



## Portugal

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2009**

**October 26, 2009**

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, and prominent societal leaders took positive steps to promote religious freedom.

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 has an area of 35,672 square miles and a population of 10.6 million. More than 80 percent of the population above the age of 12 identifies with the Roman Catholic Church; however, a large percentage states that it does not actively participate in church activities. Groups that constitute less than 5 percent include various Protestant denominations (including 250,000 evangelicals) and non-Christian religious groups (Muslims, Hindus, Jews, Buddhists, Taoists, and Zoroastrians, among others). In addition, many of the estimated 200,000 immigrants from Eastern Europe, more than half of whom are from Ukraine, are Eastern Orthodox.

#### 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. The law at all levels protects this right in full against abuse, either by governmental or private actors.

The Government is secular. Other than the Constitution, the two most important documents relating to religious freedom are the 2001 Religious Freedom Act and the 1940 concordat with the Holy See.

The 2001 Religious Freedom Act created a legislative framework for religious groups established in the country for at least 30 years or those recognized internationally for at least 60 years. The act provides qualifying religious groups with benefits previously reserved only for the Catholic Church: full tax-exempt status, legal recognition of marriage and other rites, chaplain visits to prisons and hospitals, and respect for traditional holidays. It allows each religion to negotiate its own concordat-style agreement with the Government, although it does not ensure the acceptance of any such agreements.

The Catholic Church maintains a separate agreement with the Government under the terms of the 1940 concordat as amended in 2004 to comply with the 2001 Religious Freedom Act. The concordat recognizes the juridical personality of the Portuguese Episcopal Conference. It also allows the Catholic Church to receive a percentage of the income tax that citizens can allocate to various institutions in their annual tax returns. In addition, chaplaincies for the military, prisons, and hospitals remain state-funded positions for Catholics only. At the end of the reporting period, the Government had not established legal provisions to fully implement the 2001 act and the 2004 amendments to the concordat.

The Government observes the following religious holidays as national holidays: Good Friday, Easter, Corpus Christi, Assumption Day, All Saints' Day, the Feast of the Immaculate Conception, and Christmas.

Public secondary school curricula include an optional course called "Religion and Morals," which functions as a survey of world religious groups and is taught by laypersons. It can be used to give instruction on the Catholic religion, in which case the Catholic Church must approve all teachers for this course. Other religious groups can set up such a course if they have ten or more children of that religion in the particular school. Representatives from each religious group have the right to approve the course's respective instructors.

#### 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.

The Church of Scientology, although recognized as a religious association since 1986 and as a religion since November 2007, does not benefit from the 2001 Religious Freedom Act, since it has not been established in the country for 30 years or recognized internationally for 60 years, as required under the law. Scientology leaders were concerned that exclusion from the benefits accorded under the act might have a negative effect on their ability to practice their faith; however, they reported no discrimination or opposition during the reporting period.

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

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

#### Section III. Status of Societal Respect for Religious Freedom

In contrast with the previous report, there were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

On October 3, 2008, a Lisbon court convicted 31 of 36 defendants of racism and crimes of a racist nature. The court sentenced six defendants to prison terms of up to seven years, marking the first time that the courts handed down mandatory prison sentences for hate crimes. The other defendants received suspended prison sentences, were fined, or were ordered to provide community service. The defendants were arrested in September 2007 for activities linked to the right-wing Hammerskin Nation organization. Charges against them included threats, harassment, physical attacks, kidnapping, illegal possession of weapons, and incitement to crime through the circulation of racist, xenophobic, and anti-Semitic messages.

The Government continued to promote interfaith understanding. Five days a week the state television channel

(Radiotevisão Portuguesa 2) broadcast a 30-minute program consisting of various segments written by different religious communities. The Government pays for the segments, and professional production companies are contracted to produce the segments. Religious communities send delegates to a special television commission, which determines the scheduling of segments. The television commission has operated on the general rule that religious communities are eligible for the program if established for at least 30 years in Portugal or at least 60 years in their country of origin.

A government-sponsored Working Group for Interreligious Dialogue promotes multicultural and multireligious dialogue between the Government and society. Among its objectives are fostering tolerance for religious diversity, promotion of interreligious studies, and participation in national and international religious events. The group is led by a government-appointed chairman and consists primarily of teachers who, by the nature of their jobs, have professional experience in this area.

#### 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. In addition, U.S. embassy representatives continued contacts with leaders of the country's religious groups, including the Catholic Church and the Jewish and Muslim communities.