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Portugal

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

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, 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 10.7 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 each constitute less than 5 percent of the populace 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

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. 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 their marriages and other rites; the right of their chaplains to minister in prisons, hospitals, and military facilities; and respect for their traditional holidays. For example, the act prohibits public-sector employers from discriminating against persons because of their religion and requires them to reasonably accommodate employees' religious practices. This provision includes allowing them to take leave on their Sabbath and religious holidays. However, the government does not observe their holidays officially. The act allows each religious group 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 voluntarily allocate to various institutions in their annual tax returns. In September 2009 the government established legal provisions to fully implement the 2001 act and the 2004 amendments to the concordat. Chaplaincies for the military, prisons, and hospitals are now state-funded positions open to all legally established religions.

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 provide instruction on Catholicism, in which case the Catholic Church must approve all teachers for the course. Other religious groups can create such a course if they have 10 or more children of that faith in a given school. Representatives from each religious group have the right to require their approval of the course's instructors. Schools, both public and private, are also required to accommodate the religious practices of students, including rescheduling tests if necessary.

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.

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.

The Church of Scientology has been recognized as a religious association since 1986 and a religion since 2007; however, it does not receive benefits under 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 abuses, including 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, and prominent societal leaders took positive steps to promote religious freedom.

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The government continued to promote interfaith understanding. For five days each week, the state television channel (Radiotevisão Portuguesa 2) aired a 30-minute program consisting of various segments written by different religious communities. The government paid for the segments. Religious communities sent delegates to a special television commission, which determined 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 the country or at least 60 years in their country of origin.

A government-sponsored Working Group for Interreligious Dialogue promoted multicultural, including multireligious, dialogue between the government and society. Among its objectives were fostering tolerance for religious diversity, promoting interreligious studies, and participating in national and international religious events. The group was led by a government-appointed chairman and consisted primarily of teachers who, by the nature of their jobs, had 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. The U.S. embassy undertook several initiatives to promote religious freedom and tolerance. The ambassador engaged regularly with leaders of the Jewish and Islamic communities, including the imam of the Lisbon mosque, the head of the Ismaili community, and the chairman of the Aga Khan Foundation Portugal to show support for tolerance and religious freedom. The ambassador also met with the head of the country's Catholic Church, Jose Policarpo, to initiate dialogue for future cooperation in areas such as religion and education. The ambassador hosted a Hanukkah celebration at his residence for Jewish community members and other invitees.

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