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Malta

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom 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 more than 400,000.

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 comprising 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 Baha'is 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 embrace 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

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

Individuals are free to choose and change their personal religion and to interpret their religious beliefs publicly for themselves. The constitution provides that "[a]ll persons in Malta...have full freedom of conscience and enjoy the free exercise of their respective mode of religious worship." Citizens have a right to sue the government for violations of religious freedom. These protections also apply to 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, and 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 for the parent, guardian, or student to opt out of 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.

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.

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. Passport and other identification photos must be taken full face, without headdress.

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Restrictions on Religious Freedom

The government generally respected religious freedom 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. Muslim congregants forced to close their informal prayer center in a private apartment in 2007 continued to have access to a mosque established by the World Islamic Call Society, which has been functioning since 1973. There are also 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 April 2010 residents of one of the open centers protested after authorities refused a request to install a speaker system to call the faithful to prayer at their informal mosque. The government responded that while the right to worship according to one's belief is guaranteed, this does not imply a right to establish a place of worship in an open center when acceptable and sufficient facilities exist in the community.

In March 2009 a man was arrested, tried, and given a suspended one-month prison sentence after he pled guilty to vilifying the Catholic religion (a crime punishable by up to six months in prison) by dressing as Christ during the February carnival festivities in the village of Nadur. Other individuals who dressed as the apostles were reportedly arrested but not prosecuted.

Also in March 2009, a controversy arose over human remains found at a Roman-era catacomb complex in the city of 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). As of 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.

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

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

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

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.

Through a variety of public affairs programs, the embassy continued to work with different sectors of society, including religious groups, to promote interfaith dialogue, religious freedom, and tolerance. During the reporting period, the ambassador visited the country's branch of the World Islamic Call Society and its adjoining school and participated in a number of interfaith events and discussions.

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