

ICELAND 2019 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 it protects the right to form religious associations. It names the Evangelical Lutheran Church (ELC) as the state church, to which the government provided financial support and benefits not available to other religious groups, including treating ELC ministers and general staff as civil servants. According to a September agreement, effective on January 1, 2020, ELC clergy and staff will no longer have civil service status; instead, the government will make an annual lump-sum payment to the ELC, which will then pay salaries and benefits to clergy. Other religious and humanist “life-stance” groups must register to receive state subsidies. The government registered one Buddhist and one life-stance group during the year. In November the government announced a change in the implementation of a data protection law to allow all religious groups, not just the ELC, to access a list of their members.

The Ministry of Justice (MOJ) cited five religiously motivated incidents in the country during the year, three of which occurred in the Reykjavik region. One incident resulted in formal charges. In July an unknown perpetrator spat on three Muslim women and attempted to remove the hijab of one of them. According to a September Gallup Iceland poll, 34 percent of the public expressed trust in the ELC, a result virtually unchanged from 2018 and down from 41 percent 10 years earlier.

U.S. embassy officials met with representatives from the MOJ and Ministry of Foreign Affairs, members of parliament, 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, and expanded contacts with minority religious groups, 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 347,000 (midyear 2019 estimate). According to January figures from Statistics Iceland, members of the ELC make up 65.2 percent of the population; Roman Catholic Church 3.9 percent; Free Lutheran Church in Reykjavik 2.0 percent; Free Lutheran Church in Hafnarfjordur 2.8 percent; Asatruarfelagid 1.3 percent; non-Christian, life-stance, and other Christian groups 5.0 percent; other or unspecified groups 13.0

percent; and persons not belonging to any religious group 7.0 percent. The Association of Muslims in Iceland estimates there are 1,000-1,500 resident Muslims, primarily of immigrant origin. The Jewish community reports there are approximately 250 resident 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, vice bishop, the 135 other ELC ministers, and general ELC staff as civil servants under the MOJ and pays their salaries and retirement benefits as well as the operating costs of the bishop’s office. Effective in 2020, ELC clergy and staff will cease to have civil service status, and the government will no longer pay them directly but instead make an annual lump-sum payment to the ELC. The ELC also receives funding from government-levied 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 a person or group based on religion by comments, pictures, or symbols.

Religious groups other than the ELC and life-stance organizations may apply for recognition and registration. Only registered groups are eligible for state funding and entitled to legal recognition of religious ceremonies, such as marriages, that they perform. Groups apply for recognition 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 that

the minister of justice appoints by law to review applications. The University of Iceland faculty of law nominates the chairman of the panel, and the university'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, resubmitting their application to the district commissioner with additional information. The same four-member panel reviews appeals.

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. Members 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.

The law specifies the leader of a registered 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. Registered 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 or older who belongs to any of the officially registered and recognized religious groups or life-stance organizations, the government allocates an annual payment out of income taxes, called the “church tax,” to the individual’s respective, registered organization. The per capita payment amount varies every year according to the annual budget bill. The government allocates the payment regardless of whether the individual pays any income tax. The government registrar’s office maintains a tally of the number of members of each registered group, recording the religious affiliation or nonaffiliation of each citizen at birth and adjusting the information if individuals report a change.

Persons who are not members of registered organizations are still required to pay the church tax, but the government retains their contributions as general revenue rather than allocating them to religious or life-stance organizations.

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, and 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 younger than 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 ages 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 Christianity, ethics, and theology, as well as some content on other world religions. 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 and 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 municipalities of Kopavogur, Gardabaer, Mosfellsbaer, Arborg, Fjardarbyggd, and Seltjarnarnes 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 law prohibits all forms of discrimination in all fields of society, including that based on religious beliefs. The Equality Complaints Committee reviews complaints and issues fines in cases of violations, unless other applicable statutes specify more severe penalties.

In June parliament enacted legislation eliminating restrictions on the ability of businesses providing recreational services, such as clubs, bars, and movie theaters, to operate during ELC religious holidays.

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

Government Practices

In September the government and the ELC signed a subsidiary agreement to their existing agreement that, according to an MOJ press release, would give the ELC more fiscal autonomy. In the ELC's assembly, 28 of 29 members voted in favor of the subsidiary agreement. On December 17, parliament passed the required amendments to three laws. According to the agreement, which will become effective on January 1, 2020, ELC clergy and staff will no longer have civil service status. Instead, the government will make a lump-sum annual payment to the ELC equivalent to what the government previously paid in salaries and benefits of Church clergy and staff. The ELC will then assume responsibility for paying those salaries and benefits directly.

The government church tax payment to registered religious and life-stance groups was 11,110 kronur (\$92) for each member age 16 or older. The church tax in 2020, according to the government budget bill enacted in November, will be 11,700 kronur (\$97) per member.

According to the official state bill, in 2018, the latest year for which data were available, the government allocated approximately 6.9 billion kronur (\$57.14 million) to the ELC, of which 4.8 billion kronur (\$39.75 million) was in direct subsidies, and 2.1 billion kronur (\$17.39 million) was in church tax. The other 47 recognized religious and life-stance groups received a total of 452 million kronur (\$3.74 million) in church tax.

The government said it had approved the registration of Buddhist organization Demantsleid Buddhismans and life-stance organization Vitund during the year, bringing the number of registered groups to 50. At year's end, according to the government, the district commissioner in Northeast Iceland was reviewing the applications of life-stance organizations Lakuish Yoga and the Theosophical Society. The country's only rabbi stated the Jewish community was preparing its registration application and expected to complete it in 2020.

The life-stance organization Sidmennt (Icelandic Ethical Humanist Association), Islamic foundation, and Baha'i community all expressed concerns that, following implementation of a data protection law in 2018, the government had blocked access to official group membership lists. Sidmennt also expressed concerns that the same restriction had not been applied to the ELC, which received a limited exemption allowing it to access the list of its members after complaining to the registrar's office. On November 19, the registrar's office

announced in a press release that, effective December 1, religious organizations would regain access to their membership lists. The press release added the Icelandic Data Protection Authority could overturn the decision if it found the change violated privacy rights, but absent such a finding, the lists would be made available.

The ELC continued to operate all cemeteries, and all religious and life-stance groups had equal access to them. Gufunes Cemetery had a special area designated for burials of Muslims and persons of other faiths.

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 continued to broadcast Lutheran worship services every Sunday morning as well as a Lutheran daily morning devotion. According to the station's chief of programming, other religious groups could also broadcast their religious services, but none had sought to do so.

The government continued to require persons applying for a passport to present proof of religion from a religious organization if they wished to receive a religious exemption allowing them to wear a head covering for their passport photographs.

During the drafting of the legislation removing limitations on the ability of businesses to operate during ELC religious holidays, parliament invited all registered religious and life-stance organizations to submit their views. The ELC was the only group to submit a review of the draft legislation and expressed support for it.

Section III. Status of Societal Respect for Religious Freedom

The MOJ cited five instances of religiously motivated incidents in the country, three of which were in the Reykjavik region. One incident resulted in a police investigation and formal charges. In an instance in May, a man yelled derogatory comments at Muslims. In a separate incident in July, an unknown person spat on three Muslim women and attempted to remove the hijab of one of them. None of the victims chose to pursue further action after giving their reports to police, and authorities did not file any charges. According to police, victims sometimes refrained from further action due to fear of retribution from the perpetrator.

In February a member of the Jewish community spoke to students at the

University of Reykjavik about the Jewish concepts of leadership and tolerance and posted about it on social media. In September, according to the Jewish community, individuals – most using non-Icelandic names – added several anti-Semitic comments to the then-seven-month-old post. Members of the Jewish community said they had not reported the incident to law enforcement for further action.

A Gallup Iceland poll, conducted in September and released on October 28, found 34 percent of the public expressed trust in the ELC, compared with 33 percent in 2018, 41 percent in 2009, and 61 percent in 1999. The poll found 55 percent supported the separation of church of state, compared with 54 percent in the previous year. Support for ELC Bishop Agnes Sigurdardottir grew from 14 percent in 2018 to 19 percent.

The Forum for Interfaith Dialogue and Cooperation, whose membership consisted of registered religious and life-stance groups – including the ELC; Protestant, Catholic, and other Christian groups; Muslims; and Buddhists – met nine times. The forum facilitated the first-ever visit by ELC Bishop Sigurdardottir to the Grand Mosque of Iceland to discuss the importance of religious tolerance and respect following March 15 attacks against two mosques in New Zealand. Although the interfaith forum allowed unregistered groups to apply to join it, none had done so.

The Islamic Foundation of Iceland organized community information and integration programs for Muslim migrants with representatives from local government and legal offices on such issues as voting and women's rights in the country. The foundation also provided translation assistance to asylum seekers.

In April the Ahmadiyya Muslim community organized an annual peace conference on promoting religious freedom and tolerance, which included participation by leaders of other religious groups.

Section IV. U.S. Government Policy and Engagement

Embassy officials met with representatives from the MOJ, MFA, members of parliament, and the district commissioner's office of Northeast Iceland to discuss the roles of religious equality and religious tolerance in the country. Specific topics included the status and rights of religious groups in the country, the effect of the data protection law on religious and life-stance organizations, the impact of the subsidiary agreement between the government and the ELC, and the incidence of religiously motivated hate crimes and their prosecution.

Embassy officials established or maintained contact with leaders of several

religious groups, including the Jehovah's Witnesses, Ahmadiyya Muslim community, Baha'i Center in Iceland, and Jewish community. Embassy officials continued to meet with representatives of the ELC, Islamic Foundation of Iceland, and life-stance organization Sidmennt to discuss such issues as their relations with the government, religious tolerance, the extent of their involvement in interfaith dialogue, their views about the implementation of data protection legislation, and the role of religious groups in education and refugee resettlement.

Embassy representatives also met with other members of civil society, including attending a meeting by the Interfaith Forum, a nongovernmental organization.

In April embassy officials attended and spoke at the fourth Ahmadiyya Muslim annual peace conference in Reykjavik, stressing the U.S. commitment to religious freedom and protecting religious rights.