a lack of implementation.
- FEREDE holds that the neutrality of the Public Administrations should be improved in order to put an end to certain situations that are not appropriate in a non-confessional State, such as the organisation of Catholic State funerals following disasters or attacks. This faith group has repeatedly called for a protocol to be created for the organisation of State acts of remembrance that are guaranteed to be non-confessional. Furthermore, it considers the appointment or handing out of distinctions honouring virgins or Catholic saints by public officials to be incompatible with a non-confessional State.
- Deal with the State regulation on places of worship by setting general criteria and providing effective protection of the exercise of this fundamental right throughout the country.
- Adopt measures to effectively guarantee the fundamental right to establish places of worship by: guaranteeing land reservation for religious use in urban plans; allowing religious use to be compatible with the various types of urban land use, except in cases where this is not possible for reasons of public order; introducing mechanisms whereby faith groups may participate in the approval of urban plans; adopting specific measures to guarantee equality in the establishment of places of worship, and so forth.
- The recognition of a retirement pension (or widow's or orphan's pensions in the case of spouses and children) to evangelical pastors who were not able to

make tax contributions before 1999 under the same conditions as those applied to Catholic religious staff.

- In terms of funding, extend the tax allocation system that is currently applied to the Catholic Church so that evangelical taxpayers (and other faiths that have requested it and that have capacity for it) can earmark a percentage of their taxes to the maintenance of their faith group.

Similarly, it is proposed that ministers of religion and evangelical religious staff or their churches should be compensated for the costs they incur when providing evangelical religious assistance in public centres.

- Offer a solution to the difficulties faced by parents when requesting the subject of evangelical religion in schools. We believe that it is essential to amend the 1996 Agreement on the appointment and economic regime of ERE teachers. We also believe that it is important to include a subject on religion, or the history of religions. This subject does not have to be incompatible with the current system for teaching religion.
- Guarantee religious assistance to everyone at a public centre, by establishing a multi-confessional religious assistance service, with the participation of all faiths under equal conditions and without discrimination.
- Improve dialogue of religious faiths with the State and the other religious faiths with a Secretary of State for Religious Affairs, or a similar body with sufficient power to adopt decisions.
- Take notice of hate crimes and incitement of hatred against Christianity, which has been increasing in recent years. Perhaps the official data do not reflect it, due to the fact it concerns a group that is not used to filing complaints and, when it does so, the authorities do not always include the element of discrimination or incitement to hatred on religious grounds (for example, in the cases of graffiti, the complaint is recorded as defacement, but it does not specify that it is a church or place of worship, and that the graffiti is offensive to the beliefs of or to the people who meet there).
- FEREDE believes that, even when the report includes its proposals, it does not have force or achieve the objective that, in the Federation's opinion, it should. It therefore proposes that the CALR should carry out its own assessment and make proposals or suggestions to advance religious freedom. It should not restrict itself to gathering the opinions of third parties (even if they are religious faiths or autonomous regions).

c) FCJE

The FCJE believes that since the enactment of the Law on Religious Freedom of 1980 and the State Agreements of 1992, the national, regional and local authorities have been taking the Federation's grievances into consideration.

The creation in 2004 of the Foundation for Pluralism and Co-existence by the Ministry of Justice shows the will of the State to implement sections of the Agreements with the State that have remained outstanding since 1992, as well as its clear support for religious freedom.

In any case, there are aspects on which work must be done to consolidate religious freedom further still. More specifically, the Federation wishes to highlight the following:

- The acquisition of plots in civil cemeteries for burials.
- The effective recognition of the Jewish calendar of festivals within education (public service examinations and examinations in public centres).
- More effective regulation of access to provide religious assistance to the Armed Forces and in hospitals and prisons.
- Clear legislation on the opening of places of worship which guarantees exercise of this right.
- Guarantee religious neutrality in official acts – at State, regional and local level – such as funerals and the like.
- Inclusion of a subject on religion or history of religions in the school curriculum.
- Possibility for Foundations other than those of the Catholic Church to register with the Registry of Religious Bodies of the Ministry of Justice.
- Improve the State system for funding religious faiths.

In short, the final objective is to normalise religious pluralism in society and to improve the Public Administration's management of religious diversity.

d) CIE

Although advancements continue to be made in terms of the protection of religious freedom, areas have been found where more work is needed. The CIE highlights the following:

- The introduction of measures to combat discrimination affecting a number of women, particularly in the workplace and in schools, as a result of wearing a hijab.
- The promotion of effective measures to resolve the difficulties encountered with regards to the opening of mosques.
- The regulation of burials without a coffin and the allocation of plots for Islamic burials in municipal cemeteries.
- The introduction of measures to combat the increase in offences to religious beliefs and hate crime.
- The resolution of the difficulties that arise in practice for the introduction of the academic subject of Islamic religion and in relation to the integration of teachers of this subject within the teaching staff.

e) FCBE

The FCBE expresses its gratitude to the General Directorate and Subdirectorate with competence in religious matters and states that it has found the staff at the Administration to be immensely helpful and sympathetic at all times.

In view of the political situation and the paralysis of the legislative activity, very little progress has been made in the exercise of religious freedom in the year in question.

The Federation believes that the training of public officials in managing religious diversity should be improved, and expresses its surprise over the lack of awareness of issues such as registering religious marriages, and that minority religions are left out of urban plans. Even the regulation governing religious bodies is not sufficiently well known. Often, when receiving advice from notaries on the establishment of an organisation, civil association legislation is applied, without mention of regulations that, in one case, date from 1980, such as the Organic Law on Religious Freedom of 1980.

There is a need to make legislative progress in the protection of places of worship, by preventing actions that violate the law (under the protection, as we have stated, of the Urban Rental Law and the Horizontal Property Law), with the purpose of evicting centres of worship, the actual basis of which might be to persecute another faith. Furthermore, it would be necessary to limit the system of expropriation in the case of minority religions, whose economic fragility makes them particularly vulnerable.

Despite being citizens with the exact same tax treatment as any other passive subject, the Buddhist faith receives no budget allocation whatsoever. Since it is not entitled to any tax privilege, rebate or exemption, the tax burden it carries is greater than that of other faiths, which, on top of that, receive public funds. Given the time passed with these differences, it believes that progress should be made towards equality between the various faiths.

In this regard, the FCBE has a very positive view of the statements by the Director General of International Legal Cooperation and Faith Relations, regarding the attempt to extend tax allocations to all deeply rooted faiths. It believes that issues such as non-Catholic religious foundations should be addressed by legislation, or the scope of the Law on Sponsorship should be widened.

f) Church of Jesus Christ of Latter-day Saints

The Church believes the fact that some deeply rooted faiths have not signed a Cooperation Agreement with the State could lead to a relative setback, bearing in mind the access that these Agreements grant to certain tax exemptions and benefits, religious teaching and assistance in public centres, etc. Furthermore, they believe that the system of allocating taxes to the Catholic Church should be extended to all deeply rooted faiths.

g) The Orthodox Church

The Romanian Orthodox Church puts forward the following proposals:

- That it should be placed on an equal footing with other faiths in terms of tax exemptions.

- That the system of the Catholic Church of allocating taxes should be applied to it.
- In terms of teaching, it proposes that, as a guarantee of religious freedom and of the right of pupils to receive teaching on their own (orthodox) religion, the opportunity to receive teaching on the Orthodox religion in state schools should be provided for, in the same terms as for other religions.
- It requests that an agreement should be made with the public authorities on the possibility of providing Orthodox religious assistance and pastoral care to Orthodox patients/inmates at public centres (Armed Forces, public hospitals, prisons and internment centres for foreign nationals).

2. AUTONOMOUS REGIONS

a) Catalonia

The existence of the General Directorate for Religious Affairs in the Autonomous Region has a positive effect in two respects: on the one hand, it allows existing problems to be detected, assessment to be made and a response to be planned in that regard. On the other, as a result of the activities of this General Directorate, the Local Administrations are better aware of the religious diversity that exists in society, of the regulation of the right to religious freedom, and of the need to manage this diversity and respect for the rights to religious freedom in different areas.

Specifically, the General Directorate of Religious Affairs of the Regional Government of Catalonia carries out different types of action. First, it advises religious bodies and both regional and local administrations on the exercise of the rights recognised by law in favour of religious freedom, taking into account the religious diversity of Catalonia and the precepts, rituals and practices that can give rise to requests and dynamics of various kinds in various areas of society (internment centres, education, health, cemeteries, public areas, etc.) Meanwhile, it publishes reference materials for the management of religious diversity in the range of areas mentioned above. In addition to this, it plans courses and work sessions aimed at workers in the administrations, which are both general (religious diversity and its management) and specific to certain areas (education, health, etc.)

To provide advice and raise awareness of religious diversity, the General Directorate of Religious Affairs has two key tools: the Religious Map of Catalonia (which records centres of worship within Catalonia) and the Barometer of religiousness and the management of its diversity.

Secondly, this body promotes action of various kinds through its subsidies. In 2016, subsidies became available for action to foster religious culture in Catalan society, promote inter-religious dialogue and disseminate religious news and facts. Subsidies are also available to promote research into religious diversity. The Cassià Just Memorial Award was held to recognise people or institutions that have worked to build a common area of respect for religious freedom and to foster dialogue between faiths.

Finally, the important task was performed of disseminating the reality of religion and its diversity through many activities, such as the organisation of the Showing of

Catalan Spiritual Cinema, the publication of documents drawn up by the Advisory Council for Religious Diversity and the monthly Religious Affairs Bulletin.

All of these actions clearly seek to protect and guarantee the rights of religious freedom of devotees, which is achieved to a large extent, even though new challenges always arise that mean these actions constantly need rethinking.

b) **Andalusia**

With regard to religious diversity and faith relations, the Regional Government of Andalusia highlights three aspects:

- Andalusia has developed management of religious diversity within education.
- The Regional Government has had an agreement with the Evangelical Church since 2006 and continues to develop its content.
- It believes that a diverse society, in which there are people who accept a religious presence in public spaces, must know how to manage the fundamental right to religious freedom.

Key aspects have yet to be developed in Andalusia that concern issues of regulation – perhaps via a model regulation – by local communities of the establishment of places of worship and sacred burial sites.

In the social sphere, it is considered essential to work on the proper integration of second-generation immigrants, which cannot be done without special attention to these aspects which constitute a key factor, together with educational success and workplace integration required for the social advancement of these generations. This means fostering processes that allow normal integration into society and the construction of an identity that includes diversity, as well as respect for the basic principles of social harmony as established in the Constitution.

It understands that all of this must be done in a climate of dialogue with all religious faiths and through their integration into participation bodies and spaces open to non-profit organisations. Relations build transparency, collaboration and trust.

c) **Aragón**

Aragón is an Autonomous Region with a mostly Catholic population. The Catholic Church in Aragón is structured around the Archbishopric of Zaragoza, with the suffragan dioceses of Huesca, Barbastro-Monzón, Teruel-Albarracín and Tarazona. There is also a diocese in Jaca (part of the Archdiocese of Pamplona). The Holy Week festivities in Aragón, especially in the province of Teruel, receive thousands of visitors, most notably along the Ruta del Tambor y del Bombo (Drum and Bass Drum Route), in Lower Historical Aragón. They are not only an expression of religious freedom in a public space, but also, since their declaration as a Festival of International Tourist Interest, a major source of income for these regions.

There is also a growing community of foreign origin, from countries whose religious minorities are Christian Orthodox (Romania 49,000 and Bulgaria 4,800) and Sunni Muslim (Morocco 17,900 and Algeria 5,000).

Furthermore, other minority communities with deep roots are present, such as Evangelical, Anglican and Mormon churches (which have existed in Aragón for 40 years through American immigrants at the Zaragoza Air Base) and Buddhist temples (most notably the Buddhist monastery of Dag Shang Kagyu in Panillo, Sobrarbe, as a tourist and meditation centre).

The Autonomous Region states that there are no major disputes of a religious nature in Aragón.

d) **Castile and León**

The Autonomous Region highlights its proposals in relation to religious freedom in the workplace, which would allow for improvements in the protection of this fundamental right:

- Closer collaboration with the Labour and Social Security Inspectorate in the implementation of its verification campaigns, considering the possibility of carrying out specific campaigns to control religious discrimination.
- Include, as part of the Action Plans of the Territorial Offices, monitoring activities in this area, especially in companies or sectors where a greater number of religious minorities are present.
- Specifically keeping track of possible breaches of deposited collective agreements.
- Foster contacts with representatives of religions, which could help identify possible lines of improvement and, if applicable, establish ways of resolving disputes that fall within the remit of the regional labour administration.

e) **Ceuta**

In the City of Ceuta, religious freedom is completely protected not only by law, but also by all decisions, mechanisms and tools placed at the disposal of the four main religious communities present.

Thus, the Autonomous City of Ceuta and its institutions are working on protecting and preserving architectural heritage, ensuring easy enjoyment of religious festivals, respect for religious precepts in terms of worship, dress, food, and any other distinctive features they may have.

Similarly, the religious communities have specific budget allocations and subsidies to provide coverage. They may also coordinate their particular activities with the Government through its multi-sectoral departments, and thereby encourage the exercise of their religion and traditions.

Although it is not free from minor problems – it constantly seeks to advance and strengthen management by the public administrations and bodies – the co-existence of the four main cultures and religions in the city show a high degree of integration, interaction, respect and social harmony. It is a model of which the City feels proud.

In Ceuta, the municipal management of religious and cultural diversity is natural and normal, since due to its demographics it has, and had been, multicultural for centuries. The Government of Ceuta manages and governs for all of its citizens equally, without distinction of creed or origin, taking stock of all of the religious, cultural and social traditions and customs.

f) **Madrid**

The assessment of the protection of religious freedom in the Autonomous Region of Madrid, in general terms that affect all religious faiths, is for the most part highly satisfactory, notwithstanding some incidences or failings that may affect any of these faiths.

By way of proposals to improve for next year, it is worth mentioning the creation of a new regulation governing general conflicts of conscience of health staff, and also the regulation that enables ministers of religion or missionaries to have social coverage upon their return to Spain or during temporary stays in the country, as well as setting the requirements when they establish themselves in Spain to carry out religious studies. It is also tabling legislative amendments that will allow tax benefits and personal income tax allocations to be extended.

With regard to awareness-raising, it is attempting to improve the social perception of religion, to prevent discrimination on grounds of religious belief, offences against religious feelings and hate crimes.

VI. THE RANGE OF CASE LAW CONCERNING RELIGIOUS FREEDOM OVER THE COURSE OF 2016

The most significant judgments in relation to the freedom of religion that were handed down in 2016 are listed below. This provides an understanding of the disputes that come before judicial bodies and the manner in which they were resolved.

European Court of Human Rights

- ECHR decision, *Zoubida Barik Edidi v. Spain* case, of 26 April 2016. It rejects the appeal of Zoubida Barik, a Muslim lawyer whom the National High Court did not allow to take to the stand wearing a hijab, since the appellant had not exhausted all possible channels of appeal in Spain. It does not go into the merits of the case.

Constitutional Court

- Constitutional Court Judgment 11/2016, of 1 February 2016 (1st Chamber). It protects a mother who requested and was denied surrender of her aborted foetus for incineration.
- Constitutional Court Ruling 128/2016, of 21 June 2016 (Plenary). Return of assets belonging to the Monastery of Sigüenza.

Supreme Court

- Supreme Court Judgment of 25 January 2016 (appeal 2644/2013, Civil Chamber, 1st Section). Ownership of tapestries of the defunct Private Association of the Faithful was awarded to the Archbishopric of Madrid.
- Supreme Court Judgment of 18 February 2016 (appeal 1666/2014, Civil Chamber). It upholds the appeal against the judgment of the High Court that found a lack of competence of the civil jurisdiction to hear the case because it was a matter for the ecclesiastical jurisdiction.

- Supreme Court Judgment of 14 July 2016 (appeal 3154/2014, Civil Chamber, 1st Section). Dismissal of an appeal for judicial review against a sentence for disseminating religious affiliations without a concern for information.
- Supreme Court Judgment of 6 July 2016 (appeal 793/2015, Contentious-Administrative Chamber, 7th Section). It upholds an appeal by an association that was prohibited from campaigning against abortion during an election period.
- Supreme Court Judgment of 2 June 2016 (appeal 194/2015, Social Chamber, 1st Section). A religious publisher does not have a legal personality separate from the congregation to which it belongs.
- Supreme Court Judgment of 18 May 2016 (appeal 2285/2014, Contentious-Administrative Chamber, 4th Section). Refusal of a concert at a religious education centre.
- Supreme Court Judgment of 8 April 2016 (appeal 1274/2014, Civil Chamber, 1st Section). Interpretation of article 752 of the Civil Code on the person who provides spiritual assistance to a terminally ill testator.
- Supreme Court Judgment of 11 May 2016 (appeal 542/2014, Contentious-Administrative Chamber, 4th Section). It found that the prohibition on practicing nudism on urban beaches does not violate article 16.1 of the Constitution.
- Supreme Court Ruling of 10 March 2016 (appeal 925/2015, Social Chamber, 1st Section). Finality of a judgment that confirms dismissal of a teacher of religion.
- Supreme Court Judgment of 14 December 2016 (appeal 2265/2015, Contentious-Administrative Chamber, 4th Section). Dismissal of a request to include a box on the personal income tax declaration for the Evangelical Church.
- Supreme Court Judgment of 22 November 2016 (appeal 3698/2015, Contentious-Administrative Chamber, 4th Section). Dismissal of an appeal against the regulation of the subject of religion in the upper secondary education curriculum.
- Supreme Court Judgment of 20 October 2016 (appeal 1278/2015, Social Chamber, 1st Section). It orders the reinstatement of a teacher of religion without *missio canonica*.
- Supreme Court Judgment of 30 September 2016 (appeal 1494/2015, Civil Chamber, 1st Section). There is no slander for suggesting association with a particular school of thought of the Islamic religion.
- Supreme Court Judgment of 21 December 2016 (appeal 2871/2015, Contentious-Administrative Chamber, 4th Section). Inappropriate refusal to repeat a concert at a religious education centre.
- Supreme Court Judgment of 1 December 2016 (appeal 267/2015, Social Chamber, 1st Section). Right of teachers of religion to receive six-yearly pay increases.

High Courts of Justice

- Judgment of the High Court of Justice of the Balearic Islands, of 18 March 2016 (appeal 407/2015, Contentious-Administrative Chamber, 1st Section). Refusal of authorisation of a residency and work permit to a Muslim imam.

- Judgment of the High Court of Justice of the Balearic Islands, of 9 February 2016 (appeal 182/2015, Contentious-Administrative Chamber, 1st Section). Regulation of the subject of religion in upper secondary education violates fundamental rights.
- Judgment of the High Court of Justice of Madrid of 26 January 2016 (appeal 419/2015, Contentious-Administrative Chamber, 8th Section). Failing to include the subject of religion among the bilingual education options did not violate any rights.
- Judgment of the High Court of Justice of Asturias of 22 January 2016 (appeal 2426/2015, Social Chamber, 1st Section). Substantial change to working conditions of a teacher of religion.
- Judgment of the High Court of Justice of Catalonia of 19 January 2016 (appeal 4698/2015, Social Chamber, 1st Section). Refusal to reimburse a Jehovah's Witness for costs of an alternative to blood transfusion.
- Judgment of the High Court of Justice of Madrid of 07 June 2016 (appeal 748/2014, Contentious-Administrative Chamber, 5th Section). Payment of income tax of a member of a religious congregation.
- Judgment of the High Court of Justice of the Canary Islands, Las Palmas, of 31 May 2016 (appeal 186/2016, Social Chamber, 1st Section). Awarding of a sum for seniority of a teacher of religion.
- Judgment of the High Court of Justice of the Basque Country of 23 May 2016 (appeal 811/2015, Contentious-Administrative Chamber, 1st Section). Exemption from Value Added Tax on property owned by a Bishopric.
- Judgment of the High Court of Justice of Madrid of 20 May 2016 (appeal 740/2014, Contentious-Administrative Chamber, 5th Section). Payment of income tax of a member of a religious congregation.
- Judgment of the High Court of Justice of Andalusia, Granada, of 16 May 2016 (appeal 342/2012, Contentious-Administrative Chamber, 1st Section). Dismissing a claim lodged in view of a refusal of entry to a religious education centre.
- Judgment of the High Court of Justice of Castile-La Mancha of 16 May 2016 (appeal 279/2014, Contentious-Administrative Chamber, 2nd Section). Dismissal of interim teaching staff as compared to teachers of religion.
- Judgment of the High Court of Justice of Madrid of 4 May 2016 (appeal 295/2015, Contentious-Administrative Chamber, 6th Section). Challenge against the publication of the Roman Catholic curriculum by an association of atheists.
- Judgment of the High Court of Justice of Andalusia, Málaga, of 7 April 2016 (appeal 297/2016, Social Chamber, 1st Section). Withdrawal of eligibility of a teacher of Catholic religion.
- Judgment of the High Court of Justice of Asturias of 31 March 2016 (appeal 297/2016, Social Chamber, 1st Section). Right of a nun to benefits in favour of family members.
- Judgment of the High Court of Justice of the Valencian Community, of 1 March 2016 (appeal 1521/2015, Social Chamber, 1st Section). Recognition of a health card held by a member of the clergy.

- Judgment of the High Court of Justice of the Balearic Islands, of 30 November 2016 (appeal 265/2016, Contentious-Administrative Chamber, 1st Section). Refusal of exemption from property tax of a religious congregation.
- Judgment of the High Court of Justice of Asturias of 29 September 2016 (appeal 207/2016, Contentious-Administrative Chamber, 1st Section). Appeal against a municipal agreement to boycott Israel.
- Judgment of the High Court of Justice of Madrid of 28 September 2016 (appeal 578/2016, Contentious-Administrative Chamber, 8th Section). Request to surrender a placenta on grounds of religious belief.
- Judgment of the High Court of Justice of Castile and León, Valladolid, of 23 September 2016 (appeal 906/2015, Contentious-Administrative Chamber, 1st Section). Receipt of a subsidy by a religious congregation.
- Judgment of the High Court of Justice of Madrid of 21 September 2016 (appeal 547/2016, Social Chamber, 2nd Section). Claim of retirement pension by a pastor in the Evangelical Church.
- Judgment of the High Court of Justice of Extremadura, of 15 September 2016 (appeal 1/2016, Contentious-Administrative Chamber). Dismissal of an appeal against the regulation of the curriculum for religion in compulsory and upper secondary education.
- Judgment of the High Court of Justice of Aragón of 16 September 2016 (appeal 207/2011, Contentious-Administrative Chamber, 1st Section). Acceptance of a nun as a teacher in a school without an employment relationship.
- Judgment of the High Court of Justice of Andalusia, Granada, of 12 September 2016 (appeal 597/2016, Contentious-Administrative Chamber, 3rd Section). Refusal of Holy Week holidays did not violate the right to religious freedom.
- Judgment of the High Court of Justice of Madrid of 13 July 2016 (appeal 164/2015, Social Chamber, 2nd Section). It does not recognise the binding nature of a religious marriage by a body not registered in Spain.
- Judgment of the High Court of Justice of Madrid, 790/2016, of 14 December 2016 (appeal 370/2016, Social Chamber, 3rd Section). Dismissal of the appeal against a judgment that recognises the right to a widow's pension to a religious marriage performed according to the orthodox rites belonging to FEREDE not registered in the Civil Registry.
- Judgment of the High Court of Justice of Madrid of 21 December 2016 (appeal 509/2016, Social Chamber, 2nd Section). Novation of contracts for teachers of religion.

Provincial Courts

- Judgment of the Provincial Court of Ourense of 18 February 2016 (appeal 226/2015, 1st Section). Rejects an appeal against a religious congregation for an alleged lack of legitimation from its abbess.
- Ruling of the Provincial Court of Valencia, 4th Section, of 12 September 2016 (Ruling No. 855/16): Dismisses accusations of a hate crime against the Cardinal Archbishop of Valencia.

- Ruling of the Provincial Court of Valencia, 4th Section, of 12 September 2016 (Ruling No. 856/16): Dismisses accusations of a hate crime against the Cardinal Archbishop of Valencia.
- Judgment of the Provincial Court of Burgos of 20 June 2016 (appeal 384/2015, 2nd Section). Dismisses intention to declare ownership of a chapel by a city council.
- Judgment of the Provincial Court of Burgos of 20 June 2016 (appeal 162/2016, 2nd Section). Dismisses intention to declare ownership of a chapel by a church.
- Judgment of the Provincial Court of Las Palmas of 13 June 2016 (appeal 243/2014, 5th Section). Regulation of the noise of a church's bells.
- Ruling of the Provincial Court of Navarre of 6 May 2016 (appeal 24/2016, 2nd Section). Precautionary measure relating to a crime against religious feelings.
- Judgment of the Provincial Court of Madrid of 22 April 2016 (Summary Proceedings No. 1904/2015, 15th Section). Crime against religious feelings for disrupting an act of worship.
- Judgment of the Provincial Court of the Balearic Islands of 13 October 2016 (Judgment No. 102/2016). On the protection of religious feelings.
- Judgment of the Provincial Court of Madrid of 16 December 2016 (appeal 747/2016, 16th Section). Acquittal for crimes against religious feelings.
- Judgment of the Provincial Court of Albacete of 14 November 2016 (appeal 467/2016, 1st Section). Upholds the desire of a brotherhood to join the association of confraternities.
- Judgment of the Provincial Court of the Balearic Islands of 13 October 2016 (appeal 12/2016, 2nd Section). Guilty verdict for a crime against religious freedom under article 523 of the Penal Code.

Courts

- Judgment of the Court of Criminal Matters No. 6 in Madrid (Summary Proceedings No. 165/2014), of 18 March 2016, sentencing the robbery of a university chapel as a crime against religious feelings.
- Judgment of the Court of First Instance and Examining Magistrate's Court in Aranda de Duero (Province of Burgos) of 5 February 2016, annulling the registration of land and a chapel in favour of a church.
- Ruling of Examining Magistrate's Court No. 18 in Valencia, of 9 June 2016: Dismisses accusations of a hate crime against the Cardinal Archbishop of Valencia.
- Ruling of Examining Magistrate's Court No. 18 in Valencia, of 22 June 2016: Dismisses accusations of a hate crime against the Cardinal Archbishop of Valencia.
- Judgment of the Court of Criminal Matters No. 2 in Elche (Province of Alicante) of 2 June 2016 (appeal No. 628/2012). Conscientious objection to becoming part of a polling station.

- Ruling of Examining Magistrate's Court No. 2 in Pamplona, of 10 November 2016 (Ruling 000429/2016). Dismisses a criminal complaint for a crime against religious feelings.
- Ruling of Court of Criminal Matters No. 1 in Pamplona, of 11 October 2016 (Appeal No. 852/2015). Guilty verdict for an anti-Semitic hate crime.
- Ruling of Examining Magistrate's Court No. 1 in Tudela (Province of Navarre), of 15 September 2016 (Preliminary Proceedings No. 697/2016). Provisional custody for causing damage to a church.
- Judgment of the Court of First Instance No. 2 in Huesca, of 4 July 2016 (Appeal No. 61/2014). Action staking a claim of assets belonging to the Monastery of Sigena.

VII. APPENDIX: STATE LEGISLATION CONCERNING RELIGIOUS FREEDOM

Available at <http://www.mjusticia.gob.es/cs/Satellite/Portal/es/areas-tematicas/libertad-religiosa/normativa-materia-libertad>.

1. BASIC LAW

Agreements between the Spanish State and the Faiths:

With the Catholic Church:

- Agreement of 28 July 1976, between the Holy See and the Spanish State
- Agreement of 3 January 1979, between the Holy See and the Spanish State concerning:
 - Legal Matters
 - Economic Matters
 - Education and Cultural Matters
 - Pastoral Care in the Armed Forces and Military Service of Priests and Members of Religious Orders
- Agreement between the Kingdom of Spain and the Holy See concerning matters of mutual interest in the Holy Lands of 21 September 1994

With other Faiths:

- Law 24/1992 of 10 November, approving the Cooperation Agreement between the State and the Federation of Evangelical Religious Bodies of Spain
- Law 25/1992 of 10 November, approving the Cooperation Agreement between the State and the Federation of Jewish Communities of Spain
- Law 26/1992 of 10 November, approving the Cooperation Agreement between the State and the Islamic Commission of Spain

ORGANIC LAW 7/1980 OF 5 JULY, ON RELIGIOUS FREEDOM

2. BREAKDOWN BY SUBJECT MATTER

Civil legal personality in religious bodies:

- Royal Decree 589/1984, of 8 February, on the Religious Foundations of the Catholic Church
- Decision of 16 November 2010, issued by the State Secretariat for Justice, for the publication of the Collaboration Agreement with the Administration of the Regional Government of Catalonia in religious matters
- Royal Decree 1384/2011, of 14 October, for the enactment of article 1 of the Cooperation Agreement between the Islamic Commission of Spain, approved by Law 26/1992, of 10 November
- Seventeenth Additional Provision of Law 27/2013, of 27 December, on the streamlining and sustainability of Local Administration, relating to the opening of places of worship
- Directive of 4 June 2014, introducing certain procedures within the Registry of Religious Bodies
- Collaboration Agreement between the Ministry of Justice and the General Council of Spanish Notaries relating to the telematic transfer of public deeds to the Registry of Religious Bodies, of 23 September 2014
- Order JUS/696/2015, of 16 April, on the delegation of competencies (Official State Gazette of 21 April 2015)
- Royal Decree 594/2015, of 3 July, regulating the Registry of Religious Entities
- Decision of 3 December 2015, issued by the General Directorate for International Legal Cooperation and Faith Relations, on the recording of Catholic bodies in the Registry of Religious Bodies

Religious Freedom Advisory Committee:

- Royal Decree 932/2013 of 29 November, regulating the Religious Freedom Advisory Committee

Faiths declared to have a deeply rooted presence in Spain:

- Royal Decree 593/2015, of 3 July, regulating faiths declared to have a deeply rooted presence in Spain

Pastoral care:

- The Armed Forces:
 - Royal Decree 1145/1990, of 7 December, establishing the Religious Assistance Service in the Armed Forces and providing rules on its functioning
 - Law 39/2007, of 19 November, on Military Careers
 - Royal Decree 684/2010, of 20 July, regulating the conferral of military honours

- Schools:
 - Order of 4 August 1980 regulating pastoral care and acts of worship in Schools
- Hospitals:
 - Order of 20 December 1985 ordering the publication of the Agreement on Catholic Pastoral Care in Public Hospitals
 - Agreement of 23 April 1986 on Catholic Pastoral Care in Hospitals belonging to the National Health Institute
- Prisons:
 - General Organic Law 1/1979, of 26 September, on Prisons
 - Royal Decree 190/1996, of 9 February, for the passing of the Prison Regulations (Official State Gazette of 15 February)
 - Royal Decree 710/2006, of 9 June, for the enactment of the Cooperation Agreements signed between the State and the Federation of Evangelical Religious Bodies of Spain, the Federation of Jewish Communities of Spain and the Islamic Commission in Spain, on pastoral care in prisons
 - Collaboration Agreement, of 24 October 2007, between the State and the Islamic Commission of Spain for the financing of the expenses incurred as a result of the provision of pastoral care in State prisons
- Other:
 - Collaboration Agreement between the Ministry of the Interior and the Spanish Synod to guarantee Catholic pastoral care in internment centres for foreign nationals, of 12 June 2014
 - Collaboration Agreement between the Ministry of the Interior and FEREDE, FCJE and CIE to guarantee pastoral care in internment centres for foreign nationals, of 4 March 2015

The teaching of religion:

- Education:
 - Organic Law 2/2006, of 3 May, on Education, as worded by Organic Law 8/2013, of 9 December, for the Improvement of the Quality of Education
 - Royal Decree 1513/2006, of 7 December, establishing the core curriculum of primary education
 - Royal Decree 1630/2006, of 29 December, establishing the core curriculum of stage 2 of early education
 - Royal Decree 1631/2006, of 29 December, establishing the core curriculum of compulsory secondary education
 - Royal Decree 1467/2007, of 29 December, regulating the basic structure of higher secondary education and establishing its core curriculum
 - Royal Decree 126/2014, of 28 February, establishing the core curriculum of primary education

- Royal Decree 1105/2014, of 26 December, establishing the core curriculum of compulsory secondary education and higher secondary education
- Royal Decree 310/2016, of 29 December, regulating the final grading of compulsory secondary education and upper secondary education
- Decision of 14 March 2016 of the General Directorate for Evaluation and Territorial Cooperation, publishing the curriculum for the teaching of Islamic Religion in early education
- Decision of 14 March 2016 of the General Directorate for Evaluation and Territorial Cooperation, publishing the curriculums for the subjects of Islamic Religion in compulsory secondary education and upper secondary education.
- Decision of 28 January 2016 of the General Directorate for Evaluation and Territorial Cooperation, publishing the curriculum for the subject of Evangelical Religion in upper secondary education.

– Teachers of religion:

- Order of 9 April 1999, ordering the publication of the Agreement on the economic and employment regime of individuals, not registered in the Official Body of Teachers, who are charged with teaching Catholic religion in public nurseries, primary schools and secondary schools
- Decision of 23 April 1996, issued by the Undersecretariat of the Ministry of the Presidency, ordering the publication of the Cabinet Decision of 1 March 1996, and the Agreement on the appointment and economic regime of individuals charged with the provision of evangelical religious teaching in public primary and secondary schools
- Decision of 23 April 1996, issued by the Undersecretariat of the Ministry of the Presidency, ordering the publication of the Cabinet Resolution of 1 March 1996, and the Agreement on the appointment and economic regime of individuals charged with the provision of Islamic religious teaching in public primary and secondary schools
- Royal Decree 696/2007, of 1 June, regulating the employment status of teachers of religion envisaged in the Third Additional Provision of Organic Law 2/2006, of 3 May, on Education

Places of worship and religious cemeteries:

- Law 49/1978, of 3 November, on burials in municipal cemeteries
- General Law 14/1986, of 25 September, on Health
- Law 27/2013, of 27 December, on the streamlining and sustainability of Local Administration (opening of places of worship)

Religious marriage:

- Civil Code (amended by Law 15/2015, of 2 July, on Voluntary Jurisdiction)
- Order JUS/577/2016, of 19 April, on the manner of recording, in Civil Registries, certain marriages celebrated in a religious manner and the approval of the model for the certificate of marriage capacity and of religious marriage

Ministers of religion:

– Social Security

- Royal Decree 2398/1977 of 27 November, regulating the Social Security of the Clergy
- Order of 19 December 1977, regulating certain aspects of the application of Social Security to Diocesan Clergy
- Royal Decree 3325/1981, of 29 December, incorporating Self-employed members of Catholic religious orders into the Special Social Security Scheme for Self-employed Workers
- Royal Decree 487/1998, of 27 March, recognising the Social Security contributions of Catholic priests and secularised members of religious orders in the exercise of their duties
- Royal Decree 2665/1998, of 11 December, supplementing Royal Decree 487/1998, of 27 March, recognising the Social Security contributions of Catholic priests and secularised members of religious orders in the exercise of their duties
- Royal Decree 369/1999, of 5 March, on the terms and conditions for the inclusion of the ministers of religion of churches pertaining to the Federation of Evangelical Churches of Spain within the General Social Security Scheme (amended by Royal Decree 839/2015, of 21 September, Official State Gazette of 22 September 2015)
- Royal Decree 432/2000, of 31 March, regulating the calculation of the periods recognised as contributing to the Social Security within the Civil Service and Military Personnel Scheme for Catholic priests and secularised members of religious orders
- Royal Decree 822/2005, of 8 July, regulating the terms and conditions for the inclusion of the clergy of the Orthodox Church of the Moscow Patriarchate in Spain within the General Social Security Scheme
- Royal Decree 176/2006, of 10 February, on the terms and conditions for the inclusion of the religious heads and imams of the communities forming a part of the Islamic Commission of Spain within the General Social Security Scheme
- Royal Decree 1614/2007, of 7 December, regulating the terms and conditions for the inclusion of the members of the religious order of Jehovah's Witnesses in Spain within the General Social Security Scheme

– Immigration and Foreign Nationals/Employment:

- Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration
- Royal Decree 557/2011, of 20 April, passing the regulations of Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration, subsequent to its reform by Organic Law 2/2009

– Religious secrecy.

- Royal Decree of 14 September 1882, approving the Law of Criminal Procedure
- Law 1/2000, of 7 January, on Civil Procedure (article 371)

The economic and taxation system of religious bodies:

- Order of 2 February 1994 clarifying the scope of the exemption conferred within property tax via article 11. 3. a) of the Cooperation Agreements between the State and FEREDE, FCIE and CIE (Official State Gazette of 5 March), approved, respectively, by Law 24/1992, Law 25/1992 and Law 26/1992, of 10 November
- Law 29/1987, of 18 December, on the tax on estate and donations
- Law 49/2002, of 23 December, on the taxation system for non-profit organisations and tax incentives for sponsorship
- Law 50/2002, of 26 December, on Foundations
- Royal Decree 1270/2003, of 10 October, passing the regulations for the enforcement of the taxation system for non-profit and tax incentives for sponsorship
- Order EHA/3958/2006, of 28 December, establishing the scope and temporary effects of the elimination of non-taxation and the exemptions established in articles III and IV of the Agreement between the Spanish State and the Holy See, of 3 January 1979, with regards to Value Added Tax and the Indirect Tax of the Canary Islands
- Order EHA/2760/2008, of 25 September, approving the procedure for the liquidation of tax allocated to the Catholic Church and the regularisation of the resulting balance between the State and this body, envisaged in the Eighteenth Additional Provision of Law 51/2007, of 26 December, on the General Budget of the State for 2008
- Legislative Royal Decree 2/2004, of 5 March, approving the consolidated text of the Law regulating local tax authorities (articles 60 and 62.1.c)
- Law 36/2014, of 26 December, on the General Budget of the State of 2015

The protection of religious freedom under criminal law:

- Organic Law 10/1995, of 23 November, on the Penal Code, amended by Organic Law 1/2015, of 30 March.

Other collaboration agreements:

- Decision of 16 November 2010, issued by the State Secretariat for Justice, for the publication of the Collaboration Agreement with the Administration of the Regional Government of Catalonia in religious matters
- Collaboration Agreement between the Ministry of Justice and the General Council of Spanish Notaries relating to the telematic transfer of public deeds to the Registry of Religious Bodies, of 23 September 2014.

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