

# IRELAND 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution guarantees freedom of religion and prohibits discrimination on the basis of religion. It references Jesus Christ and God and stipulates the state shall respect religion. From January until May, the government prohibited all in-person religious services as a COVID-19 mitigation measure and opened gradually thereafter until October, when it lifted all restrictions. Church representatives generally supported the ban, although some individuals said it was inconsistent to ban religious services but keep certain essential businesses open. There were continued reports that 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. Thirteen government-funded multid denominational national schools opened during the year. In April, the government introduced a bill, pending before parliament at year's end, that would make provision for hate crimes and impose a heavier penalty for offenses committed with a hate element based on, among other things, the religious identity of the victim. In November, a member of parliament, referring to the International Holocaust Remembrance Alliance (IHRA)'s Working Definition of Antisemitism, said in the Dail (parliament) that Ireland should not sign up to a definition of antisemitism that did not allow for questioning Israel's right to exist, when it was a "racist apartheid state." In January, Taoiseach (Prime Minister) Micheal Martin and other senior government officials participated virtually in the National Holocaust Day Memorial commemoration.

The NGO Irish Network Against Racism recorded 334 incidents of hate speech related to race and religion in 2020, of which 69 targeted Muslims and 23 targeted Jews. In October, a researcher published a report documenting antisemitic content posted online by members of parliament and members of the public, and recommended the government adopt the IHRA Working Definition of Antisemitism. The Workplace Relations Commission (WRC), an independent statutory body, reported it received 30 complaints of employment discrimination based on religion or belief in 2020, compared with 36 complaints in 2019. On July 20, approximately 500 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.

U.S. embassy officials discussed issues of discrimination and integration of religious minorities into the community with the government. 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 2021). According to the 2016 census, the most recent, 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 at 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 provides for 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.

A “statement of truth” may be used in civil proceedings 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 statement of truth may not be used 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 (\$28,800). 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 discretionary 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 may 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 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

simply as 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 faith community. Such schools provide for a variety of religious education opportunities. There are also two types of multid denominational 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 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.

By law, Catholic national schools are not allowed to discriminate on religious grounds when making admissions decisions. According to the law, national schools under the patronage of other religious groups may discriminate in admissions on religious grounds to preserve 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 January until May, the government suspended all in-person religious services as part of COVID-19 mitigation measures that also applied to nonreligious venues, although churches remained open for private prayer, and up to 25 attendees were allowed for weddings and funerals. Church representatives generally supported the ban, although some said it was inconsistent to ban religious services but keep certain businesses open. Media reported that on March 17 (St. Patrick's Day), Archbishop of Dublin Dermot Farrell in a homily called on authorities "to give assurance that the legitimate desire of people to gather responsibly and within reasonable guidelines to exercise their constitutional right to worship will be prioritized in the easing of restrictions." In March, police fined a priest 500 euros (\$570) for holding a public Mass in violation of restrictions on public gatherings.

Media reported that on April 15, Taoiseach Micheal Martin met Catholic bishops to discuss COVID-19 mitigation measures, which retired Archbishop of Dublin Diarmuid Martin described as “draconian.” As of May 10, up to 50 persons could attend religious events, and as of September 6, religious ceremonies could take place with 50 percent of normal capacity. On September 10, the *Irish Times* reported Archbishop of Armagh Eamon Martin, head of the Catholic Church of Ireland, expressed “deep frustration” with the “dismissive manner” in which the government announced restrictions during the summer. On October 22, the government lifted all restrictions on attendance.

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. There were continued reports that some school authorities told parents that, contrary to law, their children could not opt out of religion classes.

The government facilitated patrons’ efforts 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 facilitate the establishment of 42 schools – 26 primary and 16 secondary – from 2019-2022. The Department of Education 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,” continued, with the aim of accelerating 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, out of approximately 3,300 public schools in the country.

In accordance with a 2011 government initiative to create more diversity and inclusiveness in the primary school system through a combination of divestment

and construction of new schools, eight transfers of patronage took place during the 2019/2020 school year – three schools from Catholic patronage, two from Church of Ireland patronage, and three multid denominational Steiner (aka Waldorf) schools. All were transferred to the Education and Training Board (ETB). The ETB manages and operates coeducational, multid denominational national schools, post-primary schools, and further education colleges.

There were complaints by parents and others about the law that forbids Catholic national schools from taking students' religion into account when making admissions decisions while allowing other national schools to continue to do so. They said the government should give assurances that when a Catholic parish or diocese divested a school, students whose parents wish them to receive a Catholic education would get priority at schools remaining under Catholic patronage.

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.

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 to educate them on their rights. These groups included the Cavan Cross Cultural Community, Dublin City Interfaith Forum, Federation for Victim Assistance, Garda Traveller advisory group, and Immigrant Council of Ireland.

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, "Religion includes 'non-believers'."

NGOs, including the Irish Council for Civil Liberties, 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.

In April, the government introduced hate crime legislation, which was pending before parliament at year's end, to establish a category of hate crimes and impose a heavier penalty on an offender whose commission of a relevant offense was accompanied by a hate motive against an individual based on numerous factors, including religion. There was broad support for the legislation among NGOs.

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

In November, parliamentarian Boyd Barrett from the People Before Profit Party representing Dun Laoghaire, referring to the IHRA's non-legally binding Working Definition of Antisemitism, said on the floor of the Dail that while "we must absolutely commemorate the Holocaust and insist that it never ever happens again," Ireland should not sign up to a definition of antisemitism that was not allowed to question Israel's right to exist, when it was a "racist apartheid state." He added it was unacceptable that those who "question the right of... an apartheid state to exist" were labeled antisemites. Thomas Byrne, Minister of State for European Affairs, afterwards urged parliamentarians to avoid injecting the Israel-Palestinian conflict into discussions of antisemitism.

On January 24, Taoiseach Martin and other senior government officials participated in the national Holocaust Day Memorial commemoration. In his remarks, Martin affirmed "unequivocally and publicly, Ireland's absolute commitment to Holocaust remembrance and to fighting the ugly scourge of antisemitism and racism." Hazel Chu, Lord Mayor of Dublin, said people in the city "feel privileged to be among survivors of the Holocaust and descendants of survivors who have made Dublin and Ireland their home." The NGO Holocaust Education Trust Ireland, in association with the Department of Justice, Office for the Promotion of Migrant Integration, and Dublin City Council, organized the virtual 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.

### **Section III. Status of Societal Respect for Religious Freedom**

The NGO Irish Network Against Racism recorded 334 incidents of hate speech involving race and religion in 2020, of which 69 targeted Muslims and 23 targeted Jews. In one case, housemates subjected one Muslim man to theft, abuse, and harassment over a period of months. The principal at one community college used explicitly anti-Muslim slurs against Muslim students. The NGO recorded nine incidents of discrimination against Muslims in access to goods and services but did not give details. It stated that most victims of religious discrimination and racist incidents did not report them to the police.

In October, researcher David Collier published a report on antisemitism in the country that documented antisemitic content posted online by members of the Dail and members of the public. The author stated that most of this content occurred in the context of criticizing Israeli policies, but it also contained Holocaust denial and antisemitic tropes about Jews controlling world finance. The report included numerous examples of politicians and members of the public sharing social media posts from other sources that contained Holocaust denial, “Zionist” conspiracy theories, and antisemitic tropes. In his report, Collier stated, “It seems accurate to suggest that antisemitism is driving their [politicians’ and anti-Israel activists’] obsessive anti-Israel activity.” Collier recommended that Ireland, which is a member of the IHRA, adopt IHRA’s non-legally binding working definition of antisemitism.

The WRC reported it received 30 complaints of employment discrimination based on religion or belief in 2020, compared with 36 in 2019.

On July 20, approximately 500 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 event, which, as in 2020, 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.

### **Section IV. U.S. Government Policy and Engagement**

U.S. embassy officials discussed issues of discrimination and the integration of religious minorities into the community with the government. Embassy officials also met with representatives of religious groups, secularist advocates, and NGOs to discuss their concerns regarding religious tolerance, secularism, and religion in the national school system.