

PORTUGAL 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion and worship and prohibits discrimination on the basis of religion. The government's Commission for Religious Freedom (CLR) and High Commission for Migration (ACM) sponsored activities to promote religious tolerance and acceptance, published religious texts, and organized education for teachers and workers interacting with people of diverse religious backgrounds. Government officials also sponsored several events focusing on religious tolerance and attended interreligious ceremonies sponsored by civil society organizations.

The National Renewal Party (PNR) organized a protest at Martim Moniz square on February 13 against the "Islamic invasion" of Europe. Demonstrators left two pigs' heads near the location of a future mosque. In February more than 3,000 people signed a petition and filed a complaint with the ombudsman, accusing the Left Bloc Party (BE) of conducting a blasphemous campaign celebrating the legalization of gay adoption for printing a poster entitled "Jesus Also Had Two Fathers." The Portuguese Evangelical Alliance (PEA) also criticized the BE's poster and campaign. On November 13, several thousand people demonstrated for the legalization of the status of some 30,000 immigrants, most of whom belonged to religious minority groups.

U.S. embassy representatives met regularly with CLR and ACM officials to discuss religious freedom issues. The U.S. Ambassador and other embassy officials met with leaders of the Catholic, Jewish, Muslim, Orthodox, and Protestant communities to promote religious tolerance and interfaith dialogue.

Section I. Religious Demography

The U.S. government estimates the total population at 10.8 million (July 2016 estimate). According to the 2011 census, more than 80 percent of the population above the age of 15 is Roman Catholic. Other religious groups, each constituting less than 5 percent of the population, include Orthodox Christians, various Protestant and other Christian denominations, Muslims, Hindus, Jews, Buddhists, Taoists, and Zoroastrians. According to the census, the Protestant population includes 250,000 members of evangelical churches, and there are approximately 200,000 immigrants from Eastern Europe, primarily from Ukraine, most of whom

are Eastern Orthodox. More than 600,000 people do not claim membership in any religious group.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion and worship, which may not be violated even if the government declares a state of emergency. It states no one shall be privileged, prejudiced, persecuted, or deprived of rights or exempted from civic obligations or duties because of religious beliefs or practices. The constitution states individuals may not be questioned by authorities about religious convictions or observance, with the exception of gathering statistical information that does not identify individuals, and in such cases individuals may not be prejudiced by refusal to reply. Churches and religious communities are independent from the state, and have the freedom to determine their own organization and to perform their own activities and worship. The constitution affords each religious community the freedom to teach its religion and to use its own media to disseminate public information about its activities. It bars political parties from using names directly associated with, or symbols that may be confused with those of, religious groups. The constitution and the law recognize the right to conscientious objection to military service, including on religious grounds; they require conscientious objectors to perform equivalent alternative civilian service.

Religious groups may be organized in a variety of forms that have national, regional, or local character. A denomination may choose to organize as one national church or religious community or as several regional or local churches or religious communities. An international church or religious community may set up a representative organization of its adherents separate from the branch of the church or religious community existing in the country. A registered church or religious community may create subsidiary or affiliated organizations, such as associations, foundations, or federations.

All religious groups with an organized presence in the country may apply for registration with the registrar of religious corporate bodies in the Ministry of Justice (MoJ). The requirements include providing the organization's official name, which must be distinguishable from all other religious corporate bodies in the country; the organizing documents of the church or religious community associated with the group applying for registration; the address of the

organization's registered main office inside the country; a statement of the group's religious purposes; documentation of the organization's assets; information on the organization's formation, composition, rules, and activities; provisions for dissolution of the organization; and the appointment method and powers of the organization's representatives. Subsidiary or affiliated organizations included in the parent group's application are also registered; if not, they must register separately. The MoJ may reject a registration application if it fails to meet legal requirements, includes false documentation, or violates constitutional rights of religious freedom. In the case where an application is rejected by the MoJ, religious groups may appeal to the CLR within 30 days of receiving the MoJ's decision.

Religious groups may register as religious corporations and receive tax-exempt status; the right to minister in prisons, hospitals, and military facilities; the right to provide religious teaching in public schools; the right to participate in broadcasting time on public television and radio; and national recognition of religious holidays. The government certifies religious ministers, who receive all the benefits of the social security system. Chaplaincies for military services, prisons, and hospitals are state-funded positions open to all registered religious groups. A taxpayer may allocate 5 percent of his or her tax payment to any registered religious group.

Religious groups may also register as unincorporated associations or private corporations, and in that form may receive the same benefits granted to religious corporations. The process for registering as unincorporated associations or private corporations involves the same procedures as for religious corporations. There are no practical differences between associations and private corporations; the different categories distinguish how the groups are internally administered. Unregistered religious groups are not subject to penalties and may practice their religion, but do not receive the benefits associated with registration.

By law, religious groups registered in the country for at least 30 years or internationally recognized for 60 years may obtain a higher registration status of "religion settled in the country." To show they are established, religions must demonstrate an "organized social presence" for the required length of time. These groups receive government subsidies, may conclude "mutual interest" agreements with the state on issues such as education, culture, or other forms of cooperation, and may celebrate religious marriages that have effect in the state legal system. The government has mutual interest agreements with Jewish and Islamic religious bodies and a concordat with the Holy See that serves the same function for the Catholic Church.

The law prohibits employers from discriminating against individuals on the basis of religion and requires reasonable accommodation of employees' religious practices. According to the labor code, employees are allowed to take leave on their Sabbath and religious holidays, even if these are not nationally observed.

Public secondary schools offer an optional survey course on world religions taught by lay teachers. Optional religious instruction is available at government expense if at least 10 students attend the class. Religious groups are responsible for designing the curriculum of the religious classes and providing and training the teachers, who are lay. Private schools are required to offer the same curriculum as public schools but may provide instruction in any religion at their expense. All schools, public and private, are required to accommodate the religious practices of students, including rescheduling tests if necessary.

The law provides for the naturalization of Jewish descendants of Sephardic Jews expelled from the country in the 15th and 16th centuries.

The CLR is an independent, consultative body to parliament and the government, established by law. Its members include representatives of various religious groups in the country, such as the Portuguese Episcopal Conference, the Evangelical Alliance, the Israeli Community, the Islamic Community of Lisbon, the Hindu Community of Lisbon, and the Aga Khan Foundation, as well as laypersons appointed by the MoJ. The Council of Ministers appoints its president. The CLR reviews and takes a position on all matters relating to the application of the law on religious freedom, including proposed amendments. It alerts the competent authorities, including the president, parliament, and others in the government, to cases involving religious freedom and discrimination, such as restrictions or prohibitions on the right to assembly and the holding of religious services; the destruction or desecration of religious property; assaults against members and clergy of religious groups; incitement of religious discord; hate speech; and violations of the rights of foreign missionaries. The CLR may file formal complaints at the national level with the ombudsman, an official position created by the constitution and supplemental legislation to defend the rights and freedoms of individual citizens, and at the international level with the European Court of Human Rights. The ombudsman has no legal enforcement power, but he or she is obligated to address complaints and provides an alternative remedy for dispute resolution.

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

Government Practices

On March 9, President Marcelo Rebelo de Sousa attended an interfaith service at the Lisbon Central Mosque following his swearing-in ceremony. He promised to be a guarantor of religious freedom and cited the right to freedom of worship in the constitution. He urged dialogue and understanding and appealed to the “ecumenical spirit” of all citizens, calling the service a positive example of how religion can unite rather than divide people of diverse backgrounds. Foreign Minister Augusto Santos Silva, Lisbon Mayor Fernando Medina, and former Portuguese President Jorge Sampaio also attended as did representatives from 17 religious groups, including Catholics, Seventh-day Adventists, Anglicans, evangelicals, other Protestants, Greek Orthodox, Mormons, Bahais, Buddhists, Hindus, Jews, Shia Muslims, Sunni Muslims, and Sikhs.

On January 29, parliament recognized Holocaust Remembrance Day with a memorial ceremony, a photo exhibit, and a viewing of the German film “Labyrinth of Lies.” Speakers at the memorial ceremony included Parliamentary President Eduardo Ferro Rodrigues, the Israeli Ambassador, and the president of the Israelite Community of Lisbon. Rodrigues called the Holocaust “the trivialization of evil” and said “It [the Holocaust] will never be the past in terms of the manner in which it challenges us as human beings.” In a unanimous vote, parliament committed to “promote Holocaust memory and education in schools, universities, communities and other institutions so that future generations can...reflect on its consequences in order to avoid future acts of genocide.”

On July 15, Minister of Culture Luis Filipe de Castro Mendes and the Israeli Ambassador attended the inauguration ceremony of the government-funded Interactive Center of Jewish Culture (also known as the “House of Inquisition”) in Monsaraz, operated by the local city hall, which commemorates Jewish history and the 80 Jewish residents of Monsaraz who were victims of the inquisition.

The ACM hosted events, activities, and debates, published books on religion to promote religious tolerance and acceptance, and provided ongoing education for teachers and workers interacting with people of diverse religious backgrounds. On March 2, the ACM sponsored a debate titled “Religion and Ethics in Government and Politics.” On September 21-22, the ACM cosponsored an interreligious dialogue and conference on citizenship and religion with the CLR, Lisbon City Hall, and Lusofona University. Among the speakers were the adjunct minister to the prime minister, the UN Educational, Scientific, and Cultural Organization

(UNESCO) chair for religious pluralism and peace, and the assistant secretary general of the Muslim Council of Britain. Among other topics, participants addressed religious freedom concerns with a broad audience.

On November 17, the government issued a decree establishing a Nucleus for Intercultural Dialogue within the ACM, whose goals included promoting the rights and interests of immigrants to ensure their integration, promoting religious dialogue, presenting proposals for training to enhance appreciation of diversity and interreligious dialogue, and promoting research on integration of immigrants and appreciation of diversity and interreligious dialogue.

On September 5, the CLR sponsored a conference debate on “Religious Pluralism and Citizenship” at the Calouste Gulbenkian Foundation in Lisbon. Speakers included the new CLR chairman, the minister of justice, constitutional scholars, and representatives of various religious denominations and focused on “Religious Freedom and Portuguese Secularism – The principles of the separation and cooperation between the State and Religious Communities.” At the closing of the conference, 21 churches and religious communities signed a declaration for dialogue, religious tolerance, and peace. Among other obligations and responsibilities, the signatories pledged their commitment to a collaborative dialogue with other religious groups and an appreciation of diversity.

The state-run television channel RTP continued to air a half-hour religious program five days a week, with segments written by different registered religious groups and a weekly half-hour program highlighting activities of different religious groups.

The government naturalized 292 descendants of Jews expelled from the country during the Inquisition, most of whom were from Turkey (50 percent) and Israel (31 percent). The Jewish community in Lisbon or Porto vetted each application, checking existing documentation of the applicants’ ancestors and making recommendations to the government.

In February Porto Mayor Rui Moreira, a descendant of Ashkenazi Jews, cited his election as evidence of an absence of anti-Semitism in the country.

Section III. Status of Societal Respect for Religious Freedom

Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity. On February

13, the National Renewal Party (PNR), which is not represented in parliament, organized a protest at Martim Moniz square against the “Islamic invasion” of Europe, stating the far-right was the only alternative to rid the country of “traitorous” politicians, who “not only allow the invasion but encourage it.” According to the head of the PNR, the demonstration was “a protest against the Islamization of Europe, which represents a very serious danger that many people are not yet aware of,” citing as an example what was happening in the countries of Central Europe. After the protest, several dozen people walked to the location of a future mosque and left two pigs’ heads. Along the way, they shouted slogans such as “Islam not here!” and “Action, action, fight for the nation!” Some of the protestors lowered the national flag to half-mast.

In February more than 3,000 protestors filed a complaint and signed a petition with the ombudsman against the BE for carrying out a public campaign celebrating parliament’s February 10 legalization of adoption by same-sex parents. A BE poster titled “Jesus Also Had Two Fathers: February 10, 2016 – Parliament Has Ended Adoption Law Discrimination,” referred to Jesus’ “spiritual and earthly fathers.” The complaint accused the BE’s campaign of blasphemy, “offending the religious beliefs of many Portuguese,” and “desecrating an object of worship.” On March 8, the PEA released a statement on their website, stating the BE poster “provokes and offends the religious feeling of many Christians.” The statement added, “Freedom of expression must be exercised within the framework of respect for the religious feelings of citizens.” The BE responded that, although the poster had generated controversy, it did not wish to offend Christians or religion more generally; rather, the goal was to remind people that family compositions had always been diverse. The ombudsman had not announced a response to the complaint by year’s end.

On November 13, several thousand people gathered in Lisbon’s Martim Moniz square to demand changes to the country’s immigration laws in order to legalize the status of approximately 30,000 immigrants, most of whom were Muslims, Hindus, and members of other non-Christians faiths, living and working in the country. The pro-immigrant protest was met by several dozen PNR counterdemonstrators protesting against an “invasion of immigrants” and “for social justice for Portuguese.” The demonstrations remained peaceful, although one PNR member was briefly detained for unruly behavior.

Section IV. U.S. Government Policy

U.S. embassy representatives met regularly with CLR and ACM officials to discuss religious freedom issues, including the importance of mutual respect and understanding among religious communities and the integration of immigrants, many of whom belonged to religious minority groups. The U.S. Ambassador and embassy representatives also met with leaders of religious groups, including the Catholic, Jewish, Muslim, Orthodox, and evangelical communities to discuss issues of religious freedom and tolerance. The Ambassador met with Sheikh David Munir, Head Imam of Lisbon's Central Mosque and with Ambassador Arif Z. Lalani, Head of the Department for Diplomatic Affairs of the Ismaili Imam, to discuss ways in which the Muslim community and the embassy could work together to promote acceptance and religious tolerance. He also called on the Cardinal Patriarch of Lisbon, Manuel Clemente, and on the Bishop of the Diocese of Guarda, Manuel Felicio. In both cases, he offered to partner the embassy with the Catholic Church to support religious freedom programs, promote interfaith dialogue, and collaborate to promote a more religiously accepting society. The Ambassador discussed the importance of religious freedom and tolerance in his keynote address at the 2016 Concordia Forum, an international gathering of Muslims from a broad sector of civil society and government, held October 13-16 in Sintra and Lisbon.

On September 9, embassy representatives held a roundtable on interfaith relations with leaders of the Muslim community.

Embassy officials met with various religious leaders throughout the reporting year: Nazim Ahmad, Diplomatic Representative of the Ismaili Imam to the country and the Lusophone countries and a member of the CLR; Esther Mucznik, Vice President of the Lisbon Israeli Community; Dr. Abdool Vakil, President of the Lisbon Islamic Community; Archimandrite Philip Jagnisz, Vicar of Portugal and Galiza of the Eastern Orthodox Church; and Rana Uddin, President of the Islamic Center of Bangladesh in Lisbon. At all of these meetings, embassy officials discussed religious integration, the importance of freedom of expression of religious views and promoting tolerance and understanding among religious communities, countering the spread of religiously motivated violence in Europe, and efforts to integrate immigrants and refugees in the country.

The embassy disseminated information on the importance of religious freedom on its Facebook page and in op-ed pieces in local newspapers. On October 4, the embassy sponsored a webchat with a director of the Sikh Coalition, a U.S. NGO, and an official of the Smithsonian Institution on how leaders respond to racial and religious diversity challenges in their communities.