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2023 Report on International Religious Freedom: Portugal

EXECUTIVE SUMMARY

The constitution provides for freedom of religion and worship and prohibits discrimination based on religion. The Religious Freedom Commission (CLR) is an independent, consultative body to the Assembly of the Republic (parliament) and the government that reviews all matters relating to application of the law on religious freedom. The Portuguese Agency for Minorities, Migration and Asylum (APMMA), an independent government body, advocates religious tolerance, including the “promotion of dialogue, innovation, and intercultural and interreligious education” and “combating all forms of discrimination” based on color, nationality, ethnic origin, or religion. All religious groups with an organized presence in the country may apply for registration with the Ministry of Justice (MOJ).

In 2022, the government granted citizenship to 18,121 descendants of Sephardic Jews expelled during the Inquisition, according to the most recent statistics. In March, parliament enacted stricter rules and imposed additional documentation requirements that went into force on September 1, for Sephardic Jewish citizenship applications. During the year, authorities continued to investigate possible illegalities in the attribution of nationality to descendants of Sephardic Jews and related criminal charges filed against Daniel Litvak, rabbi of the Porto Israeli Community. Authorities charged Litvak in 2022 with using privileged knowledge and connections to secure citizenship for such descendants and related financial crimes; his trial remained pending at year’s end. In July, a law that decriminalizes euthanasia and physician-assisted suicide went into effect over the objections of a wide range of religious groups. Under the law, medical personnel with religious objections may exempt themselves from participating in such procedures. During the summer,

parliament sponsored a series of conferences focusing on religious freedom, entitled “Democracy and Religious Freedom,” “Religious Freedom and Freedom of Speech,” and “Religions – Heritage of Humanity.”

Antisemitic incidents and rhetoric rose in the country following the escalation of the Israel-Hamas conflict in October. Incidents included the defacing of a synagogue in Porto and the defacing of Lisbon’s City Hall by protestors claiming the mayor “supported genocide” for his pro-Israeli positions.

U.S. embassy officials maintained regular contact with government officials from the APMMA and representatives of the CLR and discussed issues including the rise in antisemitism, the new law legalizing physician-assisted suicide, assistance to migrants of various religious groups, and encouraging interfaith cooperation to prevent discrimination among and between religious communities. On January 27, the Ambassador joined the public commemoration of International Holocaust Remembrance Day. On October 11, she joined the Israeli Ambassador, other diplomatic representatives, and members of parliament (MPs) at a public event where she spoke in support of Israel following the October 7 Hamas terrorist attack. On July 19, the 25th anniversary of the establishment of the Ismaili Center in Lisbon, the Ambassador joined President Marcelo Rebelo de Sousa to recognize the center’s work in promoting the values of interfaith cooperation. On August 3, during World Youth Day Lisbon 2023, the Ambassador addressed more than 10,000 participants with a message of the importance of transcending borders and languages and later discussed with Pope Francis the importance of religious freedom and respect for all faiths. On December 7, the Ambassador gave remarks in Porto at a public menorah lighting for Hanukkah that highlighted the value and importance of respect for the Jewish faith and religious diversity in the country.

Section I.

Religious Demography

The U.S. government estimates the total population at 10.2 million (midyear 2023). According to the 2021 census, 80 percent of the population older than 15 is Roman Catholic. Evangelical Protestants make up 2 percent of the population. Other denominations collectively comprising approximately 3 percent include the Eastern Orthodox Church, Seventh-day Adventist Church, Lutheran Church of Portugal, The Church of Jesus Christ of Latter-day Saints, Church of God of the Seventh Day, New Apostolic Church, Baptist Church, and Jehovah’s Witnesses. According to the census, nonevangelical Protestants number more than 75,000. Other religious groups together comprising less than 1 percent are Muslims, Hindus, Buddhists, Sikhs, Taoists, Zoroastrians, Baha’is, and Jews. In the census, 14 percent responded they did not belong to any religious group, and 3 percent did not answer the question.

Most members of the Eastern Orthodox Church are immigrants from Eastern Europe, primarily from Ukraine. The Muslim community estimates there are approximately 60,000 members, of whom 50,000 are Sunni and 10,000 Shia, including Ismaili Shia. Jewish community leaders estimate there are approximately 3,000 Jewish residents, with half residing in the greater Lisbon area.

Section II.

Status of Government Respect for Religious Freedom

LEGAL FRAMEWORK

The constitution provides for freedom of religion, including freedom of worship, which may not be violated even if the government declares a state of emergency. It states no one shall be privileged, prejudiced, persecuted, or deprived of rights or exempted from civic obligations or duties because of religious beliefs or practices. The constitution states authorities may not question individuals about their religious convictions or observance except to gather statistical information that does not identify individuals, and individuals may not be prejudiced by refusal to reply.

Churches and religious communities are independent from the state, determine their own organization, and perform their own activities and worship. The constitution affords each religious community the freedom to teach its religion and use its own media to disseminate public information about its activities. The constitution bars political parties from using names directly associated with, or symbols that may be confused with, those of religious groups. The constitution and law recognize the right to conscientious objection to military service, including on religious grounds, and require conscientious objectors to perform equivalent alternative civilian service.

The CLR is an independent, consultative body to parliament and the government, established by law. Its members include two representatives of the Portuguese Episcopal Conference (Roman Catholic); representatives of three religious groups (the Evangelical Alliance, the Islamic Community of Lisbon, and the Jewish Community of Lisbon) appointed by the MOJ; and five laypersons, three of whom are affiliated with the Ismaili Muslim, Hindu, and Buddhist communities. The Council of Ministers appoints its president. The CLR reviews and opines on all matters relating to the application of the law on religious freedom, including proposed amendments. The CLR notifies the relevant authorities, including the President, parliament, and other government officials, regarding cases involving religious freedom and discrimination, such as restrictions or prohibitions on the right to assemble or hold religious services, destruction or desecration of religious property, assaults on lay members

and clergy, incitement of religious discord, hate speech, and violations of the rights of foreign missionaries.

The *2021-25 National Plan to Combat Racism and Discrimination* revised the criminal code and expanded the grounds for protection. The plan further prioritizes preventing crimes motivated by racial, religious, or sexual discrimination. Additionally, it cites the internet as the predominant vehicle of communication associated with hate crimes and prioritizes cybercrime prevention and investigation.

The CLR may file formal complaints at the national level with the ombudsman, an official position created by the constitution and supplemental legislation to defend the rights and freedoms of individual citizens, and at the international level with the European Court of Human Rights. An appointed ombudsman is required to address complaints and provide an alternative remedy for dispute resolution but has no enforcement authority.

Religious groups may organize in a variety of forms that have national, regional, or local character. A denomination may organize as one national church or religious community or as several regional or local churches or religious communities. An international church or religious community may establish a representative organization of its adherents separate from the branch of the church or religious community existing in the country. A registered church or religious community may create subsidiary or affiliated organizations, such as associations, foundations, or federations.

All religious groups with an organized presence in the country may apply for registration with the registrar of religious corporate bodies in the MOJ. According to the CLR, there are 99 registered religious groups in the country, compared to 92 in 2022, and 50 in 2011. The requirements for registration include providing the organization's official name, which must be distinguishable from all other religious corporate bodies in the country; the organizing documents of the church or religious community associated with the group applying for registration; the address of the organization's registered main office in the country; a statement of the group's religious purposes; documentation of the organization's assets; information on the organization's formation, composition, rules, and activities; provisions for dissolution of the organization; and the appointment method and powers of the organization's representatives. Subsidiary or affiliated organizations may be included in the parent group's application; if not included, they must register separately. The MOJ may reject a registration application if it fails to meet legal requirements, includes false documentation, or violates the constitutional right of religious freedom. If the MOJ rejects an application, religious groups may appeal to the CLR within 30 days of receiving the ministry's decision.

Religious groups may register as religious corporations and receive tax-exempt status. Registered groups have the right to minister in prisons, hospitals, and military facilities; provide religious teaching in public schools; access broadcasting time on public television and radio; and receive national recognition of religious holidays. The government certifies religious ministers, who receive all the benefits of the social security system. Chaplaincies for military services, prisons, and hospitals are state-funded positions open to all registered religious groups, although chaplains are predominantly Catholic. A taxpayer may allocate 5 percent of income tax payments to any registered religious group.

Religious groups may also register as unincorporated associations or private corporations, which allows them to receive the same benefits granted to religious corporations. The same process as for religious corporations applies for registering as unincorporated associations or private corporations. There are no practical differences between them other than internal administration. Unregistered religious groups are not subject to penalties and may practice their religion but do not receive the benefits associated with registration.

By law, religious groups registered in the country for at least 30 years or “internationally recognized” for 60 years may obtain the higher registration status of a “religion settled in the country.” To show they qualify for this status, religious groups must demonstrate an “organized social presence” for the required length of time. These groups receive government subsidies based on the number of their members; may conclude “mutual interest” agreements with the state on issues such as education, culture, or other forms of cooperation; and may celebrate marriages that are recognized by the state legal system. The government has mutual interest agreements with Jewish and Islamic religious bodies and a concordat with the Holy See that serves the same function for the Catholic Church.

A law that became effective in July decriminalizes and allows euthanasia and physician-assisted suicide. Doctors and other medical personnel with any objection, including on moral or religious grounds, may decline participation in such an end-of-life procedure, similarly to their rights under laws that legalizing abortion in 2007.

Public secondary schools offer an optional survey course on world religions taught by lay teachers. Optional religious instruction is available at government expense if at least 10 students attend the class. Religious groups are responsible for designing the curriculum of the religious classes and providing and training the teachers. Private schools are required to offer the same curriculum as public schools but may provide instruction in any religion. All schools, public and private, are required to

accommodate the religious practices of students, including rescheduling tests if necessary.

The law prohibits employers from discriminating against individuals on the basis of religion and requires reasonable accommodation of employees' religious practices. Labor laws allow employees leave on their Sabbath and religious holidays, even if not nationally observed.

The APMMA, an independent government body operating under the guidelines of the Presidency of the Council of Ministers, has a statutory obligation to advocate religious tolerance, including the "promotion of dialogue, innovation, and intercultural and interreligious education" and "combating all forms of discrimination based on color, nationality, ethnic origin, or religion."

The law provides for the naturalization of Jewish descendants of Sephardic Jews expelled from the country in the 15th and 16th centuries.

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

GOVERNMENT PRACTICES

According to the MOJ, from March 2015 to May 2022, more than 112,000 descendants of Sephardic Jews expelled from the country during the Inquisition in the 16th century applied for naturalized citizenship under the 2015 Nationality Law for Sephardic Jews. In 2022, parliament enacted stricter rules and additional requirements for such applications. On May 24, the Lisbon Court of Appeals upheld the government's freeze of Rabbi Daniel Litvak's bank accounts as part of a criminal investigation started in 2022 into suspected illegal facilitation of many such applications. The freeze followed media reports of transfers of more than €3 million (\$3.3 million) from the Jewish Community of Porto to Litvak for facilitating applications. The investigation was ongoing and Litvak's criminal trial was pending at year's end.

On February 7, speaking in Lisbon at the opening of an international conference entitled Conscience and Freedom 2023, Minister of Justice Catarina Sarmento e Castro highlighted the country's role in protecting religious minorities, stating that these groups "have and will continue to have the freedom to express their faith or religious beliefs." She stated the country's constitution enshrines the separation of state and religion, but that this principle of secularism should not prevent "a continuous joint effort towards coexistence and dialogue between people of faith and agnostics."

On June 22, National Religious Freedom and Inter-Religious Dialogue Day, President Rebelo de Sousa highlighted on the Presidency website that celebrating religious freedom "is honoring democracy and the defense of

human rights.” He said that human rights in democratic countries (including freedom of religion or belief) relate to social cohesion and political stability, and that interreligious and intercultural dialogue can play an important role in promoting peace at a global level.

Parliament sponsored three conferences focusing on religious freedom, titled Democracy and Religious Freedom, Religious Freedom and Freedom of Speech, and Religions – Heritage of Humanity. The events, hosted by Parliamentary Speaker Augusto Santos Silva, underscored the importance of the country’s religious freedom law. Speakers included a judge of the European Court of Human Rights, theologians, nongovernmental organization representatives, and clergy. In December, parliament opened an exhibition on religious freedom in the country.

Most prisons, state and private hospitals, and military services designated Catholic priests to provide chaplaincy services, but these positions were open to clergy of all religious groups.

The APMMA continued to hold monthly online meetings with religious groups to consult on issues such as coordination for broader representation of religious groups in chaplaincies, organization of interreligious youth events, and contributions to preparing for the celebration of the 50th anniversary of the 25th of April Revolution, set to take place in 2024. According to the APMMA, religious groups often sought financial assistance from the APMMA for conferences and other events.

A wide range of religious groups, including those represented in the APMMA’s Interfaith Working Group, and the Association of Portuguese Catholic Doctors, continued to oppose efforts and related legislation to decriminalize euthanasia and physician-assisted suicide. Surveys showed that nearly 60 percent of citizens supported decriminalization. On May 12, parliament passed the legislation, supported by the majority Socialist Party, Liberal Initiative, Left Bloc, People-Animals-Nature, and Livre. Most Social Democrats, the politically right-populist Chega! Party, the Communist Party, and four Socialist MPs opposed the bill. As in prior years, the Catholic Church opposed the legislation, and the issue generated significant public debate. President Rebelo de Sousa, citing his own Catholic faith, vetoed the bill twice in prior years. The legislation included provisions for doctors and other medical personnel to decline participation, including for moral or religious objections to carrying out euthanasia, similar to provisions under the existing laws legalizing abortion.

The state-run television channel RTP continued half-hour religious programming five days a week, and a separate weekly half-hour program, with segments for both programs produced and provided by registered religious groups.

The country is a member of the International Holocaust Remembrance Alliance.

Section III.

Status of Societal Respect for Religious Freedom

Antisemitic incidents and rhetoric rose in the country following the Hamas terrorist attacks on Israel on October 7, and Israel's response. On October 11, unknown persons defaced a synagogue in Porto with graffiti calling for an "end [to] Israeli apartheid [*sic*]" and "free Palestine." As of year's end, authorities had not apprehended the perpetrators.

The state-owned RTP television station continued broadcasting the program *The Faith of Men*, which focuses on fostering interreligious dialogue.

On December 22, activists raised the Palestinian flag and a banner reading "Free Palestine" on the balcony of Lisbon City Hall and threw red paint over the building's facade. In a statement, the activists accused Lisbon mayor Carlos Moedas of being complicit with "Israeli genocide and apartheid" and "the ethnic cleansing of the Palestinian people," for his referencing several tweets in solidarity with Israel following the October 7 attacks by Hamas, and Moedas' participation in events with the Israeli Ambassador. The statement also blamed Moedas for supporting "the Zionist regime" when he was an EU commissioner. This group was involved in other protests, including painting graffiti on the walls of Lisbon's Lusiadas University suggesting the university supported the "Zionist genocide".

Section IV.

U.S. Government Policy and Engagement

Embassy officials met regularly with APMMA officials to discuss the importance of mutual respect and understanding among religious communities and the integration of immigrants, many of whom belong to minority religious groups. The embassy also continued regular discussions with the CLR leadership on issues including their views on the parliamentary process to legalize physician-assisted suicide, the rise in antisemitism, assistance to migrants of various religious groups, antisemitism, and interfaith cooperation as a means to prevent religious discrimination among religious communities.

Senior embassy officials and other embassy representatives continued to discuss issues of religious tolerance and encouraged continued interfaith collaboration and dialogue with representatives of religious groups, including the Catholic, Protestant, Muslim, Orthodox, and Jewish communities.

On January 9, the embassy hosted the secretary of the Smithsonian Institution for a public presentation on the key role of museums in integrating painful histories into the public record, including racism and antisemitism.

On January 27, the Ambassador joined the Israeli and German Ambassadors and Lisbon Mayor Moedas in a ceremony commemorating International Holocaust Remembrance Day. In a social media post, she stated that personal stories about family loss and suffering must be remembered “to be certain this will never happen again.”

On April 6, the Ambassador posted a Passover greeting on social media expressing gratitude “for our freedom and the opportunity to practice our religion freely and without fear.”

On July 19, the 25th anniversary of the establishment of the Ismaili Center in Lisbon, the Ambassador joined President Rebelo de Sousa, Foreign Minister Joao Cravinho and national and international guests to recognize the work of the center in promoting values of interfaith cooperation. She later posted on social media that “cooperating, we play a part in building a better society for all.”

On August 3, during World Youth Day Lisbon 2023, a global gathering of Catholic youth), the Ambassador addressed more than 10,000 participant youth and young adults in what she later described on social media as a gathering of a young generation who are “a global community, transcending borders, language, and cultures, and promoting international dialogue about the most urgent issues.” On August 6, immediately following the youth event, the Ambassador met with Pope Francis for a discussion that included the importance of supporting religious freedom and acceptance.

On October 11, the Ambassador joined the Israeli Ambassador to Portugal and other diplomatic officials, along with MPs, in the lighting of parliament with blue and white lights in support of Israel following the October 7 Hamas attacks.

On November 9, a senior embassy official delivered remarks at the Carlucci American International School, reflecting on the importance of religious acceptance and cultural diversity, including confronting modern antisemitism, during an event featuring a Jewish Portuguese-American author.

On December 11, the Ambassador visited the Avner Cohen Casa Chabad Jewish Community Center in Cascais, to raise awareness and combat Holocaust denial, distortion, and trivialization.

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