

ICELAND 2016 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 provides it with financial support and benefits not available to other religious groups. Other religious and “life-stance” groups must register to receive state subsidies. The government approved the application of one life-stance group, DiaMat, but rejected the application of one religious group, the Rastafarians, and one life-stance group, Ananda Marga, citing among other reasons, that the groups were not “well-established.” The Supreme Court upheld a ruling that school officials had illegally dismissed a grade school teacher after parents complained about the views he expressed against homosexuality, which he said were based on biblical teachings.

An online poll on public attitudes toward the construction of houses of worship showed 42.1 percent of respondents opposed the erection of a mosque, while 28.5 percent opposed building a Russian Orthodox church, 20.6 percent were against building a Buddhist temple, and 12.1 percent against the construction of a pagan temple. The Forum for Interfaith Dialogue and Cooperation continued to sponsor programs to strengthen dialogue between religious groups and life-stance organizations.

U.S. embassy officials regularly met with government representatives, who agreed on the importance of respecting religious freedom. Embassy officials also maintained regular contact with representatives of religious groups, including the ELC, the Association of Muslims in Iceland, and the Islamic Foundation of Iceland, to discuss religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 336,000 (July 2016 estimate). According to the government national statistical institute, approximately 71.6 percent of the population belongs to the ELC, and 5.8 percent belongs to Lutheran Free Churches. Approximately 16.9 percent of the population belongs to other religious as well as “life-stance” groups. The largest non-Lutheran group is the Roman Catholic Church, with 3.7 percent of the population, of which 80 percent is foreign born, mostly from Poland, other European countries, and the Philippines. Approximately 5.8 percent do not identify with any religious or life-stance group. The Association of Muslims in

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Iceland estimates there are 1,000 to 1,500 Muslims. The Jewish community reports there are approximately 100 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

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 or 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 official state religion is Lutheranism. The constitution establishes the ELC as the national church and grants it state support and protection. The law grants the ELC official legal status, and the government directly funds the Church from the state budget. The ELC also receives indirect funding along with other registered religious and life-stance groups from church taxes.

The penal code establishes fines 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 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 the interior 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 Ministry of the Interior (MOI). 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

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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.”

The law specifies the leader of a religious group or a life-stance organization must be at least 25 years old 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 having 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 (the government has designated the District Commissioner 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 also preside over other ceremonies such as funerals. The law places no restrictions or requirements on unregistered religious groups or on their right to own property, but they may not carry out legally recognized ceremonies such as marriages or receive state funds.

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 and life-stance organizations, the government allocates an annual payment of 10,776 kronur (ISK) (\$95) out of income taxes, called the “church tax,” to the individual’s respective organization.

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

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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, "learning and teaching objectives and the manner of operation of compulsory schools shall be such as to prevent discrimination" on the basis of religion. Grades one through 10 (ages six-15) in public and private schools must provide instruction in social studies, which includes subjects such as Christianity, ethics, and theology. Regular staff teachers teach these classes. The law also mandates that "the Christian heritage of Icelandic culture, equality, responsibility, concern, tolerance, and respect for human value" shape general teaching practices. The compulsory curriculum for Christianity, ethics, and theology takes a multicultural approach to religious education and emphasizes teaching a variety of beliefs.

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 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

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that the Ministry of Education, Science, and Culture has set. The ministry's guidelines are broadly similar to those of Reykjavik and Hafnarfjordur.

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

Government Practices

Three groups submitted registration applications during the year. Two groups, the Society of Tibetan Buddhists and the Islamic Foundation of Iceland, applied as religious organizations. The third group, DiaMat, applied as a life-stance organization. The office of the district commissioner of Northeast Iceland approved the application of DiaMat in November but had not issued a decision on the other two applications by the end of the year. In February the district commissioner's office rejected the 2015 application of Ananda Marga as a life-stance organization on grounds that it was not "well established," did not sufficiently explain how it would perform state-sanctioned functions, and it provided insufficient information about those responsible for the group. At Ananda Marga's request, the district commissioner's office reviewed the application a second time, but said the group did not provide the necessary information in order for the district commissioner's office to complete its review. In February the district commissioner's office also rejected the 2015 application of the Rastafarian religious group as a religious organization because it was not "well established."

In February the Supreme Court upheld a district court's ruling that Akureyri school officials had illegally dismissed a grade school teacher in 2012 after parents of students complained about his personal blog that year. In the blog, the teacher had highlighted what he considered to be justification in the Bible for his views against homosexuality. The mayor of Akureyri had stated that the school had dismissed the teacher based on his job performance and not because of the expression of his religious beliefs. The teacher was not reinstated.

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.

During the year, the government provided the ELC with approximately ISK 6.04 billion (\$53.5 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 ISK 410.5 million (\$3.6 million) to the other 44 recognized religious and life-stance groups. The ELC operated all cemeteries, and all religious and

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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. The ELC and the Department of Theology and Religious Studies at the state-owned University of Iceland had a cooperative agreement on training theology students for positions within the ELC.

The state directly paid the salaries of the 135 ministers (including three bishops) in the ELC, who were considered public servants under the MOI. State radio broadcast Lutheran worship services every Sunday morning as well as a daily morning devotion.

In January, following the preparation of a report by the Reykjavik City human rights office on what rules applied to foreign financial contributions to the planned construction of a mosque in Reykjavik, the Reykjavik City Executive Committee advised parliament that religious organizations did not have a legal obligation to disclose the sources of funding for their houses of worship. The city's executive committee, however, passed another nonbinding motion requesting that religious organizations reveal their sources of funding.

Section III. Status of Societal Respect for Religious Freedom

In April authorities prosecuted Sturla Thordarson and an unnamed woman, who in 2014 had posted comments online about the prospective construction of a mosque in Reykjavik. In their comments, the two individuals had called for the chairman of the Association of Muslims in Iceland and other Muslims to be killed. The trial began in December and was ongoing at year's end.

In October Market and Media Research, a well known market research company, conducted an online survey about public attitudes towards the construction of houses of worship. The company emailed an invitation to participate in the survey to a portion of its pool of volunteer respondents assembled from the country's national registry, resulting in responses from 985 individuals. The poll showed 42.1 percent of the respondents opposed the erection of a mosque while 32.4 percent were in favor. The same poll registered 28.5 percent of respondents as being against the building of a Russian Orthodox church, while 35.5 percent approved of it; 20.6 percent disapproved of the building of a Buddhist temple, while 41.4 percent were in favor; and 12.1 percent opposed the construction of a pagan temple, while 54.4 percent approved. The poll also showed that 11.2 percent disapproved of the building of additional ELC churches, while 62.2 percent approved.

The Forum for Interfaith Dialogue and Cooperation, whose membership consisted of a large number of registered religious groups, including the ELC,

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Muslim, Buddhist, and Protestant, Catholic, and other Christian groups, continued to meet every two months. The forum celebrated its 10th anniversary by organizing an open meeting on November 24, where the topic of the keynote speech was “The Value of Religion in Modern Society in Iceland and Abroad – Positive and Negative Perspectives.” The forum’s stated goal was to foster dialogue and strengthen links between religious groups and life-stance organizations. Any registered religious or life-stance group could join, as well as unregistered religious and life-stance groups approved by pre-existing members. No life-stance groups had joined the forum at year’s end.

An ELC minister served immigrant communities and helped recent arrivals of all religious groups integrate into society. Clergy from other religions were free to serve immigrant communities on an informal and voluntary basis.

Section IV. U.S. Government Policy

U.S. embassy representatives regularly engaged with officials from the MOI, who agreed on the importance of respecting religious freedom. Embassy officials also met with representatives of a broad spectrum of religious organizations, including the ELC, the Association of Muslims in Iceland, the Islamic Foundation of Iceland, as well as nongovernmental organizations such as the Icelandic Human Rights Center to discuss the importance of religious tolerance.