



2016 Report on International Religious Freedom - Malta

Publication date: 15 August 2017

Executive Summary

The constitution provides for freedom of conscience and religious worship and prohibits religious discrimination. It establishes Roman Catholicism as the state religion and mandates Catholic religious education in state schools, but allows students to opt out of such classes. Through an amendment to the criminal code, the government decriminalized vilification of religion while expanding the scope of the crime of incitement to racial hatred to include religious hatred. According to media reports, the government's Planning Board denied permits to a Muslim community to convert several buildings to prayer rooms. In January government authorities provided temporary premises to a Muslim community that did not worship at the mosque in Paola, and had been praying publicly after reportedly failing to obtain permits for their makeshift prayer rooms. The opposition Nationalist Party commemorated Ramadan with the Muslim community at the party's headquarters.

In September and October members of two self-styled patriotic groups publicly opposed a Muslim community's attempts to obtain permits to legalize a makeshift prayer room. The Dominican Friars opened their school for Friday prayers to the Muslim community as an alternative venue to the prayer room. In January the Maltese Patriots (Patrijotti Maltin) protested and handed out pork sandwiches to passersby at a seafront venue where Muslims had gathered earlier for prayer. Religious leaders celebrated World Refugee Day with an interfaith service and prayers for refugees and war victims.

In meetings with the president, prime minister, and government officials in several ministries, civil society, and religious leaders, the U.S. Ambassador and other embassy officials discussed shared values of religious freedom and tolerance.

Section I. Religious Demography

The U.S. government estimates the population at 415,000 (July 2016 estimate). A survey conducted by the newspaper *Malta Today* in March showed 89 percent of the 500 respondents identifying as Roman Catholic. Another 4.5 percent of respondents identified as atheist/agnostic, while 6 percent said they belonged to other religious groups. These other groups include an estimated 10,000, largely foreign, Muslims, according to the Islamic Call Society, most of whom are Sunni and Shia, but which also include Ahmadis. Smaller groups include Copts, Greek Orthodox, Baptists,

evangelical Protestants, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists, members of the Family Federation for World Peace and Unification (Unification Church), Zen Buddhists, Bahais, and adherents of indigenous African religions. There are an estimated 120 Jews, according to Jewish community leaders.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates full freedom of conscience and religious worship, subject to restrictions in the interests of public safety, order, morality, or health, or protection of the rights and freedoms of others. It prohibits discriminatory treatment on the basis of creed. The constitution establishes Catholicism as the state religion and declares the Catholic Church has "the duty and the right to teach which principles are right and which are wrong."

In July through an amendment to the criminal code, the government updated provisions on crimes against religion – including the decriminalization of the vilification of religion – and expanded the scope of the crime of incitement to racial hatred to include incitement of religious hatred. Those convicted of incitement to religious hatred are liable to imprisonment for a term of six to 18 months.

The government does not require religious groups to be registered or licensed. A religious group has the option of registering as a voluntary organization with the office of the commissioner for nongovernmental organizations (NGOs). To qualify, the organization must be nonprofit, autonomous, and voluntary; provide a resolution letter signed by all its committee or board members requesting registration; provide its authenticated annual accounts and annual report; and pay a 40-euro (\$42) registration fee. The law does not provide registered groups with tax reductions or exemptions, but allows them to make collections without obtaining any further authorization. It also allows them to receive grants, sponsorships, and financial aid from the government and the Voluntary Organizations Fund, an entity financed through the government and the European Union. The fund, whose governing council is appointed by the minister of education and made up of representatives from voluntary organizations and a government representative, supports enrolled voluntary organizations.

Religious groups not registered as voluntary organizations with the office of the commissioner for nongovernmental organizations do not receive funding from the government or the Voluntary Organizations Fund and require government approval – issued by the Commissioner of Police – to collect contributions from the public, but otherwise have the same legal rights as registered groups.

The criminal code prohibits individuals from wearing "masks or disguises" in public, unless explicitly allowed by law; there is no specific reference – or exception – to coverings worn for religious reasons.

All religious groups may own property, including buildings. Property used for a particular purpose including religious worship, must obtain a permit for that purpose from the Planning Authority. All

religious groups may organize and run private religious schools; their religious leaders may perform marriages and other functions.

The constitution and law make Catholic education, which does not have to be taught by Catholic teachers, compulsory in public schools but allows students, with parental consent if the student is under the age of 16, to opt out of these classes and instead take an ethics course if one is available. If a school does not offer an ethics course, students may still opt out of the religion class.

Enrollment in private religious schools is permitted. The law does not regulate religious education in private schools. The law does not allow homeschooling for religious or other reasons except for physical or mental infirmity.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Parliament's amendments to the criminal code decriminalizing the vilification of religion generated considerable controversy. An academic from the University of Malta and other critics stated the changes would make it harder to prosecute persons for inciting religious hatred. Justice Minister Owen Bonnici stated, "In a democratic country, people should be free to make fun of religions, while not inciting hatred." On July 12, commenting on the change in the law, Catholic Archbishop Charles Scicluna, tweeted, "Demeaning God and man indeed go hand in hand. A sad day for Malta. Lord forgive them: they do not know what they do."

The government did not enforce the legal ban on face coverings or disguises.

In January government authorities provided temporary premises "until a permanent solution was found" to a Muslim community that did not use the mosque in Paola, and that had been praying publicly after they experienced problems in obtaining permits for their makeshift prayer rooms. According to local media reports, the Planning Authority denied permits to the community to convert the use of a residence, a garage, and a shop in various parts of the country to be used as prayer rooms. By year's end, there were no reports the Planning Authority had issued any permits for prayer rooms to the Muslim community.

The government continued to implement a pilot program to offer ethics education in state schools as an alternative to the 6 percent of students who reportedly did not attend Catholic religious classes. In December 2015, 40 teachers graduated from a specialized course to prepare them to teach the ethics classes. A total of 419 primary school students took ethics education classes during the 2015-16 school year. During the 2016-17 school year, the Ministry of Education extended the pilot project to nine more schools, expanding the program to a total of 1,073 students, or approximately three percent of all students.

In July the Ministry of Education launched a public consultation process on proposed changes to the education law, including the introduction of the option of homeschooling for parents. Public consultations ended in October.

In June the Forum for Equal Opportunities of the opposition Nationalist Party (PN) commemorated Ramadan with the Muslim community. At the event, PN Deputy Leader Beppe Fenech Adami

discussed the importance of dialogue in the community and encouraged the social inclusion of all sectors in society.

Section III. Status of Societal Respect for Religious Freedom

In September and October respectively, members of the Soldiers of Odin, which the Anti-Defamation League, an NGO, and others have called a hate group, and the Maltese Patriots (Patrijotti Maltin), which registered as a political party with the electoral commission during the year, opposed attempts by the Muslim Council to obtain permits to legalize the use of a property as a prayer room. The Muslim Council represented Muslim worshippers who reportedly did not use the mosque at Paola. The Maltese Patriots organized a protest with approximately 100 participants at the site of the prayer room, with a handful of counter protesters gathering in response. The administration of St. Albert the Great's College, belonging to the Dominican Friars, opened the school's facilities to the Muslim community for religious purposes. The Muslim Council welcomed and accepted the offer.

In January the Maltese Patriots protested at the seafront where members of the Muslim community had gathered earlier in prayer. The Maltese Patriots handed out free pork sandwiches to passersby and protested against Muslims praying in public. In a statement to the press shortly afterwards, Archbishop Scicluna denounced the Maltese Patriots' actions and stated, "One can never count other religions' prayers as a threat if you are certain of yourself and know that others have the same rights as you have.... Our constitution guarantees the freedom of religious belief. The rights which I enjoy should be enjoyed by others."

In August Imam Mohammed El Saadi accepted the invitation of the Bishop of Gozo, Mario Grech, to attend the liturgical celebrations at the Catholic Cathedral in Gozo in commemoration of the feast of Saint Mary, a day widely commemorated by Catholics in the country. In his reply accepting the invitation, the imam stated "Islam and Christianity are for tolerance, peace, and mutual respect" and said the Muslim community would continue to do the utmost to enhance these values. He also expressed condolences for the killing of a Catholic priest in France, Father Jacques Hamel, for which ISIS claimed responsibility.

To celebrate World Refugee Day in June, various religious denominations – including Catholics, Coptic Christians, and Muslims – conducted interfaith prayers for refugees and war victims at the Emigrants' Commission, an NGO run by the Catholic Church that aims to support all those affected by migration.

The Ahmadiyya Muslim community held its annual peace symposium in collaboration with the University of Malta student council in March. Speakers included academics, students and guest Islamic scholars. A senior lecturer from the University of Malta emphasized the need and importance of understanding diversity and different religions and cultures.

Section IV. U.S. Government Policy

The U.S. Ambassador and other embassy representatives met frequently with government officials, such as President Marie-Louise Coleiro Preca, Prime Minister Joseph Muscat, and the ministers for civil liberties, education, and home affairs to emphasize the shared values of religious freedom and tolerance. Embassy representatives engaged civil society leaders, such as leaders of Drachma (an LGBT support group with a religious orientation), Jesuit Refugee Services, and religious leaders representing all principal faiths in the country, such as Archbishop Scicluna and Imam El Saadi, to discuss respect for religious freedom.