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Denmark

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The Evangelical Lutheran Church (ELC) is the state church and enjoys some privileges not available to other religious groups.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice, such as occasional reports of anti-Semitic and anti-Islamic insults, harassment, and vandalism, reflecting tensions between young Muslims and other young Danes.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The embassy promotes religious dialogue, particularly with the Muslim community. The embassy sponsored Muslim leaders and young persons to participate in activities that promote diversity, multiculturalism, integration, and tolerance for ethnic and religious minorities as foundations of religious freedom.

Section I. Religious Demography

The country has an area of 16,639 square miles and a population of 5.5 million. Based on official statistics from April 2010, 80.7 percent of the population belongs to the official ELC. Although only 2-3 percent of citizens attend services regularly, between 40 and 65 percent of them utilize the church at least once annually for baptisms, confirmations, weddings, funerals, and religious holidays.

As a result of immigration trends, the second largest religious community is Muslim, constituting 3.6 percent of the population (approximately 200,000). Muslim communities tend to concentrate in the largest cities, particularly in Copenhagen, Odense, and Aarhus. Groups that constitute less than 1 percent of the population include Catholics (38,000), Jehovah's Witnesses (14,600), Serbian Orthodox Christians (7,000), Jews (6,000), Baptists (5,200), Buddhists (4,400), The Church of Jesus Christ of Latter-day Saints (Mormons) (4,200), and the Pentecostal Church (3,700). There

are also many communities with fewer than 3,000 members, including Seventh-day Adventists, the Catholic Apostolic Church, the Salvation Army, Methodists, Anglicans, and Russian Orthodox. The German minority in southern Jutland and other non ethnic-Danish communities (particularly Scandinavian groups) have their own religious groups.

Official attendance figures indicate a shift from the Evangelical Lutheran Church to other denominations, with ELC membership falling from more than 90 percent of the population in the 1980s to a record-low level of 80.7 percent in 2009. However, there has been a steady increase in church attendance on religious holidays.

The European headquarters of the Church of Scientology is located in Copenhagen, although it did not officially apply to the government for recognition as a religious group during the reporting period.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The constitution stipulates that the Evangelical Lutheran Church is the state church, the reigning monarch shall be a member of the church, and the state shall support it. The ELC is the only religious organization that can receive state subsidies or funds directly through the tax system. Approximately 12 percent of the church's revenue comes from state subsidies; most of the rest comes from the church tax that is paid only by members. No individual is compelled to pay church tax or provide direct financial support to the national church or any other religious organization. However, members of other religious groups, notably Catholics, have argued that the system is unfair and that the government does not provide religious equality, despite providing religious freedom. A 2007 ruling by the Supreme Court denied a request by nonmembers of the ELC for reimbursement of subsidies to the church from general tax payments. The Supreme Court held that indirect financing of the ELC does not constitute religious discrimination because the church also engages in nonreligious activities such as civil registration and management of nonsectarian cemeteries. The ruling also upheld the church's official role in registering births and deaths. Allowing other religious organizations to be given the same status and privileges as the ELC would require changes to the constitution.

The criminal code prohibits public mockery of or insult to the doctrine or worship of a legally recognized religion. The maximum penalty for a violation of this provision is a fine and up to four months in prison. Since 1938 the government has not prosecuted any case under the blasphemy provision; prosecutors have dismissed accusations of blasphemy as protected free speech.

The government observes the following religious holidays as national holidays: New Year's Day, Holy Thursday, Good Friday, Easter Sunday, Easter Monday, Common Prayer Day, Ascension Day, Pentecost, Second Pentecost, Whit Monday, Christmas Eve, Christmas, and the day after Christmas.

The country mandates compulsory military service but provides a conscientious objection exemption. In lieu of military service, conscientious objectors may be required to serve in a civilian capacity.

On July 1, 2009, an amendment to the Administration of Justice Act took effect that banned religious symbols, such as headscarves, turbans, Jewish skull caps, and crucifixes, as well as political ones, from judicial attire.

In addition to the Evangelical Lutheran Church, the government grants official status to other religious groups. Prior to 1970, a total of 11 religious communities received approval in the form of recognition by royal decree, including the Roman Catholic, Methodist, Baptist, Russian Orthodox, and Jewish communities. Since then, the Ministry of Ecclesiastical Affairs has approved 116 religious communities and churches under the Marriage Act, including several Muslim groups, Jehovah's Witnesses, Mormons, Seventh-day Adventists, Sikhs, Buddhists, Orthodox Christians, Hindus, Baha'is, Hare Krishnas, and followers of the indigenous Norse belief system Forn Sidr. These officially approved religious groups enjoy certain special rights, including the right to perform marriage ceremonies with legal effect, residence permits for foreign preachers, the right to establish cemeteries, and certain tax exemptions. Only ministers of religious groups approved under the Marriage Act may name and baptize children with legal effect, keep church registers, and transcribe certificates on the basis of such registers. In 2007 the responsibility for administering the Marriage Act and the recognition of religious communities was transferred from the Ecclesiastic Ministry to the Ministry of Justice.

Religious communities not recognized by either royal decree or the Marriage Act are entitled to practice their faith without any licensing requirement, but their marriage ceremonies are not recognized by the state. Unrecognized religious communities are not granted tax-exempt status.

The 2008 Guidelines for Approval of Religious Organizations require religious groups seeking registration to submit the following items: a document on the group's central traditions; descriptions of its most important rituals; a copy of its rules, regulations, and organizational structure; an audited financial statement; and information about the group's leadership and each member with a permanent address in the country. Additionally, the organization must "not teach or perform actions inconsistent with public morality or order."

There are no restrictions on proselytizing or missionary work as long as practitioners obey the law and do not act inconsistently with public morality or order.

All public and private schools, including religious schools, receive government financial support. The Evangelical Lutheran faith is taught in public schools in accordance with the Public School Act; however, a student may withdraw from religious classes with parental consent. Additionally, the law requires that a Christian studies course covering world religions and philosophy and promoting tolerance and respect for all religious beliefs be taught in public school. The course is compulsory, although students may be exempted from the course if a parent presents a request in writing. If the student is 15 years old or older, the student and parent must jointly request the student's exemption from the course. According to an investigation by the Ministry of Education, an average of only 1.3 percent of students in the greater Copenhagen sample area, which has the highest concentration of non-Christians, opted out of the Christian studies course. The constitution protects the right of parents to educate their children in private schools or home schools as long as this alternate form of education matches what is "usually required in primary schools."

In February 2009 the education minister stated that Muslim, Jewish, and Christian prayers may be substituted for collective prayer in such venues as school assemblies, as long as the prayer is invoked without preaching. During the reporting period, there were two unsuccessful attempts by the opposition in parliament to ban all forms of prayer in school.

During the reporting period, the government continued efforts to promote social and economic integration of refugees and immigrants.

In 2007 the government passed legislation that would require all foreign religious workers to pass a Danish language test

within six months of entering the country or risk losing their residency permits. This requirement is set to come into effect following the summer break of 2010. Critics claimed that the measure violates the European Convention on Human Rights and is aimed at restricting the entry of Muslim clerics, whose number is already restricted under the Alien Act that requires that the number of religious residence visas be reasonably proportioned to the size of the corresponding religious community. Since the government does not keep official statistics of religious affiliation for the population, these quotas are based on estimates. Additionally, the visa applicant must prove association with a recognized or approved religious community and possess a relevant background or education as a religious preacher, missionary, or member of a religious community.

Restrictions on Religious Freedom

Although government policy contributed to the free practice of religion for most religious groups, the government restricts the issuance of religious worker visas (see Legal/Policy Framework subsection). That restriction disproportionately affects groups that depend on missionaries from abroad, such as Muslims.

The Church of Scientology did not seek official approval as a religious organization during the reporting period. Scientologists are free to meet and practice. The Church of Scientology's application for legal recognition was turned down three times, and it claimed it was unable to obtain clarification of the requirements without submitting the registration application for a fourth time. Despite its unofficial status, the Church of Scientology maintained its European headquarters in Copenhagen.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

In January 2009 the Ministry for Immigration and Integration launched an action plan to prevent extremist views and radicalization among young people, called "A Common and Safe Future." The plan aimed at countering discrimination and intolerance as well as promoting intercultural/interfaith dialogue. A status report released in February 2010 showed that most of the initiatives were already in progress, such as informational activities with Muslim communities in the country as well as outreach and dialogue with foreign Muslim communities. Contact groups were established at the local and national levels to assist government officials in employing the above initiatives.

During the reporting period, plans progressed for the construction of a grand mosque and cultural center in Aarhus, the country's second largest city, although there continued to be disagreement over the location of the mosque's site. Approval was granted in April 2010 for the building of a Shi'a grand mosque in northwest Copenhagen, financed by an Iranian religious fund.

Section III. Status of Societal Respect for Religious Freedom

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice, such as occasional reports of anti-Semitic and anti-Islamic insults, harassment, and vandalism, reflecting tensions between

increasing numbers of young Muslims and other young Danes. The country, nevertheless, has a long history of welcoming religious minorities and affording them equal treatment under the law.

Both members of the Jewish community and police sources attested to occasional friction between the Jewish and Muslim communities. In December 2009 the Danish Security and Intelligence Service (PET) released its annual report on religious and race-related crime reported in 2008. It included crimes such as murder, graffiti, harassment, vandalism, threats, assault, and propaganda. In all, 175 reports were made, which included the December 2008 attempted murder of two Israeli men by a man of Palestinian origin in Odense. However, only nine of these reports were attributed specifically to religious motivation. While there are no government statistics available for 2009-10, the Mosaic Religious Society, which represents a third of the country's estimated 6,000 Jews, claimed that there were 22 incidents of anti-Semitism in 2009 and seven in the first half of 2010.

At the end of the reporting period, cartoonist Kurt Westergaard continued to receive security protection due to threats on his life in response to his controversial cartoon depictions of the Prophet Muhammad. On January 1, 2010, a 28-year-old Somali man with a residence permit in Denmark was arrested when, armed with an axe and a knife, he forced his way into Westergaard's home in Aarhus. Police responded to the home invasion and shot the intruder in the knee and one hand, then arrested him; he was charged with attempted murder of the cartoonist and of a police officer on duty. The Security and Intelligence Service considered the attempted assassination of Westergaard to be terrorism-related. According to PET's information, the arrested person had close relations with the Somali terror organisation al-Shabaab and to al-Qa'ida leaders in East Africa.

Unemployment figures, crime rates (especially among young adults), and school dropout rates tended to be significantly higher among minority groups and were sometimes alleged to be indicative of discrimination on the basis of religion. Information from Statistics Denmark shows that among working-age citizens of Danish ethnic origin, 64 percent were full-time employees. For immigrants from western countries and their descendants, this percentage was approximately 50 percent. However, among immigrants from non-Western countries, the percentage who were full-time employees was 38 percent, and among their descendants, 33 percent. The integration of immigrant groups from Islamic countries was an important political and social topic of discussion.

There were isolated incidents of anti-immigrant sentiment, including graffiti, low-level assaults, denial of service, and employment discrimination on racial grounds. Societal discrimination against religious minorities was difficult to distinguish from discrimination against ethnic minorities. The government criticized the incidents and investigated several, but it brought few cases to trial specifically on charges of racial discrimination or hate crimes. Reports continued of incidents of desecration of ethnic and religious minority gravesites.

In July 2009 the Home Guard's Web site published an article about a Muslim Danish woman in the Home Guard who wore a headscarf as a part of her uniform. This produced a political debate, after which the article was removed from the Web site and the Home Guard responded with a statement prohibiting the wearing of the headscarf as a part of the uniform.

The international Muslim organization Hizb ut-Tahrir continued to operate in the country despite periodic calls by several political parties to ban the group.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human

rights. The embassy regularly engages in dialogue with religious leaders and groups from the country's diverse religious communities. Embassy officers engaged in an active Muslim outreach program, which included numerous meetings with religious and community leaders of leading Islamic organizations. Embassy officers had wide-ranging discussions with Muslim leaders on topics including religious and cultural diversity, democracy and civil liberties, the importance of interfaith dialogue and its role in supporting religious freedom, and Muslim life in the United States. The U.S. government sponsored Muslim leaders identified by the embassy to participate in International Visitor Leadership Programs focusing on diversity and multiculturalism, and which included introducing American Muslims to Muslims in the country.

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