

THE TANDEM PROJECT

<http://www.tandemproject.com>.

UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

FINLAND

FREEDOM OF RELIGION OR BELIEF AND OTHER REPORTS IN THE UNIVERSAL PERIODIC REVIEW

First Session U.N. Human Rights Council Universal Periodic Review (7-18 April, 2008)

A. Description of the methodology and the broad consultation process for the preparation of information provided under the Universal Periodic Review:

The Tandem Project, a *UN NGO in Special Consultative Status with the Economic and Social Council of the United Nations*, submits information for the Universal Periodic Review on issues related to Article 18 of the International Covenant on Civil and Political Rights, and the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief.

The US State Department 2007 Religious Freedom Report is the source of this information. There are excerpts to comply with the five page limit for NGO Submissions under General Guidelines for the Universal Periodic Review and a link to the complete report.*

The Universal Periodic Review is a process beginning with presentation of a National Report by a UN Member State and inter-active dialogue with the UN Human Rights Council. A troika of Human Rights Council Members then drafts a Working Group Report on the outcome of the Universal Periodic Review. There is a link to the UN Working Group Report. Other Reports are linked to an archived audio/visual UN web cast of the Member State presentation of the National Report and inter-active dialogue with the Human Rights Council.

B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the “basis of review” in resolution 5/1, annex: section 1.A.

1. The Right to Freedom of Religion or Belief

Religious Demography:

The country has an area of 130,127 square miles and a population of 5,240,000. Approximately 83 percent of the population belongs to the ELC and 1 percent to the Orthodox Church. There are 7 Roman Catholic congregations with an estimated 8,000 registered members, and 2 Jewish congregations with approximately 1,500 members.

Pentecostal church communities registered as associations have an estimated 45,000 members. However, only a fraction of Pentecostal churches are registered, and the actual number of Pentecostal worshippers is higher.

There are approximately 20,000 Muslims, compared with 1,000 a decade ago. Their numbers continue to grow due to immigration and a high birthrate. Of these, approximately 15,000 are Sunni and 5,000 are Shiite. The largest group is Somali; there are also communities of North Africans, Bosnians, peninsula Arabs, Tartars, Turks, and Iraqis. There are four major Muslim organizations: the Muslim Community in Finland, the Tampere Muslim Community, Shi'a Muslims, and the Multicultural Dawa Center of Islam.

Membership in other nonstate religions totals approximately 60,000. An estimated 10 percent of the population does not belong to any religious group.

The rapid modernization of society has modified attitudes toward religion. Society has become more secular, political and social philosophy has diverged from religious philosophy, and religious belief has largely become a private matter. However, research indicates that most citizens still consider religion and spirituality very significant in their lives. Despite the small number of persons who attend church services regularly, citizens have a high regard for the church and its activities, consider their membership important, and still value church ceremonies. Most citizens are baptized and married in the church, confirmation classes are common, and most citizens choose religious burial services.

In the past several decades, as many as 400,000 have left the Evangelical Lutheran Church (ELC). Reports estimated that 40,000 left the ELC during the reporting period, an increase of 7,000 over the preceding period and an all-time high. Separation from the church has risen markedly since implementation of the Religious Freedom Act of 2003, which made separation much easier. The rate of separation is much higher among younger citizens; in October 2006 a so-called "youth barometer" found that two-thirds of citizens aged 15 to 29 believed in God, but only 40 percent regarded themselves as religious.

Legal/Policy Framework:

The law provides for freedom of religion, and the Government generally respected this right in practice. The law includes the right to profess and practice religion and to express personal belief. Everyone has the right to belong, or decline to belong, to a religious community. The Constitution prohibits discrimination based on religion.

There are two state churches: the ELC and the Orthodox Church. All citizens who belong to either pay a church tax set at 1 to 2 percent of income, varying by congregation, as part of their income tax. Those who do not want to pay the tax must separate from membership. These taxes help defray the cost of running the churches. The state churches record births, deaths, and marriages for members (state registrars do this for other persons).

The Religious Freedom Act of 2003 includes regulations on registered religious communities. To be recognized, a religious group must have at least 20 members, have as its purpose the public practice of religion, and its activities should be guided by a set of rules. The Government recognizes 55 religious groups.

C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the "basis of review" in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms.

1. The Right to Freedom of Religion or Belief

Restrictions on Religious Freedom:

Government policy and practice contributed to the generally free practice of religion.

In 2006 the Ministry of Education denied permits to five of seven groups that wished to start or expand private Christian schools. The ministry stated that concern over academic standards was a significant factor in its denials. The Minister of Education also stated that it was not the proper function of schools to promote a single religious truth. The groups in question appealed the ministry's decision, but there was no response by the end of the reporting period.

Societal Abuses/Discrimination:

There were few reports during the reporting period of societal abuses or discrimination based on religious belief or practice.

There were no reports of verbal or physical violence directed against persons or property of any minority religious group.

"Nontraditional" religious groups generally were not subject to discrimination, despite the intolerant attitudes of some members of society.

Immigrants did not encounter difficulties in practicing their religious beliefs; however, they sometimes encountered discrimination and xenophobia.

Some citizens were not receptive to proselytizing by adherents of "nontraditional" religious groups, in part because they regarded religion as a private matter.

* Source: US State Department 2007 International Religious Freedom Report; Finland

Direct Link: <http://www.state.gov/g/drl/rls/irf/2007/90174.htm>

Links to State Department sites are welcomed. Unless a copyright is indicated, information on the State Department's main website is in the public domain and may be copied and distributed without permission. Citation of the U.S. State Department as source of the information is appreciated.

G. Presentation by the State concerned of the follow-up to the previous review.

Direct Link: Report of the Working Group for the Universal Periodic Review Finland. This report includes Conclusions and Recommendations.

http://lib.ohchr.org/HRBodies/UPR/Documents/Session1/FI/A_HRC_8_24_Finland_E.pdf

Direct Link: U.N. Human Rights Council Web Cast Archives for all Finland Reports. You can **download** Real Player (free) for access to the Web Cast: **Scroll** half way down the Web Cast to

find the Finland Reports. Click to open the video/audio and inter-active delegations dialogue.

<http://www.un.org/webcast/unhrc/archive.asp?go=080409>

These reports may be read by clicking on the Direct Link to the OHCHR Archives **above**. Not all reports are in the UN official six languages.

FINLAND

Only contributions submitted in one of the United Nations official languages are admissible and posted on this webpage

Date of consideration: Wednesday 9 April 2008 - 2.30 p.m. - 5.30 p.m.

National report ¹: [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

Compilation of UN information ²: [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

Summary of stakeholders' information ³: [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)



Outcome of the review :

Report of the Working group : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

Addendum 1 : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

Addendum 2 : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

THE TANDEM PROJECT OBJECTIVES

These Tandem Project Objectives are on Dialogue and Education: (1) Use International Human Rights Standards on Freedom of Religion or Belief as a universal platform for inclusive, in-depth dialogue within and among nations, all religions and other beliefs. (2) Adapt these human rights standards to early childhood education, teaching children, from the very beginning, that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.¹

Multi-cultural perspectives, lack of understanding and opposition to international human rights on freedom of religion or belief make the achievement of these objectives a challenge. Human rights standards on freedom of religion or belief are international law and essential as codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. They are universal, inalienable, interdependent and indivisible with other human rights.

International Human Rights Standards on Freedom of Religion or Belief and the identification of achievements, best practices, challenges and constraints on them, should be part of the follow-up to the Finland Universal Periodic Review.

STANDARDS: http://www.tandemproject.com/program/81_dec.htm

The Tandem Project: a non-governmental organization founded in 1986 to build understanding, tolerance and respect for diversity, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project, a non-profit NGO, has sponsored multiple conferences, curricula, reference materials and programs on Article 18 of the International Covenant on Civil and Political Rights – Everyone shall

have the right to freedom of thought, conscience and religion - and 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

The Tandem Project initiative is the result of a co-founder representing the World Federation of United Nations Associations at the United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat in 1984 on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

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Closing the Gap – International Standards for National and Local Applications, considers the question of a Convention on Freedom of Religion or Belief followed by a Response from the Special Rapporteur on Freedom of Religion or Belief and The Tandem Project Concept, an option that reflects the inclusive values of the Universal Declaration of Human Rights through human rights-based *Dialogue and Education*.

Closing the Gap - International Standards for National and Local Applications

Objective: Build understanding and support for Article 18, International Covenant on Civil and Political Rights –Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Encourage the United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media and Civil Society to consider the rule of law and international human rights standards as essential for *long-term solutions* to conflicts based on religion or belief.

Challenge: In 1968 the United Nations deferred work on an International Convention on the Elimination of all Forms of Religious Intolerance, because of its apparent complexity and sensitivity. In the twenty-first century, a dramatic increase of intolerance and discrimination on grounds of religion or belief is motivating a worldwide search to find solutions to these problems. This is a challenge calling for enhanced dialogue by States and others; including consideration of an International Convention on Freedom of Religion or Belief for protection of and accountability by all religions or beliefs. The tensions in today’s world inspire a question such as:

Should the United Nations adopt an International Convention on Freedom of Religion or Belief?

Response: Is it the appropriate moment to reinitiate the drafting of a legally binding international convention on freedom of religion or belief? Law making of this nature requires a minimum consensus and an environment that appeals to reason rather than emotions. At the same time we are on a learning curve as the various dimensions of the Declaration are being explored. Many academics have produced voluminous books on these questions but more ground has to be prepared before setting up of a UN working group on drafting a convention. In my opinion, we should not try to rush the elaboration of a Convention on Freedom of Religion or Belief, especially not in times of high tensions and unpreparedness. - *UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Prague 25 Year Anniversary Commemoration of the 1981 UN Declaration, 25 November 2006.*

Option: After forty years this may be the time, however complex and sensitive, for the United Nations Human Rights Council to appoint an Open-ended Working Group to draft a United Nations Convention on Freedom of Religion or Belief. The mandate for an Open-ended Working Group ought to assure nothing in a draft Convention will be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Concept: *Separation of Religion or Belief and State – SOROBAS.* The First Preamble to the 1948 United Nations Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the*

equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. This concept suggests States recalling their history, culture and constitution adopt fair and equal human rights protection for all religions or beliefs as described in General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4):

Article 18: protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community. **Article 18:** permits restrictions to manifest a religion or belief only if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Dialogue & Education

Dialogue: United Nations Secretary General Ban Ki Moon, at the Alliance of Civilizations Madrid Forum said; “Never in our lifetime has there been a more desperate need for constructive and committed dialogue, among individuals, among communities, among cultures, among and between nations.” A writer in another setting has said, “The warning signs are clear: unless we establish genuine dialogue within and among all kinds of belief, ranging from religious fundamentalism to secular dogmatism, the conflicts of the future will probably be even more deadly.”

Norms and standards on human rights and freedom of religion or belief are international law and essential codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. International Standards on Human Rights and Freedom of Religion or Belief is a universal platform for inclusive and in-depth dialogue within and among nations, all religions and other beliefs. They are universal, inalienable, interdependent and indivisible with other human rights.

Education: Ambassador Piet de Klerk addressing the Prague 25 Year Anniversary Commemoration of the 1981 U.N. Declaration said; “Our educational systems need to provide children with a broad orientation: from the very beginning, children should be taught that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.”¹

The 1981 U.N. Declaration states; “Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents, the best interests of the child being the guiding principle.” With International Human Rights safeguards, early childhood education is the best time to begin to teach tolerance, understanding and respect for freedom of religion or belief.