

MALTA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and religious worship and prohibits religious discrimination. The constitution establishes Roman Catholicism as the state religion and mandates Catholic religious teaching in state schools, from which students may opt out. The government again failed to license any crematoria for use by the Hindu community or others, act on a Russian Orthodox application, pending since 2017, to build a church, or implement past proposals to offer voluntary Islamic religious education in state schools. In September, Catholic bishops in the country issued a public statement stating that two equality bills introduced in parliament in 2019 with the stated aim of preventing discrimination would instead threaten personal freedoms, including conscientious objection to promoting or participating in activities that went against one's principles and values, and the rights of Catholic schools to appoint educators who reflected Catholic values.

As in previous years, Greek Catholics made a church available for use by a Russian Orthodox congregation, and Roman Catholic parishes made their premises available to various Orthodox groups.

The U.S. embassy advocated religious freedom through in-person engagement, opinion pieces in the media, and outreach on social media. Together with government officials, the U.S. Charge' d'Affaires participated in the annual Hanukkah celebration in December and emphasized the importance of celebrating religious freedom during difficult times.

Section I. Religious Demography

The U.S. government estimates the total population at 457,000 (midyear 2020 estimate). According to a 2018 survey conducted by the newspaper *Malta Today*, 94 percent of respondents identified as Catholic and 3.9 percent as atheist; 1.3 percent reported belonging to non-Catholic Christian denominations. Another survey conducted by *Malta Today* in 2016 reported 2.6 percent of respondents were Muslim, 1.8 percent said they only believed in God, 1.7 percent belonged to other religious groups, and 4.5 percent were atheist or agnostic. The Islamic Call Society estimates 6 to 7 percent of the population is Muslim, of whom most are Sunni, with a smaller Shia and Ahmadi presence. Additional religious communities with small numbers of members include Coptic Christians; Baptists;

evangelical Protestants; Jehovah's Witnesses; Seventh-day Adventists; Buddhists; Baha'is; members of the Greek, Russian, Ethiopian, Romanian, and Serbian Orthodox Churches; The Church of Jesus Christ of Latter-day Saints; the Family Federation for World Peace and Unification; and traditional African religions. According to Jewish community leaders, the Jewish population comprises an estimated 200 persons. A significant number of minority religious community members are migrants, refugees, foreign workers, or naturalized citizens.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates full freedom of conscience and religious worship, subject to restrictions in the interest of public safety, order, morality, health, or protection of the rights and freedoms of others. It prohibits discriminatory treatment based on creed. The constitution establishes Roman Catholicism as the state religion.

The law allows criticism of religious groups, but the criminal code prohibits incitement of religious hatred, with violators subject to imprisonment of six to 18 months. It also prohibits the disturbance of "any function, ceremony, or religious service of any religion tolerated by law" carried out by a minister of religion, both in places of worship and in areas accessible to the public. The penalty for violators is up to six months in prison or more if the disturbance results in "serious danger." If the disturbance involves any act amounting to a threat or violence against a person, punishment is imprisonment for a period of six months to two years.

The criminal code prohibits individuals from wearing "masks or disguises" in public, unless explicitly allowed by law; there is no specific reference to – or exception for – coverings worn for religious reasons. Violations are subject to a reprimand, a fine of 23 to 1,165 euros (\$28-\$1,400), or a jail sentence of up to two months.

Cremation is legal and the law makes provisions for licensing, conditions for cremation, and the creation of a national cremation register listing the entities licensed to perform cremations.

The government does not require religious groups to be registered. A religious group has the option to register as a voluntary organization with the Office of the Commissioner for Voluntary Organizations. To qualify for registration, the

organization must be nonprofit, autonomous, and voluntary; provide a resolution letter signed by all its committee or board members requesting registration; provide its authenticated annual accounts and annual report; and pay a 40 euro (\$49) registration fee. The law does not provide registered groups with tax deductions or exemptions, but it allows them to engage in “public collections” without obtaining any further authorization. It also makes them eligible to receive grants, sponsorships, and financial aid from the government and the Voluntary Organizations Fund, an entity financed through the government and the European Union. The Minister of Education appoints the governing council of the fund, which includes members from voluntary organizations and a government representative.

Religious groups not registered as voluntary organizations with the Office of the Commissioner for Voluntary Organizations do not receive funding from the government or the Voluntary Organizations Fund and must obtain approval from the commissioner of police to carry out public collections. Approval is not required for collections from members or congregants. In all other respects, groups that do not register as voluntary organizations have the same legal rights as registered groups.

All registered and unregistered religious groups may own property, including buildings. Groups using property for a particular purpose, including religious worship, must obtain a permit for that purpose from the Planning Authority. All religious groups may organize and run private religious schools, and their clergy may perform legally recognized marriages and other religious functions.

The constitution states the Catholic Church has “the duty and the right to teach which principles are right and which are wrong.” The constitution and law make Catholic education compulsory in public schools; the state, rather than the Catholic Church, provides the course teachers, who may be non-Catholic. Students, with parental consent if the student is younger than age 16, may opt out of these classes and instead take an ethics course, if one is available. If a school does not offer an ethics course, students may still opt out of the religion class.

Students may enroll in private religious schools. The law does not regulate religious education in private schools. The law does not allow homeschooling for religious or other reasons except for physical or mental infirmity.

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

Government Practices

The Planning Authority again failed to make a decision on an application, pending since 2017, by the Russian Orthodox Church of St. Paul the Apostle to build a new church in Kappara.

As in previous years, the government did not enforce the legal ban on face coverings or disguises, including those worn for religious purposes.

According to the Ministry for Education and Employment, the number of public schools offering ethics as an alternative to religion classes and the number of students in both public and other schools remained similar to those of 2019. All students in training to become primary school teachers continued to receive training in the teaching of ethics.

By year's end, the government had still not licensed any crematoria in the country, although the government legalized the practice in 2019. In October, *The Times of Malta* reported that the U.S.-based Universal Society of Hinduism called on the government either to subsidize cremations abroad or to make available land for Hindu community members to cremate their dead on traditional open pyres until a crematorium was operating in the country. The society also called on Roman Catholic Archbishop Charles Scicluna and Cardinal-elect Mario Grech to support the Hindu community on the cremation issue.

NGOs and Catholic and other Christian groups criticized two draft bills prohibiting discrimination and promoting equality, under consideration in parliament since 2019. On September 15, Catholic bishops in the country issued a public statement on the Archdiocese of Malta website objecting to certain clauses in the bills. Specifically, the prelates wrote that Church schools should be free to appoint educators who reflected Catholic values and that the bills should include the right for individuals to conscientious objection to promoting or participating in activities “that go against their conscience, and the principles and values that they embrace.” LGBTQI groups raised concerns that such an exception to the bill would enable faith-based institutions to discriminate against LGBTQI persons and others. The letter was signed by Archbishop Charles Scicluna of Malta, president of the Maltese bishops' conference, Bishop Anton Theuma of Gozo, and Auxiliary Bishop Joseph Galea-Curmi. Parliament was still reviewing the bills at year's end.

The government again did not introduce voluntary Islamic religious education as an after-school program in state primary or secondary schools despite statements in

previous years that it was considering doing so. The Ministry for Education and Employment stated that it was collaborating with the Muslim community on the design of such a program. Due to the COVID-19 pandemic, schools cancelled most after-school programs.

Section III. Status of Societal Respect for Religious Freedom

The Greek Catholic Church Our Lady of Damascus in Valletta again made itself available for the congregation of the Russian Orthodox Parish of St. Paul the Apostle to use as the latter awaited the Planning Authority's decision on its application to build a new church. Roman Catholic parishes also made their premises available to the Ethiopian, Romanian, Serbian, and Russian Orthodox Churches.

Section IV. U.S. Government Policy and Engagement

In December, the U.S. Charge d'Affaires participated in the annual Hanukkah celebration in Valletta together with the Minister of Foreign and European Affairs and delivered brief remarks at the event about the importance of celebrating religious freedom and tolerance during difficult times. The Charge also advocated religious freedom on the embassy's digital media platforms and wrote op-eds that were published in newspapers with the highest circulation in the country, including *The Times of Malta* and *The Sunday Times of Malta*. For example, in commemoration of International Holocaust Remembrance Day in January, the Charge wrote an editorial that appeared in *The Malta Independent*, highlighting the importance the U.S. Department of State gave to protecting freedom of religion and belief. In April, the Charge posted to Facebook greetings to everyone celebrating Easter, Passover, and Ramadan, and called for communities to support each other during the COVID-19 pandemic. In April, the Charge posted to Facebook greetings to everyone celebrating Easter, Passover, and Ramadan, and said religious leaders and communities in the country played an important role in supporting each other during the COVID-19 pandemic.