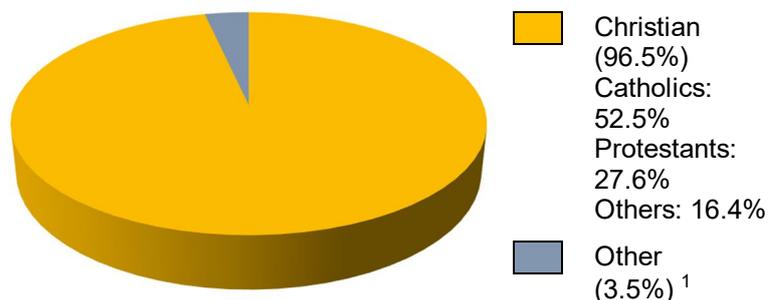


# EL SALVADOR



<b>Area:</b> 21, 041 km <sup>2</sup>	<b>Population<sup>2</sup>:</b> 6.3 million	<b>Political system:</b> Democracy	<b>Major Language(s):</b> Spanish <sup>3</sup>
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## Legal framework and on freedom of religion and actual application

The constitution broadly protects against religious discrimination. Thus (i) it guarantees the exercise of civil rights, without restrictions of nationality, race, sex or religion (article 3); (ii) in relation to freedom of expression, it prohibits media companies from discrimination on the basis of the political or religious content of what is published (article 6); (iii) in the case of labour rights, it bans discrimination on religious grounds (article 38); (iv) regarding the right of association, it bans armed groups based on political, religious and professional interests (article 7), and in the workplace, it guarantees, inter alia, the right of association of private employers and workers, without distinction of creed (article 47); (v) schools cannot deny admission to students on the basis of the type of union of their parents or guardians or because of social, religious, racial or political differences (article 58).

Article 25 of the constitution guarantees the free exercise of all religions, subject to the limits of morality and public order; it expressly prohibits, however, the use of a religious act to establish the civil status.

As for the specific regulation of the exercise of worship, (i) special consideration is given to gatherings or associations for religious purposes, whose constitutional rights cannot be suspended under emergency regulations (article 29); (ii) the ministers of religion cannot, inter alia, belong to political parties, nor are they eligible for elected office (article 82); (iii) civil or ecclesiastical corporations or foundations may not own or manage real estate, except for those properties that are immediately and directly in the service or object of the institution (article 108); (iv) temples and connected buildings with a religious function are exempt from property taxes (article 231).

Only lay people can be elected President of the Republic, become government ministers or deputy ministers, Supreme Court justices, appeal court judges, first instance judges, justices of the peace, or governors.<sup>4</sup>

The Penal Code imposes prison sentences on those who publicly offend the religious beliefs of others, and on those who destroy religious objects.

The Interior Ministry has the authority to register, regulate and supervise the funding of non-governmental organisations, non-Catholic churches and other religious groups. The law specifically exempts the Catholic Church from registration. Most applications for registration are approved, but

others remain pending because of a lack of the necessary information from applicants; so far, none has been rejected.

Public education is secular. The constitution guarantees the right to establish private and religious schools without government interference.<sup>5</sup>

### **Incidents**

In August 2014, El Salvador's Catholic Church expressed concern over violence, extortion and various forms of crime affecting the country. It announced that it would co-operate with government authorities – whilst strengthening its own identity and independence – in order to set up a commission with four Church representatives, which would promote and work for a peaceful environment in El Salvador.<sup>6</sup>

In April 2015, spokesmen for gangs (known as *maras*), which have plagued the country with crimes and violence, apologised to society for the damage they had caused, and offered civil authorities a truce. All this was motivated by the beatification of Archbishop Romero, set for 23<sup>rd</sup> May 2015.<sup>7</sup>

In July 2015 the Catholic Bishops' Conference of El Salvador, meeting in Ordinary Assembly, praised the Salvadorian people for forging ahead, despite the serious violence prevalent in the country. The bishops called on parish churches to perform an hour of adoration of the Blessed Sacrament every Thursday and Saturday afternoon, asking for the gift of peace for the nation. It urged those who chose violence to change their attitude and asked state authorities to act responsibly and to avoid actions which might generate greater divisions in the people.

The Bishops, after their Ordinary Assembly held from 25<sup>th</sup> to 27<sup>th</sup> January 2016, issued a similar message in which they stressed that impunity for crimes should not be normalised.<sup>8</sup>

In October 2015, a group of petitioners that included, among others, the Passionist Social Service of El Salvador and the Anglican Church of El Salvador, went before the Inter-American Commission on Human Rights to ask for increased government action on behalf of citizens forcibly displaced inside the country as a result of high rates of violence and poverty, which affect more than 40 percent of the population. On that occasion, various organisations pointed out that El Salvador is one of the most violent countries in the world whilst government representatives explained the measures being implemented to solve conflicts.<sup>9</sup>

In November 2015, the Office for the Defence of Human Rights of El Salvador asked the Supreme Court to annul a resolution adopted in August 2011 that prevents the execution of an international arrest warrant against Salvadorian military involved in the murder of six Jesuit priests more than 26 years earlier.<sup>10</sup>

The Catholic Church exercises great influence on the Salvadorian people, freely performing its duties, even though it has seen a drop in membership in recent years.<sup>11</sup>

### **Prospects for freedom of religion**

With respect to the period under review, one notes that religious organisations, such as the Catholic Church and the Anglican Church, have actively addressed the serious violence and poverty that El Salvador has endured for much of its recent history. It is especially noteworthy that young people have great trust in religious groups<sup>12</sup> and actively participate in their activities. This is of great importance in a country where gangs with largely underage members play a major role in acts of violence.

As in the previous period, the climate of violence prevailing in the country in 2014-2016 has not adversely affected respect for freedom of religion. In this sense, the latter has neither worsened nor improved. Overall, given the background of violence and poverty that characterises Salvadorian society, one can conclude that such freedom is not especially threatened, which can be interpreted as positive prospect for religious freedom.

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<sup>1</sup>[http://www.thearda.com/internationalData/countries/Country\\_74\\_2.asp](http://www.thearda.com/internationalData/countries/Country_74_2.asp) accessed on 4<sup>th</sup> May 2016.

<sup>2</sup><http://www.bbc.com/news/world-latin-america-19401932> accessed on 4<sup>th</sup> May 2016.

<sup>3</sup><http://www.digestyc.gob.sv/index.php/temas/des/poblacion-y-estadisticas-demograficas.html> accessed on 7<sup>th</sup> March 2016.

<sup>4</sup>[http://www.thearda.com/internationalData/countries/Country\\_74\\_6.asp](http://www.thearda.com/internationalData/countries/Country_74_6.asp) accessed on 2<sup>nd</sup> March 2016.

<sup>5</sup><http://www.state.gov/documents/organization/238756.pdf> accessed on 8<sup>th</sup> March 2016.

<sup>6</sup><http://www.arzobispadosansalvador.org/index.php/18-noticias-y-eventos/326-mensaje-de-la-conferencia-episcopal-sobre-la-violencia> accessed on 4<sup>th</sup> March 2016.

<sup>7</sup><https://es.zenit.org/articulos/el-salvador-maras-ofrecen-una-tregua-en-recuerdo-de-romero/> accessed on 8<sup>th</sup> March 2016.

<sup>8</sup>[https://issuu.com/arzobispadosansalvador/docs/mensaje\\_de\\_cedes\\_jul.\\_30-15/1?e=11240498/14522933](https://issuu.com/arzobispadosansalvador/docs/mensaje_de_cedes_jul._30-15/1?e=11240498/14522933) accessed on 4<sup>th</sup> March 2016.

<sup>9</sup><https://es.zenit.org/articulos/el-salvador-los-obispos-se-muestran-preocupados-por-la-violencia-del-pais/> accessed on 8<sup>th</sup> March 2016.

<sup>9</sup><http://hrbrief.org/2015/10/situacion-de-violencia-y-desplazamiento-interno-en-el-salvador/> accessed on 4<sup>th</sup> March 2016.

<sup>10</sup><http://derechoyreligion.uc.cl/es/docman/boletin-juridico/2015/409-boletin-juridico-noviembre-2015/file> accessed on 17<sup>th</sup> March 2016.

<sup>11</sup> <http://www.catholic-hierarchy.org/country/scsv3.html>

<sup>12</sup>[http://observatorionternacional.com/wp-content/uploads/2014/09/El\\_Salvador\\_Politica-Nacional-de-Juventud-y-Plan-de-Acci%C3%B3n-2011-2024.pdf](http://observatorionternacional.com/wp-content/uploads/2014/09/El_Salvador_Politica-Nacional-de-Juventud-y-Plan-de-Acci%C3%B3n-2011-2024.pdf) accessed on 8<sup>th</sup> March 2016.