

EL SALVADOR 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion and states that all are equal before the law. Discrimination on the basis of religion is prohibited. The constitution grants official recognition to the Roman Catholic Church and states that other religious groups may also apply for official recognition. In January the government agreed to cooperate with INTERPOL to arrest 17 Salvadoran former soldiers accused of shooting six Jesuit priests (five of whom were Spanish) in 1989 to silence criticism of civil rights abuses during the country's civil war. When a Spanish judge renewed his country's request with INTERPOL to arrest those implicated in the killings, the government agreed to cooperate. In February the National Police arrested four former soldiers accused of the killings.

Catholic and evangelical Protestant leaders said members of their churches sometimes could not reach their respective congregations in gang-controlled territory out of fear of crime and violence.

U.S. embassy officials discussed the importance of government officials carrying out their official duties regardless of their religious affiliation or beliefs with the new ombudsman for human rights. In meetings with Catholic and evangelical Christian leaders, embassy officials discussed the difficulties religious groups experience in attempting to reach followers in gang-controlled territories, stressing the importance of filing a complaint with law enforcement agencies and the ombudsman for human rights.

Section I. Religious Demography

The U.S. government estimates the total population of El Salvador at 6.2 million (July 2016 estimate). According to a July 2016 survey by the University of Central America's Institute of Public Opinion, 50.6 percent of the population identifies as Roman Catholic, 32.9 percent as evangelical Protestant, 14.4 percent have no religious affiliation, and 2.1 percent state "other," which includes Jehovah's Witnesses, the International Society of Krishna Consciousness, Muslims, Jews, Buddhists, and members of The Church of Latter Day Saints (Mormons). A small segment of the population adheres to indigenous religious beliefs, with some mixing of these beliefs with other religions such as Catholicism.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for the free exercise of religion. It states all persons are equal before the law and prohibits discrimination based on religion.

The constitution states members of the clergy may not occupy the positions of president, cabinet ministers, vice ministers, Supreme Court justices, judges, governors, attorney general, public defender, and other senior government positions. The clergy may not belong to political parties. The electoral code requires judges of the Supreme Electoral Tribunal and members of municipal councils to be laypersons.

The constitution allows religious groups to apply for official recognition by registering with the government. The Catholic Church, which is recognized in the constitution, is exempted from registration requirements. Religious groups may operate without registering, but registration provides tax-exempt status and facilitates activities requiring official permits, such as building places of worship. To register, a religious group must apply through the Office of the Director General for Nonprofit Associations and Foundations (DGFASFL) within the Ministry of Governance. The group must present its constitution and bylaws describing the type of organization, location of its offices, its goals and principles, requirements for membership, function of its ruling bodies, and assessments or dues. DGFASFL analyzes the group's constitution and bylaws to ensure both are in compliance with the law. Upon approval, the group's constitution and bylaws are published in the official gazette. DGFASFL does not maintain records on religious groups once it approves their status.

By law, the Ministry of Governance has authority to register, regulate, and oversee the finances of nongovernmental organizations (NGOs), non-Catholic churches, and other religious groups. Foreign religious groups must obtain special residence visas for religious activities and may not proselytize while on visitor or tourist visas.

Public education is secular. The constitution grants the right to establish private schools, including schools run by religious groups, which operate without government support. Parents choose whether their children receive religious education. Public schools may not deny admittance to any student based on

religion. All private schools, whether religious or not, must meet the same standards to obtain Ministry of Education approval.

The Penal Code imposes criminal sentences of six months to two years on individuals who publicly offend or insult the religious beliefs of others, or damage or destroy religious objects. If such acts are carried out for the purpose of gaining media attention, sentences increase to one to three years. Repeat offenders face prison sentences of three to eight years. There have been no prosecutions under this law.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In January the government agreed to cooperate with INTERPOL to arrest 17 former soldiers accused of shooting six Jesuit priests (five of whom were Spanish) in 1989 to silence criticism of civil rights abuses during the country's civil war. When a Spanish judge renewed his country's request with INTERPOL to arrest those implicated in the killings, the government agreed to cooperate. In February the National Police arrested four former Salvadoran soldiers accused of the killings. The United States government approved the extradition of former Colonel Montano Morales, accused of having orchestrated the killings.

There were 151 new requests for registration of religious groups from January through September, of which 49 were approved, 102 were pending, one was withdrawn, and none were denied.

The Office of the Ombudsman for Human Rights reported it had not received notice of any cases of alleged violations of religious freedom since 2006.

Section III. Status of Societal Respect for Religious Freedom

Catholic and evangelical Protestant leaders stated their clergy could sometimes not reach their respective congregations in gang-controlled territory out of fear of crime and violence. Religious leaders joined other members of civil society in the government-led National Security Council, helping to develop a new security plan, Plan El Salvador Seguro.

Section IV. U.S. Government Policy

U.S. embassy officials discussed the importance of government officials carrying out their official duties regardless of their personal religious affiliation or beliefs with the new ombudsman for human rights.

Embassy officials discussed internal displacement and restriction of movement because of gang activity with the faith-based NGO Cristosal and the executive director of the Institute of Human Rights at Central American University, a Jesuit institution, stressing the importance of filing a complaint with law enforcement agencies and the ombudsman for human rights.