

# El Salvador



Stable / Unchanged ▾

## Religion

## Population

## Area

- Christians : **96.2%**
- Agnostics : **2.6%**
- Others : **1.2%**

6,146,000

21,041 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

The preamble of the constitution<sup>[1]</sup> clearly declares trust in God, respect for the dignity of the human person and exhorts freedom and justice.

All persons are equal before the law. The constitution bans discrimination on religious grounds. Article 3 guarantees the exercise of civil rights without restrictions regarding nationality, race, sex or religion. With respect to freedom of expression, article 6 prohibits media companies from discriminating on the basis of the political or religious content of what is published. In relation to the right of association, article 7 bans armed groups based on political, religious or guild grounds. As regards the workplace, article 38 bans discrimination based on creed. Finally, article 47 guarantees the right of association of employers and workers, without distinction of creed.

The constitution guarantees in article 25 “the free exercise of all religions, without other restrictions than those required by the moral and the public order [ . . . ]. No religious act shall serve as evidence of the civil status of persons.”

The legal status of the Catholic Church is recognised. Article 26 states that other Churches may obtain recognition of their status in accordance with the law.

With respect to the regulation of freedom of worship, the constitution guarantees in article 29 that religious meetings or associations cannot be suspended even under emergency conditions. According to article 82, clergy cannot belong to political parties nor run for office. Article 108 states that no civil or ecclesiastical corporation or foundation can own or administer real estate assets, except for those that are immediately and directly used to serve or fulfil the institution’s mission. Places of worship are exempt from real estate taxes, as stipulated in article 231.

In relation to education, article 54 of the constitution guarantees the right to establish private schools, including schools

run by religious groups. Article 55 gives parents the right to choose their children's education. Article 58 states that no educational establishment may refuse to enrol students on the basis of the marital status of their parents or any social, religious, racial or political differences.

According to the Law on Educational Centres, the educational function of the Catholic Church is of great importance because of its contribution to the educational policies of the state. For this reason, the law recognises the organisation of the educational centres that depend on the Church and allows them to enhance the study plans of the schools under its jurisdiction, in accordance with its principles.<sup>[2]</sup>

The Ministry of the Interior has the authority to register, regulate and supervise the finances of non-governmental organisations, non-Catholic Churches and other religious groups. The law exempts the Catholic Church from the obligation of registering, since it is constitutionally recognised. Foreign religious groups must obtain a special residence visa to engage in religious activities and cannot proselytise if their members are in the country on tourist visas.<sup>[3]</sup>

31st October was declared the National Day of the Salvadoran Evangelical Church.<sup>[4]</sup>

## | Incidents

As observed in the previous period under review, there is no religious dimension to the country's climate of violence. No incidents have been reported undermining the right to freedom of religion.

In October 2017 a group of lawmakers proposed a constitutional amendment to change article 26 in order to grant recognition of legal status to all Christian groups, thus upholding the right to equality and non-discrimination.<sup>[5]</sup> In October 2017 the speaker of the Legislative Assembly gave the go ahead to a bill to reform the constitution in order to grant Evangelical Churches the same legal recognition and legal status as the Catholic Church. The initiative was presented by the Reverend Juan Carlos Hasbún and was supported by lawmakers from the GANA political party.<sup>[6]</sup>

In March 2018 Pope Francis approved the canonisation of Archbishop Óscar Romero of San Salvador. He was murdered in 1980 as he celebrated Mass.<sup>[7]</sup> In a statement issued by the Ministry of Foreign Affairs, the government expressed its joy at the announcement.<sup>[8]</sup> The canonisation was due to take place on 14th October 2018.<sup>[9]</sup>

The government – both at local and national levels – has repeatedly called on the Church to play an active role in conflict resolution.

Here are some examples:

In November 2017 the Archbishop of San Salvador expressed concerns about violence in the country and called on government to take act quickly to improve security.<sup>[10]</sup>

In January 2018 the Catholic Bishops' Conference of El Salvador issued a message calling on candidates in upcoming parliamentary and mayoral elections not to ignore the country's problem with violence, especially the large number of murders.<sup>[11]</sup>

## | Prospects for freedom of religion

For several years, the country has experienced gang-related violence and forced displacement. The level is so worrying that governments at different levels have called on the Churches to take part in discussions, mediation and solutions to this phenomenon.

During the period under review, nothing indicates any improvement or deterioration in the status of freedom of religion. Nevertheless, religious groups have played a greater role in seeking solutions to the problem of violence.

## Endnotes / Sources

- [1] El Salvador's Constitution of 1983 with Amendments through 2014, [constituteproject.org](https://www.constituteproject.org/constitution/El_Salvador_2014.pdf?lang=en), [https://www.constituteproject.org/constitution/El\\_Salvador\\_2014.pdf?lang=en](https://www.constituteproject.org/constitution/El_Salvador_2014.pdf?lang=en), (accessed 16th May 2018).
- [2] Ley de Centros Educativos Diocesanos, Decreto N°744,1987 (El Salvador), [https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_072954926\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072954926_archivo_documento_legislativo.pdf), (accessed 24th March 2018).
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- [4] Decreto legislativo N°514 de 2013, reformado por Decreto Legislativo N°842 de 2014 (El Salvador), art.1, [https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_073514015\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_073514015_archivo_documento_legislativo.pdf), (accessed 27th March 2018).
- [5] 'El Salvador', Proyecto de Acuerdo de Reforma Constitucional, Boletín Jurídico Observatorio de libertad religiosa de América Latina y El Caribe October 2017, p. 108, <http://derechoyreligion.uc.cl/es/docman/boletin-juridico/2017-1/1215-boletin-juridico-octubre-2017/file>, (accessed 17th March 2018).
- [6] 'Gallegos pide reformar Constitución para que iglesias evangélicas tengan igual reconocimiento legal que la católica', El Salvador Times, 11th October 2017, <http://www.elsalvadortimes.com/articulo/politicos/gallegos-pide-reforma-constitucion-estado-reconozca-iglesias-evangelicas/20171009103237029719.html>, (accessed 14th March 2018).
- [7] AFP, 'Monseñor Oscar Romero será proclamado Santo por el Papa', Página Siete, 8th March 2018, [http://www.paginasiete.bo/planeta/2018\\_March\\_8/monseor-scar-romero-ser-proclamado-santo-papa-172304.html](http://www.paginasiete.bo/planeta/2018_March_8/monseor-scar-romero-ser-proclamado-santo-papa-172304.html), (accessed 14th March 2018).
- [8] A. Juárez, 'Gobierno de El Salvador expresa su alegría por el anuncio de la canonización de Monseñor Romero', La Página, 7th March 2018, <http://www.lapagina.com.sv/nacionales/137131/Gobierno-de-El-Salvador-expresa-su-alegria-por-el-anuncio-de-la-canonizacion-de-Monsenor-Romero>, (accessed 14th March 2018).
- [9] 'Iglesia pide al papa que monseñor Romero sea canonizado en El Salvador', Proceso Digital, 7th March 2018, <https://proceso.hn/aldia/15-al-d%C3%ADa/iglesia-pide-al-papa-que-monsenor-romero-sea-canonizado-en-el-salvador.html>, (accessed 14th March 2018).
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