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## Malta

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **July-December, 2010 International Religious Freedom Report**

Report

**September 13, 2011**

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The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country is an archipelago, consisting of three inhabited islands in the Mediterranean Sea, and has an area of 122 square miles. Its population is slightly less than 413,000.

The overwhelming majority of citizens, 95 percent (2004 estimate), are Roman Catholic, and 53 percent of Catholics (2005 estimate) attend Sunday services regularly. The country's principal political leaders are practicing Roman Catholics.

Most congregants at the local Protestant churches are British retirees who live in the country or vacationers from other countries. Coptic and Greek Orthodox Christians, the Bible Baptist Church, a union of 16 groups of evangelical churches consisting of Pentecostal and other nondenominational churches, as well as Jehovah's Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists, Zen Buddhists, and Bahais are also present. Of an estimated 6,000 Muslims, approximately 5,250 are foreigners, 600 are naturalized citizens, and 150 are native-born citizens. There is one mosque (and two informal mosques) and a Muslim primary school. There is a Jewish congregation

with an estimated 100 members. There are approximately 4,500 irregular migrants resident in the country, approximately two-thirds of whom are Muslim (included in the 6,000 total previously mentioned). The remainder of the migrants adhere to various Protestant denominations, Catholicism, Coptic Christianity, indigenous African forms of worship, or are nonreligious.

## Section II. Status of Government Respect for Religious Freedom

### *Legal/Policy Framework*

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

Individuals are free to choose and change their religion and to manifest their religious beliefs publicly as they choose. The constitution provides that "all persons in Malta...have full freedom of conscience and enjoy the free exercise of their respective mode of religious worship." Citizens have the right to sue the government for violations of religious freedom. These protections also apply in cases of religious discrimination or persecution by private individuals or by public officials in the performance of their duties.

The constitution establishes Roman Catholicism as the state religion and declares that the authorities of the Catholic Church have "the duty and the right to teach which principles are right and which are wrong." Divorce is not available in the country; however, the state generally recognizes divorces of individuals domiciled abroad who have completed divorce proceedings in a competent court abroad.

Persons convicted of vilification of the Catholic religion or "any other cult tolerated by law" are liable to imprisonment of one to six and one to three months, respectively. The phrase "any other cult" is interpreted to mean other religions, but the law is enforced in a way not to further Roman Catholicism at the expense of other religions.

The government and the Catholic Church participated in a foundation that financed Catholic schools and provided free tuition for those attending those schools. The government also subsidized children living in church-sponsored residential homes.

Religious education in Roman Catholicism is mandated in the constitution and compulsory in all state schools; however, there are constitutional and legal provisions that allow a parent, guardian, or student to be exempted from the instruction. The school curriculum includes general studies in human rights, ethnic relations, and cultural diversity as part of values education to promote tolerance.

Enrollment in private religious schools is permitted. Homeschooling is allowed only in extreme cases, such as chronic illness, under the Education Act.

There are no restrictions on religious publishing or broadcasting or on religious groups owning or operating media facilities.

The law does not punish or otherwise restrict importation, possession, or distribution of religious literature, clothing, or symbols. There are no restrictions on religious clothing.

All religious organizations have similar legal rights. Religious organizations can own property, including buildings, and their religious leaders can perform marriages and other functions.

Religious groups are not required to be licensed or registered.

Religion affiliations are not designated on passports or other official documents.

The government observes the following religious holidays as public holidays: the Motherhood of Our Lady, the Feast of Saint Paul's Shipwreck, the Feast of Saint Joseph, Good Friday, Easter Sunday, the Feast of Saint Peter and Saint Paul, the Feast of the Assumption, the Feast of the Immaculate Conception, and Christmas. National holidays include the Feast of Our Lady of Victories.

There is no restriction on forming political parties based on a particular faith, religious belief or absence of belief, or interpretation of religious doctrine.

#### *Restrictions on Religious Freedom*

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

Muslims are able to meet and practice their religion freely. There are informal mosques at the two "open centers" on Malta where many irregular migrants are provided housing after release from initial detention (and are free to come or go as they desire).

In March 2009 a controversy arose over human remains found at a Roman-era catacomb complex in Rabat. Because of the presence of Jewish symbols on several of the burial sites, an international Jewish nongovernmental organization (NGO) wanted the remains reburied at once according to Jewish rites, while the local heritage authority required the site and all remains to be carefully catalogued and recorded prior to reburial (to which it had agreed). At the end of the reporting period, the disagreement had been partially settled with the temporary reburial of the remains in the Jewish cemetery. This was conducted to the satisfaction of the NGO with the understanding that there would be further discussions among the parties. At year's end the parties had not communicated further on the issue.

There were no reports of abuses, including of religious prisoners or detainees, in the country.

#### Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The Catholic Church makes its presence and influence felt in everyday life; however, non-Catholics, including converts from Catholicism, do not face legal or societal discrimination. Relations between the Catholic Church and non-Catholic religious groups are respectful and cooperative. Members of non-Catholic religious groups proselytize freely.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The embassy's discussions with government officials and its informational programs for the public consistently emphasized basic human rights, including freedom of religion.

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