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# Local Policies on Religious Minorities: The ‘Municipalities for Tolerance’ Programme in Spain<sup>1</sup>

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## Abstract

Religious minorities are increasingly present in all European urban spaces and their demands and needs must be accommodated also at the local level to make freedom of religion effective. However, local institutions, although being the closest to citizens, often lack the powers or the means to give a positive response to the increasing religious diversity of their populations. This makes necessary to consider and enhance local entities as active institutions in promoting and protecting cultural diversity, also in the religious domain. Municipalities for Tolerance is a Spanish policy programme designed to support local governments in managing religious diversity. The programme has started its implementation in several municipalities, offering the city councils additional tools for a positive and inclusive policy regarding religious minorities. Eventually, this initiative could also be exported for the benefit of local institutions and religious minorities in other European countries.

**Keywords:** religious minorities; local governments; diversity management; religious diversity; Spain

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This paper focuses on the local public management of religious minorities and their diversity. It presents and analyses the implementation to date of the Municipalities for Tolerance (*'Municipios por la Tolerancia'*) programme in Spain. In the last decades, almost all European cities have become home to a growing diversity of cultural identities and groups. Among them, religious communities play a particularly important role in the lives of many people, manifesting themselves in various ways in the public domain and maintaining relationships with local institutions. Local coexistence between individuals and groups of different religious affiliations or without religious identification is an element of great social relevance. Possible dynamics of stigmatization, discrimination, or radicalization by the majority or minority religious groups negatively affect the social climate, primarily at the local level.

Being the closest to citizens, local public institutions are sometimes the first to receive requests for religious accommodation and to manage their acceptance by other social groups. However, these administrations usually have limited powers or resources to develop their responsibilities. This makes necessary to study and develop specific policies that can contribute to the harmonious coexistence of citizens in diversity and respect for the rights of all, including freedom of religion in all its forms. Such is the purpose of the Municipalities for Tolerance programme, a recent initiative that has begun to be implemented in various municipalities in Spain and could serve as an example for replication in other European countries.

To develop this analysis, we will first define the area in need of research and the concepts of religious minorities and the local level. We will then justify why it is important to address the demands and needs of religious minorities from a human rights perspective, and why it is important to consider the local institutional level when providing such a response. Finally, we will focus on the Municipalities for Tolerance programme to analyse its origin and purpose, and how it has been implemented in this initial stage of its existence.

### **Religious minorities at the local level**

Religion constitutes one of the main markers of collective identity. Despite its defining complexity and the variety of beliefs and ways of life built around it, it is one of the most relevant factors in today's social diversity. At the same time, public spaces and their regulations have been designed based on certain dominant identities, including religious or spiritual ones. Democracy, understood as the rule of majority, does not solve the balance between majority and minority cultural identities in the public domain by itself. This means that the democratic management of religious diversity is one of the major political challenges in Western societies today.

This challenge has been studied and debated extensively from a state or national perspective. Generally, it has been to determine how religious diversity should relate to the public institutions (Bhuiyan and Black, 2025; Sajir and Ruiz Andres, 2025; Modood and Sealy, 2024; Marko et al., 2022; Ferrari, Medda-Windischer and Wonisch, 2021; Martínez-Ariño, 2021) or to analyse the ways to accommodate some religious minorities in the state legal and political framework (Medda-Windischer, Wonisch, and Budabin, 2024; Shareef, 2024; Kilinç, 2019). In any case, secular democratic states must recognise the relevant role religion plays

in society, as forgetting or neglecting it can exacerbate social tensions not only between religious groups but also in relation to other social groups and public institutions.

By contrast, the management of religious diversity at the local level is a less-studied subject, even though local institutions are precisely those which are closest to citizens. Nevertheless, in recent years a relevant literature on the management of religious diversity at the local level has emerged. The urban sphere as a specific context for intercultural policies has been addressed in works such as those of Wood and Landry (2008), Zapata-Barrero (2015), or Ambrosini (2017), among many others. More specifically, the relation between religions and urban or local spaces has been studied by Berking, Steets, and Schwenk (2018), Burchardt (2019), Haynes and Hennig (2011), Griera (2011), Blakeman (2006), Becci, Burchardt, and Casanova (2013), Henkel (2014), Lamine (2013), Martínez Ariño (2018, 2020, 2021), Griera and Burchardt (2021), Bramadat et al. (2021), and Burchardt et al. (2023).

Within the same research field, more specific elements have also been addressed, such as the participation or representation of confessions at the local level (Griera and Nagel, 2018; Griera and Forteza, 2011; Urrutia, Ruiz Vieytez, and Martínez de Bringas, 2020), the adequacy of urban planning for religious diversity (Dunn, Itaoui, and Ngui, 2022; Villaroman, 2015; Ponce 2011), the public management of places of worship (Crompton, 2013; Germain and Gagnon, 2003; Ponce and Cabanillas, 2011; Rodríguez García, 2003; Tarrés, 2010; Hegner and Margry, 2017), or the public management of other religiously-relevant elements, like cemeteries and funeral services (Maddrell et al., 2023). Recent scientific literature also includes research on particular monographic or comparative case studies on the management or dynamics of religious diversity in different cities, mostly Western or Asian (Griera, 2012; Ronen, 2001; Gale and Naylor, 2002; Gale, 2004; Gagnon and Dansereau, 2004; Bouma and Singleton, 2004; Mansouri and Pietsch, 2011; Torrekens, 2012; Van der Veer, 2015; Salguero, 2015; Giorgi and Itçaina, 2016; Conti, 2016; Becci, Burchardt, and Giorda, 2017; Körs and Nagel, 2018; Prideaux and Dawson, 2018; Griera, Giorda, and Fabretti, 2018; Astor, Griera, and Cornejo, 2019; Novotny, 2019; Martínez-Ariño, 2019; Bennett et al., 2021; Mosqueira and Carbonelli, 2025).

However, the analysis of local policies on the matter from a legal or applied policy perspective is not as common, nor of a comprehensive view of the demands and needs posed by this diversity at the local level. Thus, reflections and proposals on regulatory and political capacity at the local level are basically missing, also being conditioned by the legal and political framework of each state (for the Spanish case, see Celador, 2023; Rodríguez Moya, 2018; Castro, 2013; Alarcón et al., 2011; Seglers, 2004). To fill this gap, it is necessary to develop new practical knowledge to offer guidelines to local administrations facing one of the most common challenges in their neighbourhood coexistence. And to start doing so, it is necessary to delimit the meaning of the two main elements of the proposal: religious minorities and the local level.

Religious minorities are not defined as such in any international treaty or document. Nor is it common to find definitions of religious minorities in the domestic legal systems of European states, although some of them contain references to religious groups, minorities, or communities in their constitutions<sup>2</sup> or in minority protection legislation.

The fact is that the definition of minorities is always problematic, especially regarding the separation between traditional or old minorities and new minorities. If we add to this the difficulty in legally defining the religious phenomena, we will come to the conclusion that the notion of religious minority is not always precise. In fact, the concept of religious minority is currently expanding compared to the concepts of national, ethnic, or linguistic minorities. This is because, in the religious sphere, the traditional or historical nature of the community seems to be of lesser importance than when we speak of other types of minorities, notably those of a linguistic or national nature. In other words, the acceptance of new minorities distinguished by their religion is much more peaceful than those distinguished by linguistic or other elements. Therefore, it has been possible to argue that the concept of religious minority is the one growing most rapidly today (Ferrari, 2021), since it seems that in the religious sphere, demands for nationality, citizenship, or historical ties to the state take a back seat.

This being the case, a religious minority can be defined as any human group that more or less actively professes a religion different from that which is historically or sociologically followed by the majority of the population of the State. But applying this definition is by no means a simple operation for law and public policy. The boundary between religious, spiritual, or sect groups marks the division between those sets of beliefs that are considered legitimate within diversity and others that are understood in terms of their pathology. At this point, and beyond the great and well-known religious traditions, it is necessary to turn to the interpretative parameter of the sincerity of the beliefs that legally make up a given religious or spiritual system. The sincerity of the convictions of the members of a given group, and the difference with the predominant tradition should qualify it as a religious or confessional minority.

It is relevant to note that, in the religious domain, the traditional bonds that are frequently asked for minorities to qualify as such tend to vanish. Indeed, it is being widely accepted in European cities that non-national foreigners can form or belong to religious minorities, even in the case of religions that have no tradition or roots in the state in question. What happens to be very difficult to admit in the scope of linguistic minorities seems to be accepted much more easily in the case of religious minorities. In this sense, religious diversity constitutes an open door to the expansion of the very concept of minority, and religious entities are registered in several countries regardless of the national or foreign condition of their members.

Sometimes, the recognition of religious minorities themselves – or the distinction among them – can also be problematic, including conflicts of identification within or between denominations. However, there are other elements that can be considered in a more objective way when developing public policies in this area. The main one in this field is that of the places of worship, which in many cases are registered as such. Although the number of places of worship is not necessarily an indicator of the quantitative presence of a particular faith, it can constitute an instrumental unit of measurement for public action, especially at the urban or local level.

Regarding the local institutional level, we assume this is the territorial administrative or executive level closest to citizens. Today, in most European states, there is a basic territorial

administrative unit that typically has limited regulatory powers and administrative powers on a limited number of matters. In the case of European Union (EU) countries, until 2017 there were two territorial levels within the so-called local authority units. In that year, one of these levels was abolished, leaving the old one in force.<sup>3</sup> This consists of municipalities or equivalent units in the 27 EU member states. These administrative areas serve as the basis for the constitution of the NUTS<sup>4</sup> at its three reference levels. Currently, there are 93,803 local units in this category, which correspond to the institutional level we refer to as 'local' in this paper.

But it must be noted that this local institutional level is also the most diverse in terms of size, extension, or sociological characteristics, since it ranges from institutions governing large cities to rural environments with very small populations. In large urban centres, especially in countries with significant economic or social dynamism, religious diversity interacts with other diversities of different origins, cultures, or identity affiliation, forming what some authors have defined as superdiversity (Vertovec, 2023; Becci, 2021; Philimore, Sigona, and Tonkiss, 2020). Sometimes, these more global or intersectional approaches may blur the importance or specificity of religious phenomena which, in turn, re-emerge in certain highly diverse migratory or urban contexts. This can sometimes condition the institutional response to religious diversity, confusing it with other elements or markers of diversity such as alienness, or ignoring it under the excuse of secularism or public neutrality towards religions (Griera, 2012). As a result, the spheres of local action on this issue are often confused with other policies developed by municipalities or local institutions like, for example, social policies or policies for the integration of migrants. All this only reinforces the need to develop political impact research and propose clear guidelines for public intervention in this area from local institutions, in response to the demands and needs that this diversity generates.

### **Needs and demands of religious minorities at the local level**

Freedom of religion can be considered one of the oldest human rights. Its origins lie in the European religious conflicts that preceded the great liberal revolutions. From this precedent, it is a constitutive right of individual personality, with deep content that affects and conditions other human rights. Religious freedom contains an internal or intimate dimension whose scope is unlimited, but it also extends to an external or public sphere through the practice of the rites and obligations established by the confession, or through the external expression of belonging to a given religious community.

Yet, the application and legal interpretation of human rights always depends in the practice on the national contexts. In principle, religious pluralism is consubstantial to the idea of democracy,<sup>5</sup> and any democratic state must show neutrality and impartiality regarding the legitimacy of religious beliefs.<sup>6</sup> However, the configuration of public spaces and the definition of legal concepts as relevant as public order reflect the cultural and religious traditions that have historically or sociologically dominated in each national society. This is visible in numerous aspects that may affect the free exercise of religion, from the scheduling of public holidays to education, cultural, or healthcare elements.

Indeed, although most Western states proclaim themselves religiously neutral, it is evident that both the legal system and the design of public spaces reflect cultural traditions that are closely linked to a particular religious tradition or, in some specific cases, to the balance between two religious traditions. This requires an analysis of the extent to which people belonging to other religious traditions can be seriously affected in their enjoyment and exercise of fundamental rights. Public management of religious diversity is relevant precisely because it affects citizens' fundamental rights. In other words, the exercise of freedom of religion also affects the content of other recognised fundamental rights like freedom of expression, freedom of association, or the right to education, among others. In this sense, respect for the basic values of freedom, equality, and justice in any democratic state governed by the rule of law requires knowledge of the implications that religious affiliation may have for the fundamental rights of many citizens.

Although States may establish differential treatment between faiths proportionately related to their numerical or official importance,<sup>7</sup> they may under no circumstances prohibit the external expression of other faiths based on their minority condition.<sup>8</sup> Furthermore, within the rule of law, public institutions have the obligation to promote the necessary conditions for equality not only to be formal but also effective, and for citizens and the groups they belong to be able to develop their fundamental rights and actively participate in social, political, and cultural life.<sup>9</sup>

The historical configuration of public spaces and their regulation according to a certain religious tradition affects members of religious minorities in its external manifestation of freedom of religion or in relation to other fundamental rights, especially when they happen to be new in a given geographical or urban space. Among the most frequent demands of religious minorities is the need for adequate spaces for worship, which is not only a quantitative but also a qualitative issue. Indeed, urban planning requirements can lead to direct discrimination<sup>10</sup> or, more often, indirect discrimination against denominations that do not have sufficient space or the resources to obtain it in conditions of dignity and normality compared to the rest of society.

Another common demand in the practice of certain religions is the need to adapt the traditional regulations and spaces designated for funeral rites and burials, an external manifestation of religious freedom, which for some faiths requires significant regulatory adjustments or modifications. Religious minorities also frequently demand that their legal status be equated with that of the majority faith regarding operational issues such as tax exemptions, recognition of places or ministers of worship, access to public education, use of public spaces or premises for religious purposes, incorporation of official signage, or recognition of the civil effects of specific religious regulations, as is the case in some countries, for example, with marriages or stable unions. Other issues affecting the enjoyment of religious freedom by minorities may concern the way in which the right to health is provided in public institutions. Issues relating to food (including the slaughter of animals for human consumption) or clothing often require regulatory changes for certain religious denominations. The same applies to the calendar of public holidays or their timing, as well as to the possibility of celebrating religious

holidays in public spaces or enjoying these festivities with respect to activities of public relevance such as official examinations. Access to the religious assistance of each confession is also relevant when citizens find themselves in situations of special relationship with public administrations in hospital, health, prison, police, or military facilities.

Freedom of religion for minorities can also be affected by the way in which the presence of religious denominations in society is formally recognized and, where appropriate, their ability to participate as such in public affairs through general or other specific citizen participation mechanisms. As a principle, public recognition of religious communities or associations existing in society cannot be denied and any possible limitations on this recognition must be understood in a restrictive manner, since external recognition is part of the freedom of religion.<sup>11</sup> However, the way in which public authorities, and particularly those at the local level, maintain their relationship with the various religious denominations is also important. The social climate and harmonious coexistence between the majority and religious minorities will surely depend on the dignification of their presence and on the effective implementation of civil liberties for all the citizens.

### **Local management of religious diversity**

The local institutional level exists in all European countries. Within the European Union, this level currently corresponds to the so-called Local Administrative Units, which in most countries are called communes or municipalities. Whether federal or regional, the greatest differences in the political territorial structure of European countries occur at the intermediate levels – i.e., between unitary states and composite states. Significant differences in political organization can also be found among unitary states, as some of them have are partially politically decentralized. Furthermore, simple or unitary states may have different intermediate administrative structures depending on their population or territorial area.

There is greater homogeneity in the comparison between States at the local administrative level, since it is easy to identify in all of them as to which unit fits in this category. However, great diversity is observed within the local category itself, even within the same countries. Local authorities sometimes govern over large cities or integrated urban environments, while other times they govern over rural, dispersed, or very low-density populations. Different countries also have different traditions in shaping these local units.

Thus, in the EU as a whole, there are currently 95,068 local authorities which means an average of 3,542 inhabitants per unit.<sup>12</sup> This average size is low and it is difficult to imagine a public administration with the economic and organisational structure to provide a large number of services autonomously to such a small population group. This implies that different countries provide inter-municipal cooperation mechanisms or offer assistance to smaller municipalities for the provision of the services they are responsible for.

Yet, the tendency to establish small local units does not occur in all European countries. There seems to be a horizontal geographical barrier in the map of the average size of municipalities. Within the EU, Denmark and the Netherlands lead the ranking of average size

of local units, with average populations above 50,000 inhabitants. At the other end of the list, Czechia, Cyprus, France, Greece, and Slovakia have averages of fewer than 2,200 inhabitants per municipality. A comparison of all state averages shows that northern EU countries tend to have larger local units (the Scandinavian, Baltic, and Benelux regions have an average of more than 30,000 inhabitants per municipality), while central and southern EU countries tend to have significantly smaller ones (the average for Romance-speaking and Danubian countries is slightly more than 3,000 inhabitants per municipality). Finally, the countries with a majority Greek population (Greece and Cyprus) have an average of just 1,700 inhabitants per municipality, while Bulgaria strongly differs from the surrounding countries with its much larger municipalities (average of 24,323 inhabitants).

This implies that, regardless of the powers actually assigned to them by the legal order, many municipalities – due to their small size – are expected to present structural weaknesses when it comes to addressing religious diversity. While they are the institutions closest to citizens, they are also typically the most limited in resources or powers to provide adequate responses to the aspirations of all religious groups that converge in the civic space. Furthermore, in many cases, they have no prior experience in managing religious diversity, which leads to inadequate policies (Griera, 2012) or exclusionary policies regarding religious traditions that have not been part of society until more recently. It is also a fact that population movements in recent decades have substantially altered the landscape in many cities, increasing the number of religious minorities that pose new demands or needs that were not previously addressed in local policies.

In almost all legal systems, local government implies a certain regulatory power (to adopt bylaws or lower rank regulations) and some executive competences, basically oriented towards the provision of certain proximity services. Municipalities usually have their own competences and responsibilities, but rarely they are the only competent administration in a matter, since the state, regional, or other intermediate levels usually regulate matters that the municipalities implement; or even, they directly govern issues on which the municipalities may have some capacity to intervene. In addition, cross-cutting competences come across other more specific competences, making the delimitation of responsibilities difficult. In general terms, municipalities are usually responsible for certain proximity services such as local transport, cemeteries, waste management, and basic supplies (electricity, sewerage, and water). They are also normally responsible for the promotion of citizen participation, fostering tourism and protecting local heritage, the maintenance or use of public buildings, and town planning. In other areas more characteristic of the welfare state, such as health, education, and social assistance, they may provide certain complementary services (basic social services, maintenance of educational or health-related buildings), and in the case of big cities they may also have local security forces.

The point is that, beyond the powers for which they are directly responsible, legal systems usually allow municipalities to adopt policies for promotion, mediation, training, or awareness-raising, as well as active interventions based on implicit or indirect powers that do not violate the

competences of other institutions. In any case, local regulations must always respect the higher rank of national or regional laws. But the possibilities for local intervention in everyday elements of social life are always considerably broader than their explicit powers suggest. On this basis, it can be defended that local governments can develop positive management policies for religious diversity on a broad range of issues and contribute significantly to social coexistence and the effectiveness of freedom of religion for members of minorities.

### **Municipalities for Tolerance: A public policy programme for local authorities and religious minorities**

In Spain, religious freedom is recognised in Article 16 of the Constitution and legally regulated through Organic Act 7/1980 on Religious Freedom. State neutrality in religious matters is also enshrined in the constitutional clause, which also includes a mandate to cooperate with religious denominations, among which the Catholic Church is expressly mentioned. This open approach to religious diversity was, however, a novelty, since the country's historical foundation was built through the exclusion (and expulsion) of other religions like Judaism or Islam. For most of the state's modern history, Spain has been a constitutionally confessional country, or at least strongly tied to a majority Catholic Church.

Within the new context of religious freedom and neutrality adopted by the 1978 Constitution, the Spanish Constitutional Court has affirmed that Art. 16 requires authorities to show an active stance towards religious diversity, as part of a 'positive laicism'. By virtue of this, the state's attitude towards religion must not be abstentionist, but rather one of collaboration or cooperation with the confessions, in order to preserve the existing plurality.

In this framework, the State established a group of agreements with the Holy See at practically the same time as the Constitution was approved. These agreements have the legal status of international treaties and place the relationship with the Catholic Church in a privileged position, which is sometimes challenged in the political debate. On a different note, the Spanish government signed cooperation agreements in 1992 with three religions considered to be socially rooted<sup>13</sup> in the country: Islam, Judaism, and Protestantism. These agreements were enacted by the Spanish parliament and include: regulations regarding places of worship; reserved plots in municipal cemeteries; funeral practices; social security for ministers of religion; civil effects of religious marriages; religious assistance in the army, prisons and hospitals; religious instruction in public education; tax exemptions; religious holidays; animal slaughtering rules; and food labelling as kosher or halal. Finally, five other religious denominations have subsequently been recognized as religions socially rooted: the Church of Jesus Christ of Latter-day Saints (2003), Jehovah's Witnesses (2006), the Federation of Buddhist Entities of Spain (2007), the Orthodox Church (2010), and the Bahai faith (2023).

In order to manage the State's relations with religious minorities (this is to say, religious denominations other than the Catholic Church), the Spanish Government created the Pluralism and Coexistence Foundation (*Fundación Pluralismo y Convivencia*) in 2004 as an autonomous public entity currently dependent on the Ministry of the Presidency, Justice

and Relations with the Courts'. The establishment of this public foundation took place after the change of government in 2004, when the Socialist Party (PSOE) returned to power after the first eight-year period of governments led by the People's Party (PP). No less important is to remember the context generated by the terrorist attacks of 11 March 2004, the largest terrorist act in Spanish history. In a society accustomed to political violence motivated by long-standing internal conflicts, terrorism supposedly inspired by Islam suddenly emerged. Furthermore, a context became discernible where the impossibility of coexistence with certain religious affiliations, particularly Islam, could be raised. The new Foundation would aim to help achieve a more normalized and inclusive management of religious minorities in an increasingly diverse context, especially because of recent immigration movements.

In turn, this Foundation, in collaboration with the Spanish Federation of Municipalities and Provinces (*Federación Española de Municipios y Provincias*), created in 2011 the Observatory of Religious Pluralism in Spain (*Observatorio del Pluralismo Religioso en España*, hereinafter ORP), with the aim of facilitating the integration of religious minorities, sharing best practices and knowledge, and guiding public institutions in the implementation of management models consistent with constitutional principles and religious freedom.

The ORP has functioned as the most comprehensive and complete source of information on religious diversity in Spain (Del Olmo, 2015; Griera, Martínez-Ariño and García-Romeral, 2014). It has compiled and shared information and good practices, given advice, and raised awareness on public policies and regulations in relation to religious freedom. All of this is at the service of religious communities, academics and researchers, educational institutions, and public administrations. In relation to the latter, the ORP has had as its objective the elaboration of support guidelines with principles and recommendations for the public management of religious diversity, offering mediation and advice, particularly to local entities.

On the 15<sup>th</sup> anniversary of the creation of the Pluralism and Coexistence Foundation, the need was raised for the ORP to move into a second phase where it could improve its real impact on public policies on religious diversity, with more effective instruments including the possibility of evaluation and monitoring. To this end, coinciding with the 2020 COVID-19 pandemic, the Municipalities for Tolerance programme was designed.

The Municipalities for Tolerance programme is the result of collaborative work between the Pluralism and Coexistence Foundation, the Spanish Federation of Municipalities and Provinces, and the Human Rights Institute of the University of Deusto. This programme aims to help municipal institutions to manage religious diversity in accordance with principles of democracy, inclusion, and respect for plurality. By providing support mechanisms for this management, its ultimate goal is to involve local institutions in an active and positive attitude towards religious diversity in cities, especially the diversity that has emerged or has been reinforced in recent years. To this end, the programme is structured around two main documents: the Charter for the Local Governance of Religious Diversity (*Carta para la Gestión Municipal de la Diversidad Religiosa*) and the Action Plan (*Plan de Acción*).<sup>14</sup>

The Charter for the Local Governance of Religious Diversity is a political declaration that contains nine basic principles for a democratic, plural, and inclusive management of religious diversity at the local level. It is formulated as a commitment undertaken by the signatory institution and addressed to municipalities or local inter-municipal cooperation entities (provinces, counties, or island councils). The Charter also acts as a gateway to the Municipalities for Tolerance programme. This implies that participating municipalities must first officially adhere to the Charter, adopting this decision through an agreement adopted by the Plenary Session of the City Council or its Executive Board, or through a Mayoral Decree. Adherence to the Charter implies membership in a group of municipalities that express their recognition of the importance of religious diversity and their commitment to develop its protection positively.

The format of the Charter is the one of an institutional declaration, with an introduction consisting of seven “whereas” clauses and nine principles or objectives to guide the policy of signatory municipalities. As a matter of fact, none of the nine principles represents a specific added value to the legal system in force, since they are derived from existing regulations. However, the same regulations are sometimes interpreted differently, so the Charter plays an important interpretative and declarative role. In summary, the nine principles of the Charter are the following:

- 1) Positive recognition of religious diversity
- 2) Effective guarantee of freedom of religion for all individuals and groups
- 3) Elimination of all discrimination based on beliefs
- 4) Promotion of respect, understanding, and tolerance
- 5) Promotion of inter-administrative coordination and collaboration
- 6) Guarantee of public participation of religious communities
- 7) Promotion of dialogue between religious communities and with citizens
- 8) Promotion of research and training for public administrations
- 9) Dissemination of the principles and objectives of the Charter

The second document of the programme is the Action Plan. Only municipalities that are signatories to the Charter can work with this second document. It takes the form of a cultural protection treaty that includes a broad menu of measures that municipalities can take to manage their religious diversity positively. In total, 161 possible measures are included in the Action Plan, divided into eleven broad thematic areas of municipal intervention<sup>15</sup>. Not all measures are applicable to all municipalities and some measures may be optional or subsumed under others. This is in line with the open and flexible philosophy of the instrument, which aims to offer municipalities the widest possible range of measures so that, depending on their specific context, municipalities themselves can determine which actions are easier or more urgent to implement.

This flexibility aims to respond to the enormous diversity existing among local institutions, which range from urban municipalities with large and concentrated populations

to small, rural, or sparsely-populated municipalities. In turn, the religious diversity in each municipality can also be very different, as can the resources available to each institution. Therefore, the Action Plan includes different types of measures and, above all, different levels of commitment.

The main idea of the Action Plan is to offer a menu of possible actions to be implemented according to the concrete context of each municipality and its internal diversity. For this reason, the list of measures is accompanied by some provisions on their implementation and various levels of monitoring. Thus, on the one hand, 26 measures among the 161 are considered 'basic measures'. The purpose is that these 26 basic measures should be implemented by all municipalities in any case, because they are understood to derive directly from the minimum legal obligations of local institutions in this matter. These 26 basic measures pertain to ten of the eleven municipal areas of intervention. Above this minimum level, the Plan advocates that small municipalities should be able to assume and implement at least ten additional measures of their choice and municipalities with an intermediate population are asked for 50 additional measures. All these municipalities are committed to self-assessing their compliance with their Action Plan every two years. Finally, municipalities with a population over 100,000 inhabitants are required to comply with the 26 basic measures and a minimum of 90 additional measures of their choice, and to carry out an external evaluation every two years. In fact, the main goal of the Action Plan is the incorporation of municipalities with a large population so that they can serve as an example and generate a traction effect on intermediate or smaller municipalities.

The Action Plan was drafted from the basis of the local competences regarding religious diversity, incorporating not only express powers but also implicit or indirect ones. Thus, the preparation of the list of 161 measures was the result of a deep and exhaustive analysis of the legal framework and the incorporation of additional possible actions to promote, mediate, or raise awareness regarding religious diversity that do not necessarily derive from explicit local powers. The process of drafting the document included a testing or preliminary contrast phase with five municipalities from different regions of the country and which were ruled by different political parties.<sup>16</sup> Therefore, the final document is the result of several phases of revision and redrafting.

As of September 2025, 31 municipalities had already signed up to the Charter for the Local Governance of Religious Diversity,<sup>17</sup> including municipalities from 12 of the 17 Spanish Autonomous Communities (all except the single-province communities of Asturias, Cantabria, Navarra, La Rioja, and Baleares) and relevant municipalities with large populations such as Barcelona, Valencia, Málaga, and Bilbao. In terms of population, 3 of the 6 largest cities in Spain and 16 of the 50 most populated municipalities are already part of the programme. The total population of the 31 participating municipalities is 6,703,000, which represents 13.6% of the total population of Spain.

In 2024 and 2025, five municipalities initiated and completed the process for their first external evaluation.<sup>18</sup> Some interesting conclusions can be drawn from the experience gained in these processes.<sup>19</sup> The first is the high percentage of measures that the affected

municipalities were already implementing. The average for these municipalities in the first evaluation has risen to 70%. This figure, however, should not be misunderstood as it cannot be extrapolated. On the one hand, this could be because it can be assumed that the municipalities initially most willing to participate in the evaluation phase and design their own Action Plan are those which are precisely the most advanced in their religious diversity policies. On the other hand, because even though the first evaluation presents a generally favourable result, all the municipalities analysed so far fail to comply with at least one of the 26 basic measures, which are considered essential for guaranteeing freedom of religion at the local level. Furthermore, the data is primarily derived from self-assessment and comparison with external experts, but there is not yet a mechanism to incorporate alternative information provided by the city's religious or social entities.

The implementation of the evaluation cycle includes the detailed analysis of the Action Plan as a general questionnaire by the municipal authorities, two on-the-spot visits by the evaluation committee to meet and discuss with the competent staff of the municipality, as well as the elaboration of an adapted Action Plan to be implemented in the following two years. This work in the initial group of municipalities has also made it possible to verify the suitability of the general Action Plan as an instrument at the service of local authorities. As in the preliminary testing carried out with five municipalities, the first monitoring actions have shown that the municipalities have a wide range of measures at their disposal to intervene in religious diversity, beyond those traditionally considered. In any case, it has served to clearly differentiate the human rights policies that should guide this issue from other policies focused on immigration or social integration. This is not in vain: in many municipalities, an initial strong confusion between the phenomenon of migration and cultural or religious diversity has been detected.

Beyond differences in context, the main concerns and obstacles expressed by the leaders of the participating municipalities tend to coincide around the same topics: the opening of places of worship by minority faiths; internal information and training on religious diversity and its management for public sector staff; the representation criteria on religious events; and mechanisms for dialogue and participation for the religious minorities.

There is also evidence about the difficulties around some specific issues. Special mention should be made of the problems related to funeral services. At this point, respect for the post-mortem rites of the various religions by municipalities or by the companies that manage the corresponding local service seems to be well-guaranteed. However, the specific burial needs of some faiths, when these do not meet the requirements of mortuary health regulations, pose a problem for some municipalities. Adaptation is difficult in municipalities with spatially-saturated cemeteries, and the municipalities that have been able to adapt find themselves in the situation of actually providing the service for a territorial area larger than just their local one. In this regard, there is a lack of effective mechanisms to enforce inter-administrative cooperation that could ensure compliance with the legal regulations in a more rationally coordinated manner, based on a shared assumption of costs by several

municipalities. However, the structure of territorial divisions becomes rigid when it comes to managing services that, like this one, could be more effectively served in areas larger than the local level and smaller than the regional level.

Finally, the greatest difficulty lies outside the practical scope of the Municipalities for Tolerance programme. Local officials or political decision-makers often express that the main problem in implementing diversity policies is the need to involve and convince the political representatives elected by the citizens. Indeed, the democratic dynamics that submit political representatives to elections every short period of time, as well as the enormous influence exerted by the mass media and social networks at the local level, precipitate that sometimes the management of potential social conflicts is not guided by the guarantee of minority rights.

But the social misgivings that may lead to municipal inaction in this area do not extend to the entire area of religious diversity at the local level. On the contrary, there appear to be significant differences in social perceptions regarding some minorities, affecting the adoption of some of the measures included in the Action Plan. Experience working with religious minorities in Spanish municipalities points to three religious groups as particularly affected. These are, on the one hand, Muslim communities, whose presence or the opening of their mosques generates a rejection of proximity among significant sectors of the population. The same dynamic is perceived in Spain regarding the worship places of the Evangelical Church of Philadelphia (*Iglesia Evangélica Filadelfia*), a religious community primarily participated in by Roma citizens. Finally, a growing social rejection of Jehovah's Witness communities can be identified, sometimes linked to discriminatory and defamatory attitudes that are based exclusively on religious elements.

Nevertheless, the Municipalities for Tolerance programme continues to grow in terms of the number of member municipalities, and it is foreseeable that external evaluations will multiply in the coming years. Moreover, the programme has served as a basis for the development of new research projects at both the academic and applied levels, with a view to extending it to other European countries. At the same time, the possibility that the programme could be adapted for use with local institutions other than municipalities is beginning to be considered. In the case of Spain, these institutions would be the Provincial Councils (*Diputaciones provinciales*) in the provinces of the common system (outside the Basque territories) that do not form a single-province Autonomous Community, as well as the elected Councils of each island in the Balearic (*Consejos insulares*) and Canary Islands (*Cabildos insulares*) archipelagos. Since most municipalities in Spain are very small in size, the role of these second-level institutions in supporting the provision of services by smaller municipalities is very important, and the extension of the Municipalities for Tolerance programme to Provincial Councils and Island Councils would have an undoubted multiplier effect.

## Conclusion

State secularism in democratic countries poses a significant challenge for defining policies on religious diversity that guarantee respecting the rights of members of religious minorities,

which is getting more urgent due to population movements and growing social diversification. The challenge is most acutely experienced in everyday life at the local level, but most local authorities have not been concerned about this issue, considering that they lacked direct powers or adequate resources. On the contrary, the protection of religious minorities has traditionally been considered, at best, a national or regional issue.

The Municipalities for Tolerance programme, developed in Spain in recent years, has demonstrated that municipalities can implement numerous positive measures to democratically manage religious diversity and benefit their minorities. Local capacities in this area respond to a human rights policy and are not directly related to immigration policies. The incipient implementation of this programme is showing positive results, with an increasing number of (large) municipalities requesting to participate. The most concrete issues of concern for local authorities relate to spatial elements, such as the opening of places of worship, urban planning, or cemetery management. However, evidence shows that the central focus of municipal concerns is directed towards wider policies of representation and the participation of minorities in civic life, as well as civil service training and the representation policies of the municipality itself. Through the Municipalities for Tolerance programme, municipalities become active agents for the protection of religious minorities and for fostering social harmony, demonstrating that the programme could be extended to other public institutions or eventually exported to other neighbouring countries.

## Endnotes

- 1 The research leading to this paper has been developed in the framework of the research project “Religious diversity and democratic coexistence: analysis and proposals for municipal policies (DIVERPOMU)”, financed by the the State Research Agency of the Spanish Ministry of Science, Innovation and Universities (project number PID2023-149877NB-100).
- 2 For instance, in the constitutions of Albania, Bulgaria, Croatia, Cyprus, Finland, Greece, Kosovo, Montenegro, North Macedonia, Norway, Portugal, Serbia, Slovenia, Sweden, and Switzerland.
- 3 LAU level 2, formerly NUTS level 5.
- 4 Nomenclature of territorial units for statistics used by Eurostat.
- 5 ECtHR, Metropolitan Church of Bessarabia and Others v. Moldova, Application No: 45701/99, 13.12.2001, para. 114.
- 6 ECtHR, Metropolitan Church of Bessarabia and Others v. Moldova, Application No: 45701/99, 13.12.2001, para. 117; ECtHR, Chaare Shalom Ve Tsedek v. France, Application Nos 27417/95, 27.06.2000, para. 84. ECtHR, Refah Partisi and others v. Turkey, Application Nos: 41340/98, 41342/98, 41343/98 and 41344/98, 31.07.2001, para. 91.
- 7 ECtHR, Chaare Shalom Ve Tsedek v. France, Application Nos 27417/95, 27.06.2000, para. 84.
- 8 ECtHR, Barankevich v. Russia, Application no. 10519/03, 26.10.2007, para. 31.
- 9 As expressly stated in Article 3 of the Italian Constitution and Article 9 of the Spanish Constitution.
- 10 An extreme case is the restriction to build minarets, approved by a Swiss referendum in 2009. Both Swiss and international bodies declared this clause to be against the freedom of religion and a discriminatory measure against the Muslim minority.
- 11 ECtHR, Metropolitan Church of Bessarabia and Others v. Moldova, Application No: 45701/99, 13.12.2001, para. 118.
- 12 Data obtained from: <https://ec.europa.eu/eurostat/web/nuts/local-administrative-units>.
- 13 Spanish legislation on religious freedom uses the term “notorio arraigo” to refer to those confessions well-established or socially rooted in the Spanish society. This condition has to be officially recognised in accordance with the Royal Decree 593/2015. It gives the confession the possibility to have cooperation agreements with the state and an automatic recognition of civil effects for the corresponding religious marriages. The Spanish legal term “notorio arraigo” has not an easy translation into English, but it can be translated as “socially rooted”.
- 14 See: <https://www.pluralismoyconvivencia.es/nuestro-trabajo/mejora-de-la-gestion-publica-de-la-diversidad-religiosa/municipios-por-la-tolerancia/>.
- 15 These are: 1. Public relations and municipal organization; 2. Representation and communication; 3. Citizens’ participation; 4. Public space and security; 5. Urban planning and worship places; 6. Social intervention; 7. Cemeteries and funeral services; 8. Food services; 9. Culture and heritage; 10. Awareness raising and training; 11. Intermunicipal and cross-border cooperation.
- 16 The five testing municipalities and their ruling parties at the moment of drafting were: Barcelona (Socialists’ Party of Catalonia – PSC), Bilbao (Basque National Party – PNV), Málaga (People’s Party – PP), Cartagena (People’s Party – PP) and Valladolid (Socialist Party – PSOE).
- 17 See the full list of members at: <https://www.pluralismoyconvivencia.es/nuestro-trabajo/mejora-de-la-gestion-publica-de-la-diversidad-religiosa/municipios-por-la-tolerancia/>.
- 18 One in the Community of Madrid (Parla), two in the Basque Country (Bilbao and Vitoria/Gasteiz), and two in Catalonia (Sabadell and Cambrils). The ruling parties in these municipalities include the PSOE, PNV, PSC, and a local list in the case of Cambrils. By the end of 2025, all but Alcorcón had completed the first external evaluation.
- 19 The information contained here derives from the experience gained in the implementation of the programme in the localities mentioned, as well as from testimonies produced in surveys, forums, and meetings held with the other municipalities participating in the programme.

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