

IRELAND 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

Freedom of religion is guaranteed by the constitution, which also prohibits discrimination on the grounds of religion. Based on a constitutional provision, the law makes blasphemy a punishable offense. The government stated it has no plans to hold a referendum on the 2012-2014 Convention on the Constitution's recommendation that the government replace the blasphemy law with a new provision making incitement to religious hatred an offense. The government permitted, but did not require, religious instruction in public schools. Most schools are privately owned but publicly funded, and the law permits schools with a religious "patron" to discriminate in admissions on the basis of religion. Parents of non-Catholic children reported difficulty enrolling their children in religiously-based schools. Religious "patrons" determine the religious education in primary schools but, during the year, the minister of education said parents have a constitutional right to decide whether their children attend religious education classes. In December a new law prohibited state run institutions, including publicly funded schools, from discriminating in staff selection based on religious beliefs. In November a municipal worker was sentenced to 100 hours of community service for sending anti-Semitic e-mails to then-Minister for Justice and Defense Alan Shatter.

There were reports of anti-Semitism, including a man who presented a performance piece he called an "International Holocaust Hoax Day." There were also anti-Muslim incidents, including a protest outside the Islamic Cultural Center of Ireland.

U.S. embassy officials met with the government to discuss discrimination and integration of religious minorities into the community, and with religious groups and nongovernmental organizations (NGOs) to discuss issues different religious groups face.

Section I. Religious Demography

The U.S. government estimates the total population at 4.9 million (July 2015 estimate). The most recent census (in 2011) indicated the population was approximately 84 percent Roman Catholic, 3 percent Church of Ireland, 1 percent Muslim, 1 percent Orthodox Christian (including Greek, Russian, and Coptic Orthodox), and 1 percent unspecified Christian, with 6 percent stating no religious

IRELAND

affiliation. There are small numbers of Presbyterians and Jews. According to the 2011 census, the Jewish community numbered 1,984. 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 continue to grow, especially in larger urban areas.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

Freedom of religion, subject to public order and morality, is guaranteed by the constitution. The constitution prohibits promotion of one religious group over another, as well as discrimination on the grounds of religion or belief. The law does not restrict the teaching or practice of any faith.

The constitution makes blasphemy a punishable offense, although it was last prosecuted in 1855. The law makes it an offense, punishable by a fine of up to 25,000 euros (\$27,203), to utter or publish material that is “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.”

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.

Under the constitution, the Department of Education provides equal funding to all public schools, which can be government owned or privately owned but publicly funded. Most schools are privately owned but publicly funded, with the government paying most of the building and administrative costs, teachers’ salaries and a set amount per pupil. Most public and private primary schools and about half of the secondary schools are religiously based. At the primary level, 90 percent of all schools are Catholic, 6 percent Church of Ireland, 2 percent multid denominational, and 1 percent other religious groups. Most schools’ boards of management are appointed by “patrons,” similar to trustees, who are usually members of religious groups. These groups often provide land for schools and also contribute to building and administrative costs. The law permits schools with a religious patron to discriminate in admissions on the basis of religion.

IRELAND

Legislation enacted during the year passed responsibility to hear cases of reported workplace discrimination, including on the basis of religion, from the Equality Tribunal to the Workplace Relations Commission (WRC). The WRC may refer cases for mediation or investigate and 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.

Government Practices

In February the government stated it had no plans to hold a referendum on the 2012-2014 Convention on the Constitution's recommendation that the government replace the blasphemy law with a provision to make incitement to religious hatred an offense.

In December the Equality (Miscellaneous Provisions) Bill was passed, altering the Employment Equality Act by stripping exemptions from state run institutions. By law, a school with a religious patron was previously allowed to select its staff based on the patron's religious beliefs. The changes meant members of the LGBTI community, divorcees, single parents, and persons of another religion working in schools and hospitals under religious patronage could no longer be treated differently to maintain the religious ethos or the standards and traditions of the institution.

NGOs continued to call on the government to pass hate crime legislation that would include religiously based hate crimes. The NGOs noted the country was the only Western democracy without specific hate crime legislation, leaving a "massive gap between the records and the reality" for minority groups. The Irish Council for Civil Liberties, a civil society group, published a report, "Out of the Shadows: Legislating for Hate Crime in Ireland," by researchers at the University of Limerick which found hate crime was underreported and underrecorded. According to the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, two anti-Semitic cases were reported in 2014, the latest statistics available.

In December the government announced an update of the PULSE (Police Using Leading Systems Effectively) system used by the Garda (national police) to log crimes. The update allows for the specific recording of hate crimes, including anti-Muslim and anti-Semitic crimes.

IRELAND

The government permitted, but did not require, religious instruction in public schools. Although religious instruction was part of the curriculum of most schools, parents could exempt their children from such instruction.

A multidenominational group called Educate Together operated a network of 77 primary schools. It opened its first four secondary schools in 2014 with more expected in 2016. These schools accepted pupils on a “first come, first served” basis, without regard to religion or locality.

In 2011, the government recommended that some Catholic primary schools become nondenominational schools in 25 out of 43 areas across the country. Since then the Catholic Church has divested eight schools to Educate Together; two are in buildings vacated by a Catholic-run state-funded school, while the other six received no buildings from the Church but have since acquired some.

School “patrons,” generally affiliated with religious denominations, continued to define the “ethos” of the schools and determine the development and implementation of religious education curriculum in primary schools. The curriculum could vary by school and could include teaching about the patron’s religion, the religious history of Ireland, or an overview of world religions. The European Court of Human Rights (ECHR) has held the exemptions procedures for minority and nonfaith students to religious instruction must not unduly burden the parents and students. In one case during the year, the principal of a secondary school in Limerick refused to allow a student to opt out of religious education. Although Minister of Education Jan O’Sullivan confirmed parents had a constitutional right to decide whether their children attend religious education classes, the student was required to remain in the classroom while the subject was taught.

Parents of nonbaptized children reported difficulty in accessing places in some local overenrolled religiously based schools. In rural areas it was reportedly especially difficult to find alternatives to schools with Catholic patrons. In October the father of a Hindu family in Dublin, which had difficulty getting their four-year-old child enrolled in a local school, organized a protest attended by up to 200 calling on the government to end religious discrimination in access to local schools. One school cited its enrollment policy was to prioritize based on five categories, the first being religion. Parents of the school’s students questioned this policy in a letter to the minister of education, minister of justice and equality, and

IRELAND

the archbishop of Dublin. Both ministers responded, stating schools had a legal right to set their enrollment policies.

In November a municipal employee was sentenced to 100 hours of community service for sending anti-Semitic emails to then-Minister for Justice and Defense Alan Shatter, who is Jewish. During the early stages of the police investigation the municipal worker cited his right to free speech and said it was a political matter.

Several state agencies, including the Irish Human Rights and Equality Commission and the Garda's Racial and Intercultural Office (GRIO), enforced equality legislation and worked on behalf of minority religious groups. The GRIO's liaison officers met and engaged with immigrant minority religious groups on a regular basis to inform them of police services and their rights, as well as to support integration through involving members of ethnic minority communities in community social events.

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

Section III. Status of Societal Respect for Religious Freedom

In September a Saudi Arabian woman was assaulted on a Dublin bus by a man who punched her on the shoulder and said he hated Islam. The Garda spoke to the woman and the man, but did not make any arrests.

In January a man put an axe through a television in the town center of Ennis, County Clare, as a part of a performance he called "International Holocaust Hoax Day." In October the man was sentenced to five months in jail for weapons and public order offenses. The judge said the man "behaved in the most offensive way, not merely towards a particular section of society but towards society generally."

In February a protest organized by Anti-Islam Ireland gathered outside of the Islamic Cultural Center of Ireland in Dublin. The group of approximately 12 was met by a larger (90-120 people) group of counter-protestors.

Section IV. U.S. Government Policy

U.S. embassy officials discussed integration of religious minorities and discrimination with the government. Embassy representatives also met with

IRELAND

religious groups and NGOs to discuss how different religious groups are treated and what issues these groups faced in practicing their religion.