

Muslims in Spain and the Cooperation Agreement of 1992

IMPACT: The Cooperation Agreement of 1992 is a legal framework established by the Spanish government and the Islamic Commission of Spain to guarantee the rights of Muslims living in Spain. Included in the agreement were essential aspects of development and citizenship, such as the teaching of Islam to Muslim children and the regulation of worship places. Although almost thirty years have passed since the signing of the agreement, several issues key to Muslim life—such as the increasing need for Muslim cemeteries—have yet to be solved.

- The Cooperation Agreement of 1992 is a **legal framework that governs the relations between the Spanish government and the Islamic Commission, a federation of entities made up of the Union of Islamic Communities of Spain (UCIDE) and the Spanish Federation of Islamic Religious Entities (FEERI)**. The agreement was signed by the government under Felipe Gonzalez Márquez in 1992 and continues to this day. The **Cooperation Agreement addresses fundamental aspects of Muslim life**, such as the teaching of Islam in Spanish schools, the regulation of Muslim cemeteries, and the presence of imams in prisons and the army.
- According to data provided in a December 2019 demographic study of the Muslim population in Spain by the Unión de Comunidades Islámicas de España: UCIDE (Union of Islamic Communities of Spain), **the Muslim population in Spain is over two million (2,091,656) of which 879,908 are Hispano-Muslims, and Spanish and Moroccan Muslims represent the two main groups of the Muslim population. Catalonia, Andalusia, and Madrid are the regions with the largest Muslim communities**. Muslims with other nationalities are represented in other cities—there are sizable Pakistani communities in Barcelona and La Rioja, Senegalese communities in Catalonia and Galicia, and Algerian communities in Valencia, Aragon, and Galicia. The Muslim population is mainly Sunni, followed by Shia and some Sufi Muslims.
- Several attempts to guarantee and legalize the rights of Muslims in Spain preceded the Cooperation Agreement. Significant turning points included the Law 44/1967 from June 28 that regulates civil rights on religious matters and the Organic Law 7/1980 from July 5 on religious freedom, enacted after the Constitution of 1978. **These two laws allowed the creation of the Muslim Association of Spain (AME) in 1967, which is based in Madrid but has a national scope**. The AME became a public representative of the Muslim communities, both channeling the complaints of the small Muslim communities and suggesting legislative changes or modifications. **The Union of Muslim Spanish Communities (UCIDE: Unión de Comunidades Islámicas de España) was created after the law was passed in 1980 and became the link between the Muslim population and governmental institutions**.

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- One of the rights guaranteed to the Muslim community in Spain is the **right of Muslim students to study Islam in state schools according to the May 3 law (Ley Orgánica de Educación) 2/2006**. This followed the 1996 publication of curriculum for classes on Islam. Article 27 ratified parents' right to demand that their children could access a religiously relevant education.
- According to the law, **a school must have a minimum of ten students requesting the subject for it to be included**. The highest numbers of Muslim students are located in Catalonia, Madrid, and Andalusia and some schools in twelve autonomous communities already teach Islam as a subject. The teaching of Islam as a subject in primary education is guaranteed in Andalusia, Aragon, Canary Islands, Ceuta, and Melilla. It has already been implemented in Cantabria, Castilla y León, Castilla La Mancha, Valencia, Extremadura, Madrid, the Basque Country, and La Rioja. Only four communities teach Islam as a subject in both primary and secondary education: Asturias, Baleares, Galicia, and Navarra.
- Despite the high number of Muslim students (326,359), there are only eighty teachers employed to meet the demand. Due to a scarcity of instructors, some teach in several provinces and some autonomous communities have no Muslim teachers.
- In September 2020, the Balearic Islands and Catalonia implemented a pilot program with the subject of Islamic thought. **The implementation in schools has faced opposition from some communities who fear Islam is going to replace the subject of Christian religion, a fear with no legal basis**. This exemplified one of the two main problems surrounding the teaching of Islam in schools: the far-right claim that teaching the subject could be a potential source of radicalization of Muslim children and Islam might gradually replace the existing subject of Catholic religion. However, these concerns appear unsubstantiated—the Union of Islamic Communities in Spain (UCIDE) has reported that only one out of ten Muslim students can study Islam.
- **Article 14.4 of the Cooperation Agreement states that all Muslims students at state or public schools have the right to a pork-free menu suitable to their religious needs**. However, some schools claim the law only states “they should try to make an effort to adequate the diet to Islamic precepts.” **The availability of a halal menu may depend on the head of the school district and their understanding of the word “procurar” (to try to make an effort)**. Whereas the teaching of Islam in schools depends on a minimum number of students that demand it (10 per course), the implementation of halal menus in schools is variable and depends on the requirements imposed by any education centre, often hindering access to pork-free meals for students in rural areas. The autonomous communities of Catalonia, Extremadura, Valencia, and the Canary Islands are the most likely to accept the alternative menu but some families distrust the menus offered as they may require the food to be halal-certified by a reliable company.
- **One of the most contested protections guaranteed in the Cooperation Agreement of 1992 is the existing number of Muslim cemeteries**. The first Muslim cemetery, Sidi Embarek, was opened in Ceuta

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in the nineteenth century. During the Spanish Civil War (1936–1939), several Muslim cemeteries were created in Seville, Barcia, Adormideras, Salamanca, Zafra, Talavera de la Reina, Zaragoza, Burgos, León, Griñón, and Granada, as well as at the cemetery and Mosque of El Morabito in Córdoba.

- Currently, **there are thirty-five Muslim cemeteries in Spain and three Christian cemeteries (Córdoba, Palma de Mallorca, and Murcia) that contain space where Muslims can bury their loved ones—an insufficient number for a community of two million.**
- The decades-long question of cemeteries was partially addressed in the past through the expatriation of corpses; however, that option makes less sense due to the number of new Muslim generations born in Spain who do not want to be buried outside of their country. **The outbreak of COVID-19 along with the closure of borders exacerbated the situation and emphasized the need for resources that the Islamic Community has demanded for several years.** Some partial solutions exist; for example, the cemetery of Griñón in Madrid has been burying Muslims from parts of Spain that lack a Muslim cemetery, including autonomous communities such as Asturias, Cantabria, Castilla La Mancha, Extremadura, and Galicia. In March 2020, the Islamic Community in Catalonia—the community with the highest number of Muslims—raised a formal complaint to the president of the autonomous government, Quim Torra, about the lack of burial space for their deceased. Despite the attempts at solutions, the issue remains. **UCIDE claimed 95 percent of Islamic communities still do not have a proper place to bury their dead.**
- According to the last Demographic Study of the Islamic Population, **there are only twenty imams in Spanish prisons—an insufficient number for the approximately 6,000 Muslim inmates.** These figures are a stark contrast to the 164 Catholic priests that regularly assist the Christian prisoners—one for 250 inmates.
- The Islamic Commission has requested more money from the Home Affairs Ministry to hire more imams for the prisons. In Catalonia—where the resources are distributed by the Autonomous Government—there are eight imams for the Muslim prisoners while the rest of the country has only twelve imams. There are only seven assistant imams in Foreign Internment Centers.
- Another issue is the guarantee of Muslims’ rights in the army. While issues such as the availability of a halal menu have been addressed for decades, the number of imams in the army remains insufficient. **Currently, there are no army imams in Spain, although there are military units in which the majority of soldiers are Muslims** (the “unidad de regulares” in Ceuta and Melilla) and they previously had an imam.

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