

MALTA 2021 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 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 government again failed to act on a Russian Orthodox congregation's application, pending since 2017, to build a church.

The Greek Catholic Church Our Lady of Damascus in Valletta continued to allow the congregation of the Russian Orthodox Parish of St. Paul the Apostle to use its building for services while the latter awaited the Planning Authority's decision on its application from 2017 to build a new church. Roman Catholic parishes also continued to provide facilities to the Ethiopian, Romanian, Serbian, and Russian Orthodox congregations.

In December, the Charge d'Affaires participated in the annual Hanukkah celebration in Valletta, together with the President of Malta, the Minister of Foreign and European Affairs and the Minister of Equality, Research, and Innovation. President George Vella delivered a message virtually, highlighting the importance of facilitating interreligious dialogue and the promotion of a culture of tolerance and peace. In her remarks, the Charge d'Affaires emphasized the importance of promoting and defending religious freedom for all, citing it as a vital U.S. priority.

Section I. Religious Demography

The U.S. government estimates the total population at 461,000 (midyear 2021). A survey conducted by the newspaper *Malta Today* in 2018 stated 94 percent of respondents identified as Catholic, 3.9 percent identified as atheist, and 1.3 percent reported belonging to non-Catholic Christian denominations. According to an estimate by the World Islamic Call Society, 6 to 7 percent of the population is Muslim, most of whom 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 (Unification Church); 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 provides for 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, such as in a medical context. There is no specific reference to – or exception for – coverings worn for religious reasons. Violators are subject to a reprimand, a fine of 23 to 1,165 euros (\$26-\$1,300), or a jail sentence of up to two months. In practice, the government does not enforce this ban.

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. 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 teachers (who may be non-Catholic) for the courses. 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. Since October, the law allows homeschooling, but instructors must have a teaching certificate.

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

Government Practices

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 2020. All students in training to become primary school instructors continued to receive training in the teaching of ethics.

The government 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. However, due to the COVID-19 pandemic, schools cancelled most after-school programs. The Ministry for Education and Employment stated that it was collaborating with the Muslim community on the design of such a program for when after-school activities resumed.

During the year, parliament continued to review two bills under consideration since 2019 that proponents stated would prohibit discrimination and promote equality on a wide range of activities. Although religion was not explicitly addressed in the bills, in 2020, nongovernmental organizations, Catholics, and other Christian groups criticized the legislation. At the time, Catholic bishops said, among other criticisms, that the bills would threaten personal freedoms unless they gave individuals the right to object to promoting or participating in activities that

went against their conscience or values. Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) groups said that such an opt-out exception would enable faith-based institutions to discriminate against LGBTQI+ persons and others. Parliament did not act on the bills by year's end.

The government again failed to act on Russian Orthodox Parish of St. Paul the Apostle's application, pending since 2017, to build a church.

Section III. Status of Societal Respect for Religious Freedom

Our Lady of Damascus Greek Catholic Church in Valletta continued to allow the congregation of the Russian Orthodox Parish of St. Paul the Apostle to use its building for services while the latter awaited the Planning Authority's decision on its application from 2017 to build a new church. Roman Catholic parishes also continued to provide facilities to the Ethiopian, Romanian, Serbian, and Russian Orthodox congregations.

Section IV. U.S. Government Policy and Engagement

In December, the Charge d'Affaires participated in the annual Hanukkah celebration in Valletta, together with the President of Malta, the Minister of Foreign and European Affairs and the Minister of Equality, Research, and Innovation. President George Vella delivered a message virtually, highlighting the importance of facilitating interreligious dialogue and the promotion of a culture of tolerance and peace. In her remarks, the Charge d'Affaires emphasized the importance of promoting and defending religious freedom for all, citing it as a vital U.S. priority.

The embassy incorporated the promotion of human rights and religious freedom of migrants in the country, the majority of which were African Muslims, into its Black History month activities in February. The Charge also advocated religious freedom on the embassy's digital media platforms and in op-eds she authored as part of a larger campaign to promote diversity in Maltese society on World Refugee Day and International Human Rights Day. Newspapers with the highest circulation in the country published the op-eds, including *The Times of Malta* and *The Sunday Times of Malta*.

Embassy-supported exchange programs also focused on religious pluralism, including a research project carried out by a Maltese Muslim scholar on dismantling racial and social injustices within religious minority groups.