

(English version)

**Question for written answer E-005058/25**  
**to the Commission**  
**Paolo Inselvini (ECR), Francesco Torselli (ECR), Carlo Ciccio (ECR)**  
(23 December 2025)

*Subject:* Enoch Burke case and protection of freedom of expression and religion in educational institutions

The case of Irish teacher Enoch Burke, imprisoned after refusing — on religious grounds — to adopt pronouns and nomenclatures imposed by the school in relation to a student's gender identity, has become the symbol of growing tension in Europe between freedom of expression, religious freedom and 'gender'.

The cause of the dispute is his refusal to comply with information which he considered contrary to his faith. In a number of Member States, Christians are increasingly discriminated against, and even within schools, the educational debate appears to be less and less open to pluralism. At the same time, one-way guidelines on matters concerning gender identity and LGBT issues are being established, penalising those who express normal ethical or religious beliefs.

What is more, the Charter of Fundamental Rights of the European Union (CFREU) protects freedom of thought, conscience and religion and freedom of expression.

In the light of the above:

1. Does the Commission believe it is possible to end up in chains, facing charges, as in the case of Enoch Burke, for reasons related to faith, conscience, or the expression of one's beliefs?
2. How will it protect the freedom of thought, expression and belief of the too many Christians discriminated against in Europe?
3. Will it finally establish, as in the case of anti-Semitism and Islamophobia, a coordinator responsible for combating anti-Christian hatred in the EU?

Submitted: 23.12.2025

**Answer given by Mr Brunner on behalf of the European Commission**  
(12 March 2026)

The Commission is committed to ensure the protection of freedom of thought, conscience and religion and freedom of expression, as well as from discrimination based on religion or belief.

However, according to its Article 51 (1), the Charter only applies to the Member States when they are implementing EU law. In particular, under EU law, education falls essentially within the competence of Member States.

On the basis of the information provided by the Honourable Members, it does not appear that in the matter referred to by the Honourable Member, the Member State concerned acted in the course of implementation of EU law.

In such a context, it is thus for Member States alone to ensure that their obligations regarding fundamental rights — as resulting from international agreements and from their internal legislation — are respected.

Furthermore, the Commission considers that there is no place for hate based on religion in the EU. The Commission ensure the implementation of EU law on combating racism and xenophobia <sup>(1)</sup>, which requires Member States to criminalise hate offences based religion, including targeting Christians.

It remains however a national competence to investigate or prosecute cases of alleged hate offences.

---

<sup>(1)</sup> Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ L 328, 6.12.2008, pp. 55-58.