

IRELAND 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of religion and prohibits discrimination on the grounds of religion. It references Jesus Christ and God and stipulates the state shall respect religion. On January 1, a law repealing the constitution's prohibition on blasphemy entered into force. From March until June, and again in October, all in-person religious services were suspended due to COVID-19 mitigation measures. Critics said it was inconsistent to ban religious services but keep certain businesses open. In July, parliament passed a law that allowed civil courts to accept written evidence accompanied by a "statement of truth" rather than sworn on a religious oath. There were reports some school authorities in national Catholic schools continued to give preferential treatment to students for participating in religious activities and told parents that, contrary to law, their children could not opt out of religion classes. Nongovernmental organizations (NGOs) continued to urge the government to adopt hate crime legislation, including for religiously motivated crimes, and improve monitoring of such incidents. In February, a member of parliament made anti-Semitic statements on Twitter, which were repudiated by her party and for which she later apologized. President Michael Higgins and other senior government officials participated in the National Holocaust Day Memorial commemoration.

On July 31, approximately 200 Muslims performed prayers at an interfaith celebration to mark Eid al-Adha in Dublin's Croke Park. Catholic, Protestant, and Jewish community leaders, as well as members of government, attended. A group of young people protested Catholic Archbishop of Dublin Diarmuid Martin's attendance at the event. In August, members of the far-right group Siol na hEireann protested outside the church of a Catholic priest who had allowed two members of the Muslim community to give a blessing at a Mass in April and accused him of being a heretic. Five members of this group held an anti-Muslim protest at a mosque in Mayo in October. The Workplace Relations Commission (WRC), an independent statutory body, reported it received 36 complaints of employment discrimination based on religion in 2019.

U.S. embassy officials discussed issues of discrimination and integration of religious minorities into the community with members of the Department of Foreign Affairs and Trade, the Department of Justice and Equality, the Department of Education and Skills, and the police. Embassy officials met with religious

groups, secularist advocates, and NGOs to discuss their concerns over religious tolerance, secularism, and religion in the national school system.

Section I. Religious Demography

The U.S. government estimates the total population at 5.2 million (midyear 2020 estimate). The 2016 census (the most recent) indicates the population is approximately 78 percent Roman Catholic, 3 percent Church of Ireland (Anglican), 1 percent Muslim, 1 percent Orthodox Christian (including Greek, Russian, and Coptic Orthodox), 1 percent unspecified Christian, and 2 percent other religious groups, while 10 percent stated no religious affiliation, and 3 percent did not specify their religion. There are small numbers of Presbyterians, Hindus, Apostolic Pentecostals, Pentecostals, and Jews. The census estimates the Jewish population to be 2,500. The number of Christians and Muslims from sub-Saharan Africa, Muslims from North Africa and the Middle East, Muslims and Hindus from South Asia, and Orthodox Christians from Eastern Europe continues to grow, especially in larger urban areas. NGOs such as Atheist Ireland and the Humanists Association of Ireland said the census overestimates religious affiliation by asking, “What is your religion?” which they said was a leading question.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees the free profession and practice of religion, subject to public order and morality. The constitution references “the Most Holy Trinity” and “our divine Lord, Jesus Christ,” and stipulates the state shall hold the name of God in reverence and honor and respect religion. The constitution requires the President, judges, and members of the council of state to swear a religious oath, which begins with a reference to “Almighty God.” It prohibits discrimination on the grounds of religion or belief and states, “The State guarantees not to endow any religion.”

The constitution stipulates every religious denomination has the right to manage its own affairs, own and acquire property, and maintain institutions for religious or charitable purposes. It prohibits the diversion of property of any religious denomination except for necessary works of public utility and upon payment of compensation. The constitution states legislation providing for government aid to schools shall not discriminate among schools under the management of different

religious denominations nor affect the right of a child to attend any school receiving public money without attending religious instruction at that school.

On January 1, a law repealing the constitution's prohibition on blasphemy entered into force. This followed passage in November, 2018 of a constitutional amendment to remove blasphemy as an offense.

In August, parliament passed a law providing that when submitting written evidence in civil proceedings, a "statement of truth" may be used, in accordance with the rules of court, in place of affidavits and statutory declarations sworn on a religious oath. The document must contain a statement that the person making the statement of truth has an honest belief that the stated facts are true. Religious oaths and affirmations are still required when a witness is giving oral evidence in court. The law does not apply in criminal proceedings.

The law forbids incitement of others to hatred based on religion, among other categories, and carries a maximum penalty of up to two years' imprisonment and a maximum fine of 25,400 euros (\$31,200). The law does not address or define hate crimes other than incitement of others, although a hate motive is an aggravating factor that judges may take into account on a nonstatutory basis at sentencing for any criminal offense.

There is no legal requirement for religious groups to register with the government, nor is there any formal mechanism for government recognition of a religious group. Religious groups may apply to the Office of the Revenue Commissioners (the tax authority) as a charity to receive tax exemptions, and the groups must operate exclusively for charitable purposes, which under the law may include "the advancement of religion." The law requires all charitable organizations carrying out activities in the country to register with and provide certain information relating to their organization to the Charities Regulator, a government-appointed independent authority. The regulator maintains a public register of charitable organizations and ensures their compliance with the law. Organizations must apply their income and property solely toward the promotion of their main charitable object, as set out in their governing instruments (such as a constitution, memorandum and articles of association, deed of trust, or rules).

Under the law, individual medical professionals are able to opt out of participating in certain legal procedures, such as abortion, on conscience grounds; however, institutions may not refuse to perform such procedures.

Under the constitution, the Department of Education and Skills provides funding to privately owned and managed primary schools – most of which are affiliated with religious groups, particularly the Catholic Church – referred to as “national schools,” or just primary schools. Most children receive their elementary-level education at these privately-owned schools. The government pays most of the building and administrative costs, teachers’ salaries, and a set amount per pupil.

Denominational schools are under the patronage of a single religious community. They provide religious education according to traditions, practices, and beliefs of the specified religious community. Interdenominational schools are under the patronage or trusteeship of more than one religious faith community. Such schools provide for a variety of religious education opportunities. There are also two types of multidenominational schools at the primary school level: schools that do not provide religious education as formation during the school day, but do provide education about religions and beliefs (parents/guardians may arrange for denominational religious education outside school hours in such schools); and schools that provide education about religions and also provide some faith formation for different denominations, depending on parental requests, during the school day.

Ninety percent of all national schools are Catholic, 6 percent Church of Ireland, 2 percent multidenominational, 1 percent other religious groups, and 1 percent not religiously affiliated. Patrons, who are usually members of the religious groups and affiliated with religious organizations with which the school is associated, manage the schools themselves or appoint a board of management to do so. Patrons often provide land for schools and contribute to building and administrative costs.

According to legislation enacted in 2018 that became effective with the 2019-2020 school year, Catholic national schools are no longer allowed to discriminate on religious grounds when making admissions decisions. National schools under the patronage of other religious groups may continue to discriminate in admissions on religious grounds in order to preserve, according to the law, their distinct religious identities, but only in schools that are oversubscribed. The law prohibits discrimination in admissions based on religious beliefs in secondary schools.

In funding schools, the constitution stipulates the state shall have due regard “for the rights of parents, especially in the matter of religious and moral formation.” The government permits, but does not require, religious instruction, faith-based classes, or general religion classes in national schools. Although religious

instruction is part of the curriculum of most schools, parents may exempt their children from such instruction. Religious schools teach about their religion, while multid denominational schools generally teach about religion in a broader context. Students may opt out and sit in a classroom where religious instruction is not being conducted. The Catholic Church certifies teachers of religion classes in Catholic schools.

Approximately half of secondary schools are religiously affiliated. The government funds religiously affiliated secondary schools.

Vocational schools are state run and nondenominational.

The WRC hears cases of reported workplace discrimination, including claims based on religion. The WRC may refer cases for mediation, investigate these cases, or decide the case itself. If the adjudicating officer finds there has been discrimination, he or she can order compensation for the effects of discrimination and/or corrective action. Litigants may appeal WRC decisions in the courts.

The Irish Human Rights and Equality Commission (IHREC) is an independent public body accountable to parliament whose stated purpose is to protect and promote human rights and equality and to build a culture of respect for human rights, including religious freedom. The commission works at the policy level to review the effectiveness of human rights and equality law, as well as public policy and practice. It also works with communities, including religious and other civil society groups, to monitor and report on the public's experience of human rights, religious freedom, and equality.

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

Government Practices

From March until June, all in-person religious services were suspended as part of COVID-19 mitigation measures. The government again suspended in-person religious services on October 21 as part of a second national lockdown, although churches remained open for private prayer, and up to 25 attendees were allowed for weddings and funerals. A group of Catholic archbishops met with Prime Minister (Taoiseach) Micheal Martin on October 28 to express support for public health measures but also to press the government to reconsider restrictions on religious services, which they said were a source of comfort to religious communities during the pandemic; the government, however, did not loosen

restrictions. Critics said it was inconsistent to ban religious services but keep certain businesses open. On October 6, the news site Crux reported that Michael Kelly, editor of the newspaper *The Irish Catholic*, said, “At a time when there is no evidence that going to church increases risks more than any other activity currently permitted, Catholics are dismayed. It doesn’t seem fair that one can get a haircut or a pedicure, but it is not permitted to go to Mass.” Crux reported that Senator Ronan Mullen said the government’s decision to stop public worship was “disappointing.” On November 17, the Taoiseach met virtually with representatives from Protestant, Catholic, Muslim, and humanist groups to discuss resuming in-person services when public health circumstances allowed.

School patrons, generally affiliated with religious denominations, continued to define the ethos of schools and to determine the development and implementation of the religious education curriculum in primary schools. Curricula varied by school and could include teaching about the patron’s religion, the religious history of the country, or an overview of world religions. Atheist Ireland continued to criticize the government for primarily delivering moral formation through religion and not offering students moral education outside of religion classes.

Atheist Ireland and the media continued to report incidents of school authorities giving preferential treatment, such as homework exemptions, to students in national Catholic schools that engaged in activities such as singing in religious choirs or performing altar services in church. In May, the WRC found that, in 2019, Yellow Furze National School in County Meath discriminated on religious grounds against a family. The school, which was under Catholic patronage, gave homework passes to children who attended Catholic religious services, but refused to give the same pass to a child from an atheist family who opted out of the services.

The government continued to encourage patrons to open more schools with multid denominational patronage. Thirteen new multid denominational national schools opened during the year as part of the government’s plan, announced in 2018, to encourage the establishment of 42 multid denominational schools – 26 primary and 16 secondary – from 2019-2022. The Department of Education and Skills said it considered parental preferences and projected demand when deciding which patrons would be allowed to sponsor the new schools. A separate process, the “Schools Reconfiguration for Diversity,” aimed to accelerate the creation of multid denominational and nondenominational schools in the country, in line with parental preference, and the government’s stated commitment to having a total of 400 multid denominational or nondenominational schools by 2030.

There were no reports of complaints by parents or others about the law that forbids Catholic national schools from taking students' religion into account when making admissions decisions but allowed other national schools to continue to do so. In November, however, Atheist Ireland published a report stating that many schools were not complying with legal requirements under a 2018 education law requiring them to detail in their admission policies what arrangements were available for students who did not wish to attend religious instruction. In a survey of 100 school admission policies at the primary and secondary levels, Atheist Ireland found some schools did not inform prospective families that students had the option of opting out of religion classes. Some schools said parents must seek a meeting with the principal to discuss the request to opt out, which was not a step required by law. Some schools required parents to provide a reason for not wanting their children to receive religious instruction, also not a step required by law, while others said written requests by parents would be considered "on a case-by-case basis."

In rural areas, parents continued to report finding non-Catholic national schools was difficult.

Catholic religious orders remained affiliated with 20 of the country's 45 hospitals.

Some legal advocates stated legislation passed in August allowing "statements of truth" to be used when submitting written evidence in civil proceedings in place of affidavits and statutory declarations sworn on a religious oath was too limited in scope. In August, the Legal Society stated the law should have abolished all religious oaths, as originally recommended by the Law Reform Commission. Law Society President Michele O'Boyle said she would lobby for statements of truth to apply not just to litigation but to all areas of law, including conveyancing (transfer of property) and probate.

Several state agencies, including IHREC, WRC, and the police's National Diversity and Integration Unit (GNDIU), continued to enforce equality legislation and work on behalf of minority religious groups. According to GNDIU representatives, GNDIU's liaison officers continued to engage regularly with immigrant minority religious groups to inform them of police services and educate them on their rights.

Police continued to implement the 2019-21 Diversity and Integration Strategy, with the stated aim of protecting all minorities and diverse groups (including religious groups) in society, although sources said progress was hampered by

COVID-19 restrictions. The strategy focused on improving the identification, reporting, investigation, and prosecution of hate crimes. It introduced a working definition of hate crime for the police; emphasized human rights as a foundation for providing policing services; and initiated diversity, integration, and hate crime training within the police. The strategy defined a hate crime as “any criminal offense which is perceived by the victim or any other person to, in whole or in part, be motivated by hostility or prejudice, based on actual or perceived age, disability, race, color, nationality, ethnicity, religion, sexual orientation or gender.” The police’s official website further clarified that “[r]eligion includes ‘non-believers.’”

NGOs, including the Irish Council for Civil Liberties (ICCL), Immigrant Council of Ireland, Anti-Racism Network Ireland, National Steering Group Against Hate Crime, and European Network Against Racism Ireland, as well as IHREC, again advocated better monitoring of hate crimes, including religiously motivated incidents, legislation against hate crimes, more stringent laws against hate speech, and action to ensure authorities took prejudice into account as an aggravating factor in sentencing criminals. ICCL welcomed a Department of Justice report in December signaling its intention to draft legislation on crimes motivated by hate and prejudice, while remaining “cautious about the possible conflation of hate speech with hate crime.”

In February, media reported that Member of Parliament Reada Cronin, a Sinn Fein representative from Kildare North, posted on Twitter in 2019 that the Israeli Secret Service had been involved in British politician Jeremy Corbin’s electoral defeat that year. The Israeli Embassy in Ireland called Cronin’s remarks “paranoid, hate-driven conspiracy theories,” and urged her to retract them. A spokesperson for Sinn Fein said Cronin’s views did not represent those of the party. Media also reported in February that Maurice Cohen, chair of the Jewish Representative Council of Ireland, criticized Cronin for Twitter posts she made prior to being elected in which she said Israel had “taken Nazism to a new level” and suggested that a picture of monkeys working on computers reminded her of the Israeli embassy. According to media, Cronin apologized for the comments. Then Prime Minister Leo Varadkar said her comments should “trouble us all.”

Media reported that in June, the incoming coalition government shelved a bill that proscribed fines and prison terms for individuals doing business in the West Bank and east Jerusalem. The Fianna Fail party promoted the measure, which passed several readings in both chambers of parliament, but then Prime Minister Varadkar opposed it, stating it violated EU trade rules.

In June, the Department of Justice published a report entitled *Legislating for Hate Speech and Hate Crime in Ireland*, based on consultations with the public, academics, and human rights NGOs in 2019. The report found that the majority of respondents believed all faiths should be protected equally and that even actions and speech that did not incite others to commit physical violence, e.g., cases where threatening and abusive communication and harassment was made directly against individuals, should be considered crimes. Based on the report, the government committed to drafting hate crime legislation within 12 months for consideration in parliament, and to revising and updating the Incitement to Hatred Act of 1989 law.

On January 26, President Higgins and other senior government officials participated in the national Holocaust Day Memorial commemoration. In his remarks, the President paid tribute to Holocaust survivors. He warned, however, that despite the gradual economic recovery, “An ugly anti-migrant sentiment is attempting to rear its head in Ireland, a corrupted form of populism has not abated across Europe, and anti-Semitism has not been eliminated from the extreme rhetoric of those seeking to scapegoat the vulnerable in order to inflame the bewildered and angry. Those forms of misused nationalism and populism are a salutary reminder of just how fragile democracy is.” The NGO Holocaust Education Trust Ireland, in association with the Department of Justice and Equality, Office for the Promotion of Migrant Integration, and Dublin City Council, organized the event, which included readings, survivors’ remembrances, and music, as well as the lighting of six candles symbolizing the six million Jews killed in the Holocaust.

The country is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

Media reported that on July 31, approximately 200 Muslims performed prayers to mark Eid al-Adha in Dublin’s Croke Park. Shaykh Umar al-Qadri, chair of the Irish Muslim Peace and Integration Council, organized the interfaith event, which was held outdoors due to COVID-19 restrictions, in cooperation with the Gaelic Athletic Association. Catholic, Protestant, and Jewish community leaders, as well as members of government attended. According to media, a group of young people protested the presence of Catholic Archbishop of Dublin Diarmuid Martin. A video posted to YouTube showed some individuals surrounding the Archbishop’s car and banging on it, while others shouted “traitor.” Individuals also criticized the Archbishop online for attending the celebration.

During the year, there were multiple instances of Muslim imams taking part in Catholic services. Media reported that in August, approximately 10 members of the far-right group Siol na hEireann confronted Father Stephen Farragher in Ballyhaunis, County Mayo outside his church. Farragher had invited two members of the Muslim community to give a blessing at a Mass in April. They carried a banner reading, “No Sharia in Ireland” onto the church grounds and accused Farragher of being a heretic. Individuals online called him a “traitor.”

Five members of Siol na hEireann held a protest targeting Muslims at a mosque in Mayo in October. They carried a banner reading, “No Sharia in Ireland.”

The Workplace Relations Commission (WRC), an independent statutory body, reported it received 36 complaints of employment discrimination based on religion in 2019.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed issues of discrimination and integration of religious minorities into the community with the Department of Foreign Affairs, the Department of Justice, the Department of Education and Skills, and the police. Embassy officials also met with representatives of religious groups, including the Irish Catholic Bishops’ Conference, the Islamic Cultural Center of Ireland, and the Jewish Representative Council of Ireland, interfaith organizations, and NGOs to discuss their concerns regarding religious tolerance, secularism, and religion in the national school system.