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Denmark

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections. 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 law and 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 U.S. embassy promotes religious dialogue, particularly with the Muslim community.

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, 80.7 percent of the population belongs to the official ELC. Although only 2 to 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, Salvation Army, Methodists, Anglicans, and Russian Orthodox. The German minority in southern Jutland and other nonethnic-Danish communities (particularly Scandinavian groups) have their own religious groups.

Official attendance figures indicate a shift from the ELC to other denominations, with membership falling from more than 90 percent of the population in the 1980s to a record-low level of 80.5 percent in October. Despite the long-term trend of falling ELC membership, 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 is not officially recognized by the government as a religious group and did not apply for such recognition during the reporting period.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The constitution stipulates that the ELC 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 blasphemy, defined as 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 alleged blasphemy as protected free speech.

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.

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

In addition to the ELC, 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, Bahais, 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 religious group 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.

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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 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. According to an investigation by the Ministry of Education, on average 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 at home as long as these alternative forms of education match 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.

As of November 15, legislation passed in 2007 requires most foreign religious workers (citizens of Turkey excepted) to pass a Danish language test within six months of entering the country to be able to obtain an extension of their residence permits as religious workers. Critics claimed that the measure violates the European Convention on Human Rights and is aimed at restricting the entry of Muslim clerics.

The government observes the following religious holidays as national holidays: 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.

Restrictions on Religious Freedom

Although the government generally enforced legal and policy protections of religious freedom 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 denied three times in prior years, 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 abuses, including religious prisoners or detainees, in the country.

Section III. Status of Societal Actions Affecting Enjoyment of 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, mostly 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, and the number of such reports remained low.

Both members of the Jewish community and police sources attested to occasional friction between the Jewish and Muslim communities. In December the Security and Intelligence Service released its annual report on religious- and race-related crime reported in 2009. It included 21 incidents attributed specifically to religious motivation, up from nine incidents in 2008. The increase was attributed to a broadened definition of religiously motivated crime and a campaign to encourage local police precincts to report such crimes more reliably. Only one of the 21 incidents was a charge for violence; the others included harassment, graffiti and vandalism, propaganda, and threats of violence.

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 depiction of the Prophet Muhammad.

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. The latest (2009) information from Statistics Denmark showed that among citizens of Danish ethnic origin, 77.7 percent were employed. For immigrants from western countries, this percentage was approximately 62.9 percent, while among immigrants from non-western countries it was 54.1 percent. The integration of immigrant groups from mainly Muslim 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, although official collection of statistics on such incidents was discontinued.

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.

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