## RICARDO GARCIA GARCIA MINISTRY OF JUSTICE

## **Subdirectorate General for Relations with Religious Confessions PERMANENT MISSION OF SPAIN TO THE UN BUREAU**

## II. Legal framework and key concepts

The Kingdom of Spain possesses a comprehensive legal system to guarantee the freedom of religion and worship, that has been followed by other countries, in whole or in part, in the frames of the comparative law.

The freedom of religion is ensured for individuals as well as for religious groups that unite people, from Spain and abroad, to be able to experience and share their religious feelings.

The only limitation to this right is the protection of the rights of others in the exercise of their public freedoms and fundamental rights, as well as the safeguarding of security, health and public morality, as fundamental components of the public order protected by the Law within a democratic society.

All churches, confessions, religious communities or federations enjoy a special legal protection and obtain legal personality once they are registered in the Register of Religious Entities in the Ministry of Justice. The inscription allows for internal self-organisation of religious groups, which means that each church, confession or religious community can chose its organisational form, appoint the clergymen, indicate their teachings, who administer worship, their internal management organisation, etc.

As an example: The places of worship, the clergymen, the religious ceremonies and feelings of both majority and minority religious groups are protected. The Spanish law makes no distinction and applies the same protective measures for all religious groups in question.

I shall finish by stressing that the Spanish legal system defends the lack of religious denomination of the State and its separation from any religious confession, according to the Constitution stating that 'There shall be no State religion', which however does not exclude religious groups from the public activities.

Quite the opposite, The Kingdom of Spain cooperates with all religious confessions and in a singular manner, those notably established among the Spanish society. They form part of the Religious Freedom Advisory Committee in the Ministry of Justice that analyses and gives opinion about legal norms that can eventually be adopted in Spain, related to the freedom of religion. Moreover, the Committee cooperates with the Foundation for Pluralism and Coexistence headed by the Ministry of Justice to advance within society the fundamental right of the freedom of religion through the financing of social projects, publications of religion teaching manuals, elaboration of guidelines on good practices in the public sphere, organisation of training courses for officials, and through many other initiatives.

Within the Ministry of Health, Social Policy and Equality, the government works on all issues concerning equality from the "Observatory against Discrimination, Racism and Xenophobia."

Pluralism is the utmost value of the constitutional and legal order in Spain, with all religious groups being part of this principle and contributing to the diffusion of the message of peace and to the construction of shared values enabling a greater social cohesion within the Spanish society.

Thank you for your attention.