

IRELAND 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of religion and prohibits discrimination on the grounds of religion. In an October 26 constitutional referendum, 65 percent of voters approved the removal of blasphemy as a punishable offense from the constitution, paving the way for it to be formally removed as a legal offense in 2019 pending legislation from parliament. Some parents of children not belonging to the denomination of a religious school, usually Catholic, could not enroll their children in oversubscribed schools. The government continued to encourage patrons to open more schools with nonreligious or multid denominational patronage. Prime Minister Leo Varadkar participated in the national Holocaust Day Memorial commemoration and in his remarks emphasized the importance of Holocaust education to prevent such horrors happening again.

Nongovernmental organizations (NGOs) continued to lobby for more stringent hate crime legislation, including for incidents motivated by religion, and to ensure prejudice would be taken into account as an aggravating factor in sentencing criminals.

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 Education and Skills, and the national police. Underscoring the importance of tolerance, diversity, and religious freedom, embassy officials met with religious groups and NGOs to discuss their concerns.

Section I. Religious Demography

The U.S. government estimates the total population at 5.1 million (July 2018 estimate). The 2016 census indicates the population is approximately 78 percent Roman Catholic, 3 percent Church of Ireland (Protestant), 1 percent Muslim, 1 percent Orthodox Christian (including Greek, Russian, and Coptic Orthodox), 1 percent unspecified Christian, and 2 percent other religions, 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.

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. It prohibits discrimination on the grounds of religion or belief and 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 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.

The law makes blasphemy a punishable offense, although the government last prosecuted such a case in 1855. The law defines blasphemy as uttering or publishing language “grossly abusive or insulting in relation to matters held sacred by any religion,” when the intent and result are “outrage among a substantial number of the adherents of that religion.” Violations are punishable by a fine of up to 25,000 euros (\$28,700). In an October 26 constitutional referendum, 65 percent of voters approved the removal of blasphemy as a punishable offense from the constitution, paving the way for it to be formally removed as a legal offense in 2019 pending legislation from parliament. The blasphemy law remains in effect until legislation proposed by parliament is signed into law.

The law forbids incitement to hatred based on race, religion, nationality, or sexual orientation and carries a maximum penalty of up to two years’ imprisonment and a maximum fine of 25,400 euros (\$29,100). The law does not address or define hate crimes other than incitement.

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 Revenue Commissioners (the tax authority) and register as a charity or an NGO to receive tax exemptions. To qualify, groups must operate exclusively for charitable purposes. Constituted

organizations that operate for exclusively charitable purposes and provide a clear public benefit may register as charities. The law requires all charitable organizations carrying out activities in the country to register with and to 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 constitution, memorandum and articles of association, deed of trust, or rules).

Under the constitution, the Department of Education and Skills provides funding to “national” schools, which are privately owned and managed and where most children receive their primary school education. The government pays most of the building and administrative costs, teachers’ salaries, and a set amount per pupil. 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.”

Almost all primary schools and approximately half of secondary schools (vocational schools are state run and nonreligious) are religiously affiliated. At the primary level, 90 percent of all schools are Catholic, 6 percent Church of Ireland, 2 percent multid denominational, 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 affiliated, 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. The law permits schools with a religious patron to use religion as a basis for admissions, even if it is not oversubscribed.

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 another classroom. The government funds salaries for those teachers who teach religion classes in “national” schools.

The Workplace Relations Commission (WRC), an independent statutory body, 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 adjudication 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 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 groups, and other civil society groups to monitor and report on the public's experiences of human rights, religious freedom, and equality.

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

Government Practices

On October 26, the government held a constitutional referendum on the question of whether to revoke the constitutional provision making blasphemy a punishable offense. Voters approved the removal of blasphemy as a punishable offense from the constitution, but it remains an offense in law until legislation is passed by parliament removing it.

The government continued to encourage patrons to open more schools with nonreligious or multid denominational patronage. 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.

In April Minister for Education and Skills Richard Bruton announced plans to establish 42 new schools – 26 at the primary level and 16 at the postprimary level – between 2019 and 2022. The Department of Education and Skills announced it would respect parental preference for the patronage for those schools due to open in 2019. Of the 13 primary schools due to open in 2019, the patronage of 12 had yet to be decided. On October 31, the Department of Education announced the Irish-language schools' patron body An Foras Patrúnachta would be the patron of a primary school due to open in 2019 in Dublin. The department appointed multid denominational schools' patron body Educate Together as patron of four new high schools scheduled to open in September 2019.

Parents of unbaptized children continued to report difficulty enrolling their children in some local, religiously based schools that were oversubscribed and gave priority admissions to children of that religion. In rural areas, parents said finding alternatives to schools with Catholic patrons was especially difficult. On October 2, the government announced that starting in 2019 primary schools would no longer be allowed to discriminate on religious grounds.

Catholic religious orders remained affiliated with 20 of the country's 45 hospitals. Individual medical professionals were able to opt out of certain procedures, such as abortion, on conscience grounds; however, entire institutions did not have that option. In a May referendum, voters repealed the country's constitutional ban on abortion, paving the way for its legalization in 2019. The Health (Regulation of Termination of Pregnancy) Act 2018 became law on December 20.

Several state agencies, including the Irish Human Rights and Equality Commission (IHREC) and the Garda (national police) Racial and Intercultural Office (GRIO), continued to enforce equality legislation and work on behalf of minority religious groups. These agencies organized community events to include individuals of diverse faiths. The IHREC reviewed and made recommendations to draft legislation to ensure drafts met human rights and equality standards. The GRIO's liaison officers continued to engage with immigrant minority religious groups on a regular basis to inform them of police services and educate them on their rights.

On January 28, Prime Minister Varadkar, Minister for Justice Charles Flanagan, and other senior government officials participated in the national Holocaust Day Memorial commemoration. In his remarks, the prime minister emphasized the importance of Holocaust education to prevent such horrors happening again. 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 during the Holocaust.

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

Section III. Status of Societal Respect for Religious Freedom

NGOs, including the Irish Council for Civil Liberties, Immigrant Council of Ireland, Anti-Racism Network Ireland, National Steering Group Against Hate Crime, European Network Against Racism Ireland, and the government's independent IHREC, again lobbied for more robust legislation against hate crimes, including religiously motivated hate crimes, and to ensure prejudice was taken into account as an aggravating factor in sentencing criminals. In September *The Irish Times* published a letter from a citizen of a Jewish refugee family background that referred to anti-Semitic graffiti in Dublin painted on a city center wall and urged local authorities to remove it quickly.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials discussed issues of discrimination and integration of religious minorities into the community with representatives of religious groups, interfaith organizations, and youth-focused organizations as well as the Department of Foreign Affairs and Trade's Human Rights Unit, the Department of Education and Skills, and the national police.