

IRELAND 2019 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 December 21, President Michael Higgins signed a law entering into force in January 2020 which ends the prohibition on blasphemy after it was eliminated from the constitution following a 2018 referendum. Beginning with the 2019-20 school year, the government barred “national” (publicly funded, primary) Catholic schools from making admission decisions based on students’ religion; other national religious schools could continue to do so if they are oversubscribed. The national police announced in April it would allow male Sikh and female Muslim members of the force to wear, respectively, turbans and hijabs on the job. There were reports some school authorities in national Catholic schools gave 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 October the government launched a public consultation on hate speech as part of a planned update of the criminal law prohibiting incitement to hatred. In October police introduced a working hate crime definition that included religiously motivated crime. In December the United Nations Committee on the Elimination of Racial Discrimination (CERD) cited a high level of hate crime in the country, including against women wearing headscarves in public, and called on the government to make a “clear time-bound commitment” to reform its legal framework on hate crime. President Higgins and other senior government officials participated in the national Holocaust Day Memorial commemoration.

In May media reported two separate attacks on Muslim men in Limerick during Ramadan in which a total of three men were beaten and hospitalized. Media reported in August teenagers pushed a Muslim girl to the ground and forcibly removed her hijab in Dublin. A group in Dublin worked to establish a network of safe spaces in the city for Muslim women encountering harassment. The Workplace Relations Commission (WRC), an independent statutory body, reported from January to June it received 15 complaints of employment discrimination based on religion. A European Commission (EC) survey on perceptions of discrimination published in September found 42 percent of respondents believed discrimination on the basis of religion or belief was widespread in the country. In

January another EC survey reported that 69 percent of residents believed anti-Semitism was not a problem in the country. In July a mosque was vandalized in Galway. In August Church of Ireland Archbishop of Dublin Michael Jackson wrote an open letter to imams and other Muslim leaders in the city, expressing sorrow and solidarity with victims of attacks in the country targeting Muslims.

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 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 5.1 million (midyear 2019 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 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. 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 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.

The constitution was amended in November 2018 to remove blasphemy as an offense following an October 2018 referendum approving the change. On December 21, President Higgins signed legislation entering into force on January 17, 2020 to revoke the law making blasphemy a crime. The constitution had been amended in November 2018 to remove blasphemy as an offense following an October 2018 referendum. Until its repeal, the law defined 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 were punishable by a fine of up to 25,000 euros (\$28,100), but the government had last prosecuted blasphemy in 1855.

The law forbids incitement 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 (\$28,500). 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 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 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 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.

Ninety percent of all national 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 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 which 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 nonreligious.

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 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 (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

In April the police announced Commissioner Drew Harris had decided the force would allow Sikh members to wear turbans and Muslim women members to wear the hijab while on the job. The Muslim Sisters of Eire said they wished to “acknowledge and celebrate the decision” and the Immigrant Council of Ireland tweeted it was “encouraging news.” The police representative association called it “a useful measure.”

Atheist Ireland, the main secularist advocacy group in the country, said Catholic charities engaged in political activities, but government authorities overlooked their actions.

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 criticized the government for primarily delivering moral formation through religion and not offering students moral education outside of religion classes.

Atheist Ireland and the media reported 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. According to media reports, in September the Yellow Furze National School (Catholic) in County Meath had a policy of allowing children who attended religious ceremonies to skip their homework. School authorities said they were “rewarding positive behavior” by issuing church-going children a “homework pass.” The school said students were still free to opt out of religious events but would not be “rewarded” for it.

In September *The Irish Times* newspaper reported Atheist Ireland said it was aware of dozens of cases where school authorities told parents religion was a core subject from which their children could not opt out. According to the article, one mother had twice requested in writing that a school exempt her child from religion classes. The woman said school officials told her verbally that religion was compulsory and the child could leave the premises during religion classes or go to another school.

The government continued to encourage patrons to open more schools with nonreligious or multid denominational patronage. Seventeen 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 nonreligious or multid denominational national schools in 2019-22. The Department of Education and Skills said it would poll parents for their preferences among a list of potential patrons in regions where the department perceived a need for new schools, and encourage the preferred patrons to sponsor the new schools. The department said it expected in most cases parents would express a preference for nonreligious or multid denominational patronage. On November 19, the department issued an invitation for patronage applications for four new primary schools scheduled to open in September 2020.

In November Atheist Ireland, the Evangelical Alliance of Ireland, and the Ahmadiyya Muslim Community of Ireland made a joint submission to CERD, arguing the government was moving too slowly in establishing new nondenominational schools and divesting existing schools from religious bodies. The submission argued, “The state should stop ceding control of almost all schools

to private patron bodies, the vast majority of which have a self-interested religious prejudice while providing an essentially public service.” CERD recommended the government monitor school admissions, to encourage diversity and tolerance of other faiths and beliefs in the education system, and incidents of discrimination on the basis of belief.

There were no reports of complaints by parents or others about the law forbidding Catholic national schools from taking students’ religion into account when making admissions decisions, while allowing other national schools to continue to do so. In rural areas, parents said finding non-Catholic national schools was especially difficult.

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

In May the media reported Minister of Justice and Equality Charles Flanagan invoked for the first time a 20-year-old immigration power to bar a U.S. preacher from entering the country “in the interest of public policy,” following an online petition signed by 14,000 individuals calling for the government to ban his visit. According to the petitioners and some media reports, the preacher, the founder of an independent Christian group, had made anti-Semitic statements, including Holocaust denial, and denounced homosexuality and Hinduism.

In February a commission established by Minister for Health Simon Harris issued a report on the role and status of voluntary organizations providing health and personal social services. The report said the state was legally entitled to attach reasonable conditions to any funding it provided and was free to refrain from funding organizations that refused to provide certain lawful services, such as abortion or prescriptions for contraceptives. The report also said health services run by religious organizations should be “cognizant of the impact of decor” (e.g., religious symbols, icons, or the presence of chapels) on patients and “strive to ensure their personal preferences in this regard are met to the greatest extent possible.” Media reported Prime Minister Leo Varadkar said in an interview the report was not a recommendation to force hospitals to remove religious symbols from public areas, but it was “a message to charities and voluntary bodies that do run hospitals and schools just to have regard to these things.” The prime minister said he wanted to see more diversity in religious symbols in publicly funded healthcare institutions, to reflect that many patients were not Roman Catholic. Harris stated the findings required “further deliberation.” The government had not taken action on the report by year’s end.

In June the WRC found the National Transport Authority (NTA) had not discriminated against John Hamill, a member of the Congregationalist Church of the Flying Spaghetti Monster (Pastafarians), whom *The Irish Times* described as “a prominent atheist,” when it denied him free travel to a park to attend a ceremony of his group in 2018, while providing free travel to Catholics attending a papal mass at the same park on that day. According to media, Pastafarians were meeting to celebrate their non-Catholicism and discuss the benefits of not being Catholic. The man had requested the transit benefit in advance. NTA responded via letter that it was not able to provide free travel to the event, stating, “The primary reason for making travel free for those attending the papal Mass is crowd safety at the main boarding locations.” *The Irish Times* reported the WRC found the man’s complaint, despite its satirical tone, raised a serious point and was not “frivolous, vexations, or misconceived,” but determined it failed on procedural grounds.

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. These agencies helped to organize community events to educate the public on interfaith issues. In September the Dublin City Interfaith Forum, which received state and European Investment Fund funding, and the Dublin City Council organized a free festival involving up to 15 different faith communities, including Baha’is, Buddhists, Christians, Hindus, Jews, Muslims and Sikhs. 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. In October the police launched its 2019-21 Diversity and Integration Strategy, with the stated aim of protecting all minorities and diverse groups (including religious groups) in society. 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.

Although there were no laws addressing hate crimes, in October the police introduced a working hate crime definition as part of its diversity and integration strategy, with the goal of ensuring a uniform response to dealing with reported incidents. 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.’” According to a

report in August by *The Irish Times*, in August the government's Central Statistics Office stated it had seen "no objective proof" the police had addressed the concerns the office had cited in 2018, when it estimated the police underestimated hate crimes by at least 27 percent.

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 (ENAR-I), as well as IHREC again advocated better monitoring of hate crimes, including religiously motivated incidents, legislation against hate crimes and more stringent laws against hate speech, and action to ensure authorities took prejudice into account as an aggravating factor in sentencing criminals.

In October Justice and Equality Minister Flanagan and Minister of State for Equality, Immigration, and Integration David Stanton launched a seven-week consultation of the public's views as the government prepared to update the criminal law prohibiting incitement to hatred. Several NGOs, including ICCL and ENAR-I, said the consultation resulted in part from their efforts.

In a review in December, CERD said the level of hate crimes in the country was high, "in particular against women wearing headscarves in public," and criticized the government for failing to reform its legal framework on hate crime. CERD called for a "clear time-bound commitment" to make the necessary changes in law. CERD also praised NGO Holocaust Education Trust Ireland and its efforts to combat anti-Semitism.

On January 27, President Higgins, Deputy Prime Minister Simon Coveney, Minister for Justice and Equality Flanagan, and other senior government officials participated in the national Holocaust Day Memorial commemoration. In his remarks, the president paid tribute to Holocaust survivors and said the world needed to "work together to ensure that hatred and inhumanity is not allowed to once again spread its dark shadow across Europe and the world." 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 government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

In May media reported two separate attacks on Muslim men in Limerick during Ramadan. In one attack, three individuals punched and kicked two Muslim men walking towards a mosque. Both were hospitalized. Separately, a man approached a Muslim who was walking towards a mosque and hit him in the face. Two other men joined in beating the Muslim man, who was hospitalized. Police were investigating both assaults.

In August online footage showed teenagers pushing a 14-year-old girl to the ground and forcibly removing her hijab in Dublin. Police said they were investigating but had no evidence the incident was religiously motivated. Minister of Culture, Heritage, and the Gaeltacht Josepha Madigan condemned the assault. Ali Selim of the Islamic Cultural Centre of Ireland told *The Irish Sun* newspaper the incident was “an attack on this girl’s religious identity.” Selim said he did not think anti-Muslim sentiment was on the rise, but called for hate crime legislation to protect the increasingly multicultural and multifaith nature of society.

In February the WRC found that a print company had discriminated against a gay man by refusing to print invitations for his civil partnership ceremony in 2015 on the grounds of his sexual orientation and ordered it to pay the man 2,500 euros (\$2,800). In a statement issued after the WRC ruling, the print company said, “We are not against people who choose to practice homosexuality, but as Bible-believing Christians, we cannot in good conscience go along with printing invitations for same-sex unions.”

The WRC reported that from January to June it received 15 complaints of employment discrimination based on religion.

In May the EC carried out a study in each European Union (EU) member state on perceptions of discrimination and published the results in September. According to the findings, 42 percent of respondents believed discrimination on the basis of religion or belief was widespread in Ireland, while 52 percent said it was rare; 92 percent would be comfortable with having a person of a different religion than the majority of the population occupy the highest elected political position in the country. In addition, 98 percent said they would be comfortable working closely with a Christian, and 96 percent said they would be with an atheist, 95 percent with a Jew, 93 percent with a Buddhist, and 91 percent with a Muslim. Asked how they would feel if their child were in a “love relationship” with an individual belonging

to various groups, 96 percent said they would be comfortable if the partner were Christian, 89 percent if atheist, 88 percent if Jewish, 84 percent if Buddhist, and 80 percent if Muslim.

In January the EC published a Special Eurobarometer survey of perceptions of anti-Semitism based on interviews it conducted in December 2018 in each EU member state. According to the survey, 69 percent of residents believed anti-Semitism was not a problem in Ireland, and 53 percent believed it had stayed the same over the previous five years. The percentage who believed that anti-Semitism was a problem in nine different categories was as follows: Holocaust denial, 21 percent; on the internet, 29 percent; anti-Semitic graffiti or vandalism, 18 percent; expression of hostility or threats against Jews in public places, 20 percent; desecration of Jewish cemeteries, 18 percent; physical attacks against Jews, 18 percent; anti-Semitism in schools and universities, 19 percent; anti-Semitism in political life, 20 percent; and anti-Semitism in the media, 23 percent.

In a survey of residents of the country IHREC published in October 2018, 7 percent of respondents said they believed members “of a certain religion” (the question did not identify any religious groups) were those most likely to have their human rights infringed or experience discrimination.

In October CNN reported that in July unknown individuals vandalized the Ahmadiyya Maryam Mosque in Galway, breaking windows, wrecking an office, and destroying the mosque’s video security system. The mosque’s imam, Ibrahim Noonan, said that prior to the incident, he had received an anonymous phone call warning him that individuals planned to attack the mosque and harm him. Following the break-in, a police spokesperson told CNN that police were “investigating a burglary.” Noonan stated that, since nothing was stolen, treating the incident as a burglary was insulting to the Muslim community. He added that the vandalism was targeted and premeditated. Mahmoud Rashid, President of Galway’s Ahmadiyya Muslim community, told CNN there was a wider anti-Muslim current in society and that the narrative was applied to Muslims and other migrant groups.

The same CNN report cited another incident during the summer in which a senior lecturer on contemporary Islam at University College Cork said he received a voice mail calling him a “scumbag and terrorist” and adding, “I hope you are executed.”

In March *The Irish Times* reported that abusive and threatening behavior towards Muslim women had prompted a group of Muslim women from the Dublin Mosque to establish a network of safe spaces in the city, where Muslim women could seek immediate shelter if harassed. The women said they were designing a large yellow sticker reading, “Ask for Help,” which they hoped participating establishments would post prominently.

In August Church of Ireland Archbishop of Dublin Michael Jackson wrote an open letter to imams and other Muslim leaders in the city, expressing sorrow and solidarity with victims of attacks in the country targeting Muslims.

According to media, in March the Irish Catholic Bishops’ Conference objected to an advertisement for two consultants at the National Maternity Hospital in Dublin. The job announcement said candidates for consultant positions in obstetrics/gynecology and anesthesia must be willing to participate in elective abortions. The bishops’ conference said this precondition denied some candidates employment on the basis of conscience. According to the media, the hospital responded that the positions in question were specifically for providing abortion services and were therefore for individuals willing to provide those services. The hospital said the conscientious objection guidelines for staff remained unchanged.

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 and Trade’s Human Rights Unit, the Department of Justice and Equality, the Department of Education and Skills, and the police. Embassy officials also met with representatives of religious groups, interfaith organizations, and NGOs to discuss their concerns over religious tolerance, secularism, and religion in the national school system.