

MALTA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and religious worship and prohibits religious discrimination. It establishes Roman Catholicism as the state religion, mandates Catholic religious education in state schools, but allows students to opt out of the classes. The government expanded its program to offer ethics classes as an alternative to Catholic instruction in public schools and initiated discussions with various denominations to introduce voluntary classes in Islam and possibly other minority religions in public schools.

After the Muslim community announced plans to close an Islamic secondary school, the Catholic archbishop offered to teach Islam as a subject in Catholic schools, an offer that led to protests by the self-styled nationalist group and political party, the Maltese Patriots. On another occasion, the Maltese Patriots tore down a poster featuring an altered version of the painting *The Last Supper* used as an advertisement for fast food. The University of Malta published a study in October that found negative views toward Muslim migrants and a tendency to confound ethnicity and religion.

In meetings with the president, prime minister, government officials in several ministries, civil society, and religious leaders, the U.S. Ambassador and other embassy officials discussed religious tolerance. During an iftar, the Ambassador stressed the importance of religious tolerance.

Section I. Religious Demography

The U.S. government estimates the population at 416,000 (July 2017 estimate). According to a March 2016 survey conducted by the newspaper *Malta Today*, 89 percent of respondents identified as Roman Catholic, 6 percent as members of other religious groups, and 4.5 percent as atheist or agnostic. The Islamic Call Society estimates approximately 6-7 percent of the population is Muslim, mostly consisting of foreigners. Most Muslims are Sunni or Shia, with smaller numbers of Ahmadis. Smaller religious 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.”

The government does not require religious groups to be registered. A religious group has the option to register as a voluntary organization with the Office of the Commissioner for Voluntary Organizations. To qualify for registration, 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 (\$48) 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 minister of education appoints the governing council of the fund, which comprises representatives from voluntary organizations and a government official and supports enrolled voluntary organizations.

Religious groups not registered as voluntary organizations with the Office of the Commissioner for Voluntary Organizations do not receive funding from the government or the Voluntary Organizations Fund and require approval from the Commissioner of Police to collect contributions from the public. Approval is not required for collections from members or congregants. Groups that do not register as voluntary organizations 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. Violations are subject to a reprimand, fine, or jail sentence.

All religious groups may own property, including buildings. Groups using property 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, and their religious leaders may perform marriages and other functions.

The constitution and law make Catholic education compulsory in public schools, although non-Catholic teachers may teach the course. Students, with parental consent if the student is under the age of 16, may 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.

Students may enroll in private religious schools. 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 law allows criticism of religious groups but prohibits incitement of religious hatred; violators are subject to imprisonment for a term of six to 18 months.

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

Government Practices

The government continued its practice of not enforcing the legal ban on face coverings or disguises, including those worn for religious purposes.

During a congress in March of the European People's Party (EPP) – a coalition of parties represented in the European Parliament – held in the town of St. Julian's, members adopted a resolution that included a call for a ban on face veils, such as burqas and *niqabs*, in public places. Simon Busuttill, then-leader of the opposition Nationalist Party (PN, affiliated with the EPP), told *The Malta Independent on Sunday* newspaper in April that he endorsed the EPP's resolution and favored banning face veils in public spaces. Another PN representative, Member of Parliament Clyde Puli, posted the *Malta Independent* article, citing Busuttill's endorsement of a face veil ban on his Facebook page, with the comment, "Ban the Burqa."

The Ministry of Education continued to expand 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. During the 2016-17 school

year, 1,073 primary and secondary level students, approximately 3 percent of all students, enrolled in the ethics classes, compared with 419 students in the previous year.

The government advanced plans to introduce the voluntary study of Islamic religious education in an after-school program in a number of state primary- and secondary-level schools, although the government had yet to release a specific timeline for the program's implementation. Discussions were also underway, although not as well developed, to explore similar programs for other religious groups.

The discussions on after-school Islamic education began when Mohammed el-Sadi, the Imam of the Mariam Al-Batool Mosque, the country's leading mosque in Paola, announced in March plans to close the Islamic Center's Mariam Al-Batool Secondary School, citing financial reasons. El-Sadi appealed to the government to provide Islamic religious instruction to approximately 60 Muslim students who would have to transfer to state schools following the school's closure. Minister of Education Evarist Bartolo responded there should be no problem with Muslim children receiving Islamic religious teaching, as long as it was accredited and treated equally with other subjects, including requiring students enrolled in such classes to take O level exams in Islamic studies.

Section III. Status of Societal Respect for Religious Freedom

Shortly after Imam el-Sadi's request to the government to provide Islamic religious education to Muslim students, Catholic Archbishop Charles Scicluna publicly said Catholic schools would be willing to offer Islam as a subject. The archbishop's comments generated significant public controversy, and in April the Maltese Patriots (Patrijotti Maltin) Party protested outside the archbishop's offices against Islamic teachings in Church schools.

In July two members of the Maltese Patriots tore down a large fast food advertisement showing an altered version of Leonardo da Vinci's *The Last Supper*, in which Jesus Christ and his disciples dined on pizza and hamburgers. The company declined to institute criminal proceedings. The poster had generated significant public controversy.

In October the University of Malta released a study conducted under the auspices of the EU-supported C.O.N.T.A.C.T (Creating an Online Network, Monitoring Team and Phone App to Counter Hate Crime Tactics), an antihate speech project.

The study, which analyzed online reactions to local news portals and relied on questionnaires and interviews, concluded the most prevalent discriminatory attitudes in the country were against Muslim migrants, particularly those who did not have legal resident status. According to the study, there was a widespread tendency to confound religion with ethnicity, such as categorizing persons as Muslims because of their skin color or Muslims as Africans or Arabs because of their faith. The study also stated incidents of hate speech and hate crime were significantly underreported.

In March a court of appeal upheld a 2015 decision by the Court of Magistrates that dismissed a libel suit by Norman Lowell, head of the Imperium Europa Party, against *Malta Today* for calling Lowell a “neo-Nazi.” Lowell had publicly stated the Holocaust was a “holy hoax” and Adolf Hitler a hero.

Section IV. U.S. Government Policy and Engagement

The U.S. Ambassador and other embassy representatives met frequently with government officials, including President Marie-Louise Coleiro Preca, Prime Minister Joseph Muscat, Minister for Civil Liberties Helena Dalli, Minister for Education Bartolo, and Minister for Home Affairs and National Security Carmelo Abela to emphasize religious tolerance.

In June the Ambassador hosted an iftar for guests that included members of the Islamic Community in Malta, nongovernmental and international organizations, and members of the diplomatic corps. During opening remarks, the Ambassador and Imam el-Sadi highlighted the importance of religious tolerance in free and open societies.

Embassy representatives engaged civil society leaders, such as leaders of Drachma (a lesbian, gay, bisexual, and transvestite support group with a religious orientation), Jesuit Refugee Services, and various religious leaders – including Archbishop Scicluna and Imam el-Sadi – to discuss respect for religious freedom and issues affecting congregants.