

ICELAND 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religious belief and practice, as long as it is not prejudicial to good morals or public order, and protects the right to form religious associations. It names the Evangelical Lutheran Church (ELC) as the state church, and the government provided it with financial support and benefits not available to other religious groups, including treating 138 ELC ministers as civil servants and paying their salaries. Other religious and “life-stance” groups must register to receive state subsidies. The government approved two registration applications by Muslim and Tibetan Buddhist groups and was reviewing the resubmission of a previously rejected life-stance organization. In November a court awarded a former teacher monetary damages for unfair dismissal after the municipality of Akureyri fired him in 2012, allegedly for posting online his views against homosexuality and justifying them based on his understanding of the Bible.

The Ministry of Justice (MOJ) cited eight preliminary reports of religious hate speech during the year, six against Islam and two against religion in general. According to the Reykjavik Metropolitan Police, courts issued two indictments for hate speech related to religious beliefs. In January the District Reykjanes District Court convicted a man and woman for hate speech after they called for Muslims to be killed in online comments in 2014. The court ordered the woman to pay a 30,000 kronur (ISK) (\$290) fine and the man a 100,000 ISK (\$960) fine.

U.S. embassy officials met with representatives from the MOJ and the local authority responsible for registering religious groups to discuss the status and rights of religious groups. Embassy officials also maintained contact with representatives of religious groups and life-stance organizations, including the ELC, the Islamic Foundation of Iceland, the life stance organization Sidmennt, and the Norse pagan association Asatruarfelagid, to discuss their views on religious tolerance, interfaith dialogue, and the role of religious groups in education and refugee integration.

Section I. Religious Demography

The U.S. government estimates the total population at 340,000 (July 2017 estimate). According to the government national statistical institute, approximately 70 percent of the population belongs to the ELC, 5.8 percent to Lutheran Free churches, and 18.3 percent to other religious and “life-stance” groups. The largest non-Lutheran group is the Roman Catholic Church, with

3.8 percent of the population, 80 percent of whom are foreign born, mostly from Poland, other European countries, and the Philippines. Approximately 6.1 percent do not identify with any religious or life-stance group. The Association of Muslims in Iceland estimates there are 1,000 to 1,500 Muslims, primarily of immigrant origin from Africa, the Middle East, and elsewhere. The Jewish community reports there are approximately 100 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution establishes the ELC as the national church and stipulates the government shall support and protect it. The constitution states all individuals have the right to form religious associations and practice religion in accordance with their personal beliefs, as long as nothing is “preached or practiced which is prejudicial to good morals or public order.” It stipulates everyone has the right to remain outside religious associations and no one shall be required to pay personal dues to any religious association of which he or she is not a member. The constitution also specifies individuals may not lose their civil or national rights and may not refuse to perform civic duties on religious grounds. The constitution bans only religious teachings or practices harmful to good morals or the public order. The law further specifies the right of individuals to choose or change their religion.

The law grants the ELC official legal status, and the government directly funds it from the state budget. The state treats the ELC bishop and vice bishop and 136 other ELC ministers as civil servants under the MOJ and pays their salaries and retirement benefits as well as the operating costs of the bishop’s office. The ELC also receives indirect funding from church taxes, as do other registered religious and life-stance groups.

The penal code establishes fines of no specified amount and up to two years’ imprisonment for hate speech, including mocking, defaming, denigrating, or threatening an individual or group by comments, pictures, or symbols based on religion.

Religious groups, other than the ELC, and life-stance organizations may apply for recognition and registration to a district commissioner’s office (at present, designated as the district commissioner of Northeast Iceland), who forwards the application to a four-member panel, whom the minister of justice appoints by law, to review applications. A university faculty of law nominates the chairman of the panel, and the University of Iceland’s Departments of Social and Human Sciences, Theology and Religious Studies, and History and Philosophy,

respectively, nominate the other three members. The district commissioner then approves or rejects the application in accordance with the panel's decision. Applicants may appeal rejections to the MOJ. The applicant may resubmit his/her application, and if the resubmission provides new information, the district commissioner will review it again.

To register, a religious group must "practice a creed or religion" and a life-stance organization must operate in accordance with certain ethical values, and "deal with ethics or epistemology in a prescribed manner." The law does not define "certain ethical values" or the prescribed manner in which groups must deal with ethics or epistemology. Religious groups and life-stance organizations must also "be well established," "be active and stable," "not have a purpose that violates the law or is prejudicial to good morals or public order," and have "a core group of members who participate in its operations, support the values of the organization in compliance with the teachings it was founded on, and pay church taxes in accordance with the law on church taxes." The law does not define "well established" or "active and stable."

According to the district commissioner's office of Northeast Iceland, any unregistered religious group or organization may work in the same way as any company or association, provided it has, as these other organizations do, a social security number. Unregistered religious groups may, for example, open bank accounts and own real estate. They are free to worship and practice their beliefs without restriction, as long as their activities do not cause a public disturbance, incite discrimination, or otherwise conflict with the law. Religious ceremonies carried out by religious groups, such as marriages, are not legally recognized unless the group is registered. Unregistered groups are not eligible to receive state funds.

The law specifies the leader of a religious group or a life-stance organization must be at least 25 years of age and fulfill the general requirements for holding a public position. These include being physically and mentally healthy and financially independent, not having been sentenced for a criminal offense as a civil servant, and possessing the general and specialized education legally required for the position. Unlike the requirements for most public positions, the religious or life-stance group leader need not be a citizen, but he or she must have legal domicile in the country. All registered religious groups and life-stance organizations must submit an annual report to a district commissioner's office (currently the district commissioner's office of Northeast Iceland) describing the group's operations during the previous year. Religious groups and life-stance organizations are required to perform state-sanctioned functions such as marriages and the official naming of children and preside over other ceremonies such as funerals.

The law provides state subsidies to registered religious groups and life-stance organizations. For each individual 16 years of age and older who belongs to any one of the officially registered and recognized religious groups or life-stance organizations, the government allocates an annual payment of 11,040 ISK (\$110) out of income taxes, called the “church tax,” to the individual’s respective, registered organization. The government allocates the payment regardless of whether the individual pays any income tax.

By law, a child’s affiliation or nonaffiliation with a registered religious or life-stance group is as follows: (1) if the parents are married or in registered cohabitation and both belong to either the same registered organization or no organization, then the child’s affiliation shall be the same as its parents; (2) if the parents are married or in registered cohabitation, but have different affiliations or if one parent is nonaffiliated, then the parents shall make a joint decision on what organization, if any, the child should be affiliated with; until the parents make this decision, the child shall remain nonaffiliated; (3) if the parents are not married or in registered cohabitation when the child is born, the child shall be affiliated with the same registered organization, if any, as the parent who has custody over the child. Change in affiliation of children under age 16 requires the consent of both parents if both have custody; if only one parent has custody, the consent of the noncustodial parent is not required. The law requires parents to consult their children about any changes in the child’s affiliation between age 12 and 16. After turning 16, children may choose affiliation on their own.

By law, schools must operate in such a manner as to prevent discrimination on the basis of religion. Grades one through 10 (ages six to 15) in public and private schools must provide instruction, by regular teaching staff, in social studies, which includes subjects such as Christianity, ethics, and theology. The law specifies the curriculum for these classes must adopt a multicultural approach to religious education, encompassing a variety of beliefs. The law also mandates that “the Christian heritage of Icelandic culture, equality, responsibility, concern, tolerance, and respect for human value” shape general teaching practices.

Parents wishing to exempt pupils from compulsory instruction in Christianity, ethics, and theology must submit a written application to the school principal. The principal may request additional information, if necessary. The principal then registers the application as a “special case” and writes an official response to the parents, accepting or denying the request. School authorities are not required to offer other religious or secular instruction in place of these classes.

Of the 12 largest municipalities in the country, eight have adopted guidelines or rules governing the interaction between public schools and religious/life-stance groups. The Reykjavik City Council prohibits religious and life-stance groups from conducting any activities, including the distribution of proselytizing material, in municipal preschools and compulsory schools (grades one through 10) during school hours or during afterschool programs. Reykjavik school administrators, however, may invite the representatives of religious and life-stance groups to visit the compulsory classes on Christianity, ethics, and theology, and on life skills. These visits must be under the guidance of a teacher and in accordance with the curriculum. Any student visits to the gathering places of religious and life-stance groups during school hours must be under the guidance of a teacher as part of a class on religion and life-stance views. During such classes or visits, students may only observe rituals, not participate in them. The municipality of Hafnarfjordur has similar rules governing the interaction between schools and religious/life-stance organizations. The other six municipalities have either adopted or adapted guidelines on these interactions that the Ministry of Education, Science, and Culture has set. The ministry's guidelines are broadly similar to those of Reykjavik and Hafnarfjordur.

Private schools must follow the same curriculum as public schools, including the Christianity, ethics, and theology taught in social studies classes. Private schools are free, however, to offer additional classes not in the public school curriculum, including classes in specific religious faiths.

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

Government Practices

The government approved the registration of two groups that had submitted applications in the previous year, the Islamic Foundation of Iceland in February and the Society of Tibetan Buddhists in June. In August the government acknowledged receipt of a new application by a life-stance organization, Ananda Marga, after the government rejected the original application in 2016, on grounds the group was not “well established.”

In November the MOJ provided a training session on hate speech, including religiously motivated hate speech, for prosecutors aimed at increasing their awareness and expertise.

In April a former teacher brought a suit against the municipality of Akureyri in the District Court of North Iceland, alleging it had unfairly dismissed him in

2012 after he posted on his personal blog language justifying his views against homosexuality based on his understanding of the Bible. The court ruled in November that the municipality should pay him 6.5 million ISK (\$62,400) in compensation for wrongful termination in 2012. In 2016, the Supreme Court had upheld a lower court's decision that the teacher's dismissal was illegal.

According to the MOJ, in 2016, the latest year for which data were available, the government provided the ELC with approximately 6 billion ISK (\$57.64 million), consisting of direct subsidies from the state budget as well as indirect funding from church taxes. The church tax also provided a total of 410.5 million ISK (\$3.94 million) to the other 46 recognized religious and life-stance groups.

The ELC operated all cemeteries, and all religious and life-stance groups had equal access to them. At least one cemetery had a special area designated for burials of Muslims and people of other faiths.

Some disagreed with the church tax, since individuals who were not members of registered organizations were still required to pay it, and the government retained their contribution.

The ELC and the Department of Theology and Religious Studies at the public University of Iceland continued to train theology students for positions within the ELC.

State radio broadcast Lutheran worship services every Sunday morning as well as a daily morning devotion.

According to government policy, individuals who applied for a passport at a district commissioner's office needed to present proof of religion from a religious organization if they wished to receive an exemption on religious grounds allowing them to wear a head covering for their passport photographs.

Section III. Status of Societal Respect for Religious Freedom

According to the MOJ, there were eight preliminary reports of religious hate speech during the year, six against Islam and two against religion in general. Specifics on these incidents were still pending public release at year's end, but the MOJ said most cases of religious hate speech occurred online.

In January the Reykjanes District Court convicted a man and a woman for hate speech against individuals on the basis of their religion. In online comments posted in 2014 about the prospective construction of a mosque in Reykjavik, the

two individuals had called for the chairman of the Association of Muslims in Iceland and other Muslims to be killed. The man was ordered to pay a fine of 100,000 ISK (\$960) and the woman was ordered to pay a fine of 30,000 ISK (\$290).

The Forum for Interfaith Dialogue and Cooperation, whose membership consisted of a large number of registered religious groups, including the ELC, Protestant, Catholic, and other Christian groups, Muslims, and Buddhists continued to meet every two months.

In some cases, ELC ministers and parishes, on a voluntary basis, served immigrant communities and helped recent arrivals of all religious groups integrate into society. Other religious groups were also free to serve immigrant communities on an informal and voluntary basis; the Islamic Foundation of Iceland organized community information and integration programs for Muslim migrants.

Section IV. U.S. Government Policy and Engagement

U.S. embassy officials met with representatives from the MOJ and the district commissioner's office of Northeast Iceland to discuss the role of religious equality and religious tolerance in the country. Specific topics included the status and rights of religious groups in the country, including one group refused registration in the previous year, and the incidence of religiously motivated hate crimes and the prosecution of those crimes.

Embassy officials also maintained regular contact with representatives of religious groups and life stance organizations, such as the ELC, the Islamic Foundation of Iceland, the life stance organization Sidmennt, and the Norse pagan association Asatruarfelagid, to discuss such issues as their relations with the government, religious tolerance, the extent of interfaith dialogue and cooperation and efforts to expand it, and the role of religious groups in education and refugee resettlement.