



How to approach complaint mechanisms which relate to social, economic and cultural rights either as church or individual?

National Human Rights instruments
and mechanisms



How to approach complaint mechanisms which relate to social,
economic and cultural rights as church or individual
National Human Rights instruments and mechanisms



Federation of Spanish Evangelical Religious Entities (FEREDE)

Representative entity of the Spanish
Protestantism Cooperation Agreement
signed in 1992



Problems we are currently facing in Spain

- ① The challenging circumstances of retired Protestant Ministers, or those just about to retire. (The case of Manzanas vs. Spain)
- ② The difficult situation of worship centres in Spain.



Case Manzanas vs. Spain

ROYAL DECREE 2398/1977: Ministers of all religious entities registered with the Ministry of Interior are included in the Social Security System.



Case Manzanas vs. Spain

- 1 The decree was implemented exclusively for Catholics.
 - ▼ Order 19 December 1977: Diocesan clergy.
 - ▼ Royal Decrees 487/1998 and 2665/1998: secular clergy.
- 2 These clergy members were included in Social Security System and allowed to have their previous years of service count towards their pensions.



Case Manzanas vs. Spain

Royal Decree 369/1999

- 1 Evangelical Ministers were included in the Social Security System.
- 2 However the years of religious service before 1999 do not count for the calculation of their pension.



Case Manzanas vs. Spain

European Court of Human Rights: Ruling implied a great advancement towards the solution of an historical grievance

- 1 Considered there was a breach of the principle of non discrimination.
- 2 Was a violation of article 14 of the Convention.
- 3 Favorable treatment received by Catholic Priests is not justified.



Resolution in favor of Mr. Manzanas

Mr. Manzanas is to be considered as a Pensioner in the Spanish Social Security system and he is to be compensated for the years of not receiving a pension

FEREDE and IEE have proposed solutions to the Spanish Government regarding evangelical ministers in similar situations but no response has been given



The question regarding worship centres

Current situation

- 1 Significant increase in the number of evangelical worship centers in recent years.
- 2 Adverse historical and social circumstances resulting in the current situation.
- 3 Financed exclusively by their member's donations, without any help or economical support from the State.
- 4 Inexistent legal standards concerning the opening of worship centers.



The question regarding worship centres

Specific problems

- ❶ Insufficient land destined to religious purposes in the municipal urban plans.
- ❷ The land granted for the constructions of temples is very small when compared to the grants for Catholic churches.
- ❸ The right of a religious entity to open a worship centre often depends on getting approval from the town council.



The question regarding worship centres

Solutions proposed by FEREDe

- 1 National legislation specifying concrete requirements for opening and establishing worship centres in order to guarantee, in a real and effective way, equality when exercising the right to open a worship center in Spain.
- 2 Declare that religious use is a compatible use of land designated for other purposes.
- 3 Replace the requirement for an administrative license with simply an Act of Previous Communication.
- 4 To specify in the relevant legislation the technical requirements needed in order to open a worship center
- 5 Require by law an obligation to designate areas for religious use in urban plans.
- 6 Include procedural systems in urban legislation so that religious communities can participate in the approval process of general urban plans
- 7 Specific legal arrangements that favor equality in the opening of religious centres.