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**UNITED NATIONS, HUMAN RIGHTS,
FREEDOM OF RELIGION OR BELIEF**

*The Tandem Project is a UN NGO in Special Consultative Status with the
Economic and Social Council of the United Nations*

Separation of Religion or Belief and State

Universal Periodic Review reports in six languages

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Universal Periodic Review - Norway

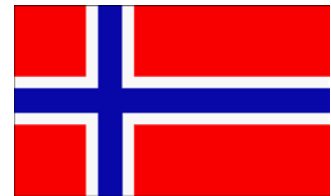
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Date of consideration: Wednesday 2 December 2009 - 9.00 a.m. - 12.00 a.m.

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

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

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



Questions submitted in advance : [E](#) only

Questions submitted in advance - Addendum : [E](#) only

Questions submitted in advance - Addendum 2 : [E](#) only

Outcome of the review :

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

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

Report of the Working Group - Addendum 1 : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Decision of the outcome : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Report of the 13rd session of the Human Rights Council : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

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**REPORT OF THE WORKING GROUP – RECOMMENDATIONS
RELATING TO FREEDOM OF RELIGION OR BELIEF**

44 recommendations enjoy the support of Norway. 1 recommendation, #39 mentioned the work of the Special Rapporteur on Freedom of Religion or Belief, or the work of the Special Rapporteur on Racism, Racial Discrimination, Xenophobia and Related Intolerance (Religion). 46 recommendations to be examined by Norway. Recommendations # 10,18,36 referred to racism, racial discrimination, xenophobia and related intolerance. **Master link** to Report of the Working Group in six UN languages.

<http://www.ohchr.org/EN/HRBodies/UPR/PAGES/NOSession6.aspx>

REPORTS OF THE SPECIAL RAPPORTEUR ON FREEDOM OF RELIGION OR BELIEF

<http://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FreedomReligionIndex.aspx>

The Special Rapporteur on Freedom of Religion or Belief has not made a country visit to Norway. However, several Rapporteur's on Freedom of Religion or Belief have contributed to governmental and non-governmental conferences and meetings in Norway.

BACKGROUND

General Comment 22 on Article 18 of the International Covenant on Civil and Political Rights
[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/9a30112c27d1167cc12563ed004d8f15?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/9a30112c27d1167cc12563ed004d8f15?Opendocument)

The 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief http://www.tandemproject.com/program/81_dec.htm.

THE CONSTITUTION OF THE KINGDOM OF NORWAY

http://en.wikipedia.org/wiki/Constitution_of_Norway

<http://www.unesco.org/most/rr3norw.htm>

*Adopted on: 17 May 1814 (Document Status: 29 Feb 1996)
Official Title: The Constitution of the Kingdom of Norway*

Article 2 [Religion, State Religion]

- (1) All inhabitants of the Realm shall have the right to free exercise of their religion.
- (2) The Evangelical-Lutheran religion shall remain the official religion of the State. The inhabitants professing it are bound to bring up their children in the same.

Article 4 [Religion of the King]

The King shall at all times profess the Evangelical-Lutheran religion, and uphold and protect the same.

Article 12 [Council of State]

- (2) More than half the number of the Members of the Council of State shall profess the official religion of the State.

Article 16 [Public Worship]

The King ordains all public church services and public worship, all meetings and assemblies dealing with religious matters, and ensures that public teachers of religion follow the norms prescribed for them.

Article 27 [Quorum and Attendance of the Council of State]

- (2) A Member of the Council of State who does not profess the official religion of the State shall not take part in proceedings on matters which concern the State Church.

ISSUE: will Norway amend Article 4 of the 1814 Constitution to allow the King to choose his own religion or belief in time for the 200 year celebration of the Norwegian Constitution and second cycle of the Norway Universal Periodic Review (UPR) in the Winter of 2014?

Norway allegedly has amended Seven Articles of its Constitution to comply with international human rights law. The King must still be a member of the Lutheran Church of Norway. Whether this is in compliance with international human rights law which allows everyone the right to choose or to leave a religion or belief is still a question.

[Discussion at Augsburg with Kjell-Magne Bondevik](#)

SEPARATION OF RELIGION OR BELIEF AND STATE

Separation of Religion or Belief and State is a term used to express core principles of international human rights law on freedom of religion or belief. It mandates UN Member States to ensure their constitutional and legal systems provide effective guarantees of freedom of thought, conscience and religion or belief to all without distinction at international, national and local levels.

OBJECTIVES

The right of persons to manifest their own values, cultural identity and core principles based on religion or belief, together with human rights law, principles and values on freedom of religion or belief.

Build awareness, understanding and support at international, national and local levels for a UN Convention on Freedom of Religion or Belief as a legally-binding international human rights treaty.

UNIVERSAL PRINCIPLE

International human rights law on freedom of religion or belief protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief*, - General Comment 22 on Article 18 of the International Covenant on Civil and Political Rights. The United Nations Universal Declaration of Human Rights does not favor one religion or belief over another. Human Rights Law protects all individuals from discrimination based on religion or belief. It values the equal rights of majority and minority religions or beliefs, indigenous, traditional and new religious movements. It is a universal moral principle.

HISTORY

In 1968 the United Nations deferred passage of a legally-binding convention on religious intolerance saying it was too complicated and sensitive. <http://www.tandemproject.com/program/history.htm>

Instead, in 1981 they adopted a non-binding declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief. While very worthwhile, the declaration does not carry the force and commitment of a legally-binding international human rights convention on freedom of religion or belief.

In 1986 The Tandem Project organized the first international conference on the 1981 UN Declaration and in the Oslo Conference on Freedom of Religion or Belief in 1998 was catalyst for change of title from Special Rapporteur on Religious Intolerance to Special Rapporteur on Freedom of Religion or Belief

<http://www.tandemproject.com/tolerance.pdf> [1998 UN Conference Report](#)

The Tandem Project believes until a core legally-binding human rights Convention on Freedom of Religion or Belief is adopted international human rights law will be incomplete.

UNIVERSAL PERIODIC REVIEW OF NORWAY (UPR)

National Report: Norway has a constitutional state church system that has been the subject of criticism as a matter of principle from several quarters, including the UN Human Rights Committee. Article 2 of the Constitution protects certain aspects of freedom of religion or belief, but does not go as far as the protection provided by international human rights principles. “A White Paper has been discussed in Parliament, and formal proposals to amend all seven articles in the Constitution establishing the state church system has been submitted. The proposals will be voted on in the next parliamentary session.” “In connection with continuous focus on dialogue, cooperation between religious and life stance communities, the authorities and the general population, grants are provided for three councils for religion and belief: the Council of Religious and Life Stance Communities, the Islamic Council of Norway and the Christian Council of Norway.” “Religious and belief communities outside the Church of Norway have a

statutory right to claim an annual financial grant from the State and municipal authorities. This grant scheme is unique internationally.

Concluding Observations of the Committee on the Rights of the Child (CRC/c/NOR/co/4) 29 January 2010 for Civil Rights and Freedoms welcomed an amendment to the Education Act, the newly named *Religion, Philosophical Life and Ethics* curriculum and were concerned about implementation at a local level. The Committee recommends that the State Party “conduct a study on how the aims of the revised subject are achieved and what kind of support teachers need to implement the objectives.” The Committee for the CRC further “recommends the State Party (Norway) examine educational objectives and practices of isolated religious communities with respect to their compatibility with the child’s right to a holistic, human rights oriented education.

The European Commission Against Racism and Intolerance (ERCI) Norwegian Forum on the Rights of the Child (NFRC) and Norwegian Ombudsman for Children concurred that legislation be “fine-tuned” in this field. The ERCI recommends “strengthening efforts to counter instances of racist expression committed through the Internet; monitor all manifestations of Islamophobia, anti-Semitism, indigenous (Sami) population.

National Centre for Human Rights (NCHR): NCHR established in 2002 is Norway’s independent National Institution for Human Rights under the Paris Principles.

The Government has purposed a new formulation of the Constitution § 2 articulating basic values. It mentions humanity and Christianity specifically, with no reference to other religions or beliefs. This may not be in conflict with any human rights conventions; it might however exclude groups of the population. The same problem arises in the statements of objectives in the law on both schools and kindergartens. NCHR finds the principle of inclusion to be highly relevant in this debate. NCHR recommends that Norwegian authorities reconsider whether there is a need for explicitly highlighting the Christian belief in the constitutional values and in the statement of objectives in the laws on schools and kindergartens.”

Norway has prepared two overall documents on human rights in Norway, one in 1977 and one in 1999. The latter is a National Plan of Action for human rights. This document is no longer in use, the last report covering the years 2004-2005. The present lack of a comprehensive plan leaves Norway without a holistic approach to human rights. In addition, Norway has no body that gives attention to these matters on an overall basis. The NCHR recommends that Norway strengthens the implementation of human rights by developing a new National Plan of Action for human rights as recommended in the 1993 Vienna Declaration. The work should be led by a high-level National Committee for Human Rights – a national coordinating and monitoring body – either at the Government or Parliament level.

NCHR has been operational as a national institution since 2002 and was accredited internationally with “A”status in 2006. Norway is up for consideration for new international accreditation in 2011. NCHR finds that the time is right for an evaluation, assessing to what extent the National institution for human rights has the desired effect and sufficient capacity and resources to fulfill its role.

[Norway - Universal Periodic Review Contacts List](#)

U.S. State Department 2010 International Religious Freedom Report, Norway

<http://www.state.gov/g/drl/rls/irf/2010/148970.htm>

EXCERPTS

In March 2010 the Department of State's Special Representative to Muslim Communities, Farah Pandith, met with young persons representing every major Muslim organization in the country to discuss what it means to be Muslim in the country and Europe. The embassy takes full advantage of exchange programs such as the International Visitor Leadership Program in its outreach to a diverse set of religious communities.

During the reporting period, politicians, the media, and civic and religious groups continued to debate Islam and so-called Islamification in the country. These debates included exchanges over the use of the hijab in the courtroom and niqabs in schools, prayer space for Muslim students at the University of Oslo, and whether newspaper editors should apologize for printing material that Muslims found offensive. Muslim leaders and NGO representatives have expressed concern that these types of debates serve to marginalize Muslims in society by focusing on distinctions between Muslims on the one side and mainstream society on the other.

In early February 2010, approximately 3,000 persons marched through downtown Oslo in a protest against two newspapers that printed caricatures of the Prophet Mohammed. The protest was peaceful, apart from one firecracker that was thrown into a cafe's outdoor area with minor burn marks to a sofa. Police were on hand throughout but maintained a low profile. An estimated 1,000 taxi drivers in Oslo and neighboring municipality Baerum also refused to drive for several hours in protest against the caricatures. A debate arose as to whether news editors should apologize to the Muslim community; the editors ultimately declined to do so, and the foreign minister reaffirmed the government's strong support for freedom of expression -- the basis for religious freedom, he noted.

The debate over the caricatures revealed that a growing number of Muslims feel alienated. Although influential Muslim leaders discouraged demonstration attendance due to the involvement of radicals, the protests gave radical Islam a face. Commentators have expressed concern that more extreme views are increasing among second-generation Muslims.

Debate arose over alleged "morality police" in an Oslo district populated largely by immigrants. The debate began when a leading newspaper reported complaints from Muslims and non-Muslims who have been scolded or threatened for not wearing conservative dress, eating during Ramadan, or acting "too western." Following suggestions by a University of Oslo professor to research the issue, the cabinet minister in charge of integration organized a study."

During the reporting period, and especially following the Free Gaza Flotilla incident in May 2010, anti-Semitism, and a corresponding debate about it, experienced another peak in intensity. In contrast with the anti-Israel riots in December 2008 to January 2009, however, protests after the flotilla incident were peaceful and without incident. Nonetheless, Jewish community leaders gave a consistent message: Jews in the country are safe, but there is a worrying rise in anti-Semitism. The line between criticism of Israeli policy and anti-Semitism continued to be discussed.

A television news feature in March 2010, produced by a state-owned broadcasting company, highlighted increasing anti-Semitic attitudes, expletive-filled language, and bullying incidents against Jewish students in schools, particularly by Muslim youth. Four teachers interviewed anonymously on the news program said that anti-Semitism has become acceptable among some students, with some denying the Holocaust openly in the classroom and claiming Jews were responsible for the 9/11 attacks. The television report triggered a public debate that is continuing, focusing on the existence of "old" and "new" fashioned anti-Semitism in modern society. In response to the news report, the Ministry of Education inaugurated a working group in May 2010, tasked with recommending ways to counter increasing incidents of racism and anti-Semitism in primary and secondary schools. The working group is diverse; in addition to representatives from religious groups, it includes teachers and school leaders, parents and police. The Center for Studies of Holocaust and Religious Minorities will be the secretariat for the group, which is expected to provide its recommendations to the government by December 2010.

Nongovernmental organization (NGO) representatives and leaders of the Jewish and Muslim communities alike have applauded the government's prompt response to the problem. Some have expressed concern, however, that the news feature identified Muslim youth as the main instigators, noting that the problem is more nuanced.

FREEDOM OF RELIGION OR BELIEF

U.S. State Department 2010 International Religious Freedom Report, Norway

Complete Report

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 of Norway, the state church, enjoys some benefits 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 a few reports of societal abuses and discrimination based on religious affiliation, belief, or practice, but prominent societal leaders took positive steps to promote religious freedom.

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

Section I. Religious Demography

The country has an area of 150,000 square miles and a population of 4.8 million. Its constitutional state church system has been criticized from several quarters, including the UN Human Rights Committee. Citizens are considered to be members of the state church, the Evangelical Lutheran Church of Norway, unless they explicitly state otherwise. For example, citizens may elect to associate themselves with another denomination, nonreligious organization (for example, the Norwegian Humanist Association), or to have no religious affiliation at all. An estimated 79.2 percent of the population (3.8 million persons) nominally belongs to the state church; however, actual church attendance is quite low.

Other religious groups operate freely and include various Christian denominations (235,000 registered members), which make up 54 percent of all registered members of religious groups outside of the state church. Of the Christian denominations, the Roman Catholic Church is the largest and has through recent immigration increased to 57,000 registered members, while the Pentecostal Church has 40,000 registered members. Membership in Muslim congregations (126 mosques nationwide) has increased to 93,000 (from 84,000 in 2009), while membership in Jewish congregations has decreased to 800 (from 850). Buddhists, Orthodox Christians, Sikhs, and Hindus are also present in small numbers, together constituting less than 4 percent of the population. The Norwegian Humanist Association -- the largest national organization for those who do not formally practice any religion, including atheists -- has 80,000 registered members. An unknown number of persons belong to religious institutions but do not formally register with the government; they are not reflected in the statistics.

Of all the religious communities in the country, Islam increased by the greatest number in 2009, with 9,000 newly registered members (an 11 percent increase). Hinduism saw the largest percentage increase, with 15 percent more registered members in 2009 than in 2008.

The majority of European and American immigrants, who make up approximately 45 percent of the foreign-born population, are either Christian or nonreligious, with the exception of Muslim refugees from Bosnia-Herzegovina and Kosovo. Most non-Western immigrants practice Islam, Buddhism, Christianity, or Hinduism. Of registered religious minority members, 55 percent are concentrated in the Oslo metropolitan area, including 57 percent of Muslims and 38 percent of Buddhists.

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 provides that "all inhabitants are free to have and express religion." The law on religious freedom and affiliation further specifies the right of individuals to choose, change, and practice their religion. Any person over the age of 15 has the right to join or leave a religious community.

Religious freedom is further secured by the European Convention on Human Rights, which provides individuals the right to freedom of thought, conscience, and religion.

The constitution provides the right to practice religion in general, but there have been examples of existing law clashing with practical lifestyle aspects of certain religious groups. For example, by law the slaughter of an animal must be preceded by stunning or administering anesthetics. The Muslim community was split over whether stunning conflicts with halal requirements, but they ultimately accepted a compromise with authorities over this issue. The law effectively bans the production of kosher meat in the country. The Jewish community has to import kosher meat. The community's ability to import kosher meat, and particularly kosher chicken, is regularly an issue of concern, due to the country's strict regulations on import of agricultural products.

The penal code covers violations of the right to religious freedom. It specifies penalties for expressions of disrespect for religious standpoints or followers, and for public discrimination on the basis of religion.

Citizens have a right to sue the government for violations of religious freedom, and may also file cases with the European Court of Human Rights (ECHR).

The Equality and Anti-Discrimination Ombud was established in 1978 as the Gender Equality Ombud, the first of its kind in the world. In 2006 the ombud was reorganized to include discrimination in general. The ombud's mandate is to enforce the Gender Equality Act, antidiscrimination provisions of the Worker Protection and Working Environment Act, and the Discrimination Act. The latter act prohibits discrimination on the basis of ethnicity, national origin, ancestry, skin color, language, religion, and ethical orientation. During the reporting period, the ombud issued a new handbook entitled "Religion in the Workplace," addressing the rights and duties of employers and employees regarding prayer in the work place.

The country's first national report on registered hate crimes was published in January 2009. The report consisted of data from 2007, during which 257 hate crimes were registered in the country. Because ethnicity and religion are often inextricably linked, it is difficult to determine the precise number of incidents characterized by religious intolerance, although religion is tracked separately as a motive for hate crimes. Of the 257 registered hate crimes in 2007, 19 were reported as motivated by religious intolerance, while race or ethnicity was listed as the motive for 80 percent of registered hate crimes in that period. Religious communities are working with the state to improve the database by specifying whether an incident is motivated by anti-Semitism or other forms of religious intolerance. They noted, however that many religious minorities prefer not to file complaints with the police or community organizations and monitoring bodies, fearing reprisal or doubting a positive outcome. Thus, the number of incidents, both violent and verbal, might be much higher than the figures presented. Both the police and civil society organizations have characterized the current system as flawed, as it results in both under- and over-reporting. The 2009 hate crimes

report recommended that the government implement a new reporting system, including a hate crimes unit to train police officers to detect, raise awareness of, and inform the public about hate crimes. The government reportedly is responding to the concerns, but the outcome of these recommendations is currently unknown. To date, the police have not published information relating to statistics from 2008 or 2009, but a new report is expected by the end of August 2010.

The Evangelical Lutheran Church of Norway is the state church. The state supports it financially, and there is a constitutional requirement that the king and at least one-half of the cabinet belong to this church. The king, who heads the state church, formally nominates bishops, and clerical salaries and pensions are regulated by law.

There is continued public debate about introducing greater separation between church and state. In April 2008 the minister of culture presented a parliament-commissioned report on the state and church relationship. The report, which took five years to complete and included significant public input, called for maintaining, but further democratizing, the state church. It proposed changes to the constitution to further separate church and state functions. One of the immediate effects was an agreement, signed by seven parties in parliament, to support amending the constitution to give the state church the ability to select, but not appoint, its own bishops. The agreed wording also would institute the system of public financing for all religious groups recognized in the constitution, similar to the existing public financing already in place for the Church of Norway. The power to appoint bishops will not be transferred to the church until parliament votes on the proposed constitutional amendments, expected sometime during the 2009-13 parliamentary session.

The government observes the following religious holidays as national holidays: Palm Sunday, Maundy Thursday, Good Friday, Easter Sunday, Easter Monday, Ascension Day, Pentecost, Whit Monday, Christmas Day, and Saint Stephen's Day.

Individuals citing conscientious or other objection to military service are free to serve their duty time in a civilian capacity.

In June 2010 the National Courts Administration (NCA) determined by a vote of seven to two that restricting religious and political symbols in the courtroom is unnecessary and that existing neutrality rules are comprehensive enough to accommodate religious and political symbols. The administrative body stated that if any parties to a court hearing should object to the wearing of religious or political symbols in court, the issue should be resolved on a case-by-case basis under disqualification rules. The decision effectively reversed the same administrative body's September 2009 decision, which banned judges from wearing the hijab in the courtroom. The Ministry of Justice (MOJ), which previously validated a hijab ban not only in courtrooms but also among the police force, has not addressed the NCA's reversal.

In May 2010 parliament voted against a proposal to ban burqas (full body covering) and niqabs (face veil) in public, following a MOJ decision that a ban would violate the European Convention on Human Rights. Three years earlier, the MOJ had reached the opposite conclusion in a different context, determining that the city of Oslo's ban on burqas and niqabs in schools, as implemented in 2006, was not inconsistent with national law and international conventions.

A religious community must register with the government only if it desires state financial support, which is provided to all registered denominations in proportion to their formally registered membership. Some faith groups argued that this registration requirement disadvantages their efforts to get funding, since the religious groups most popular among immigrants generally, including Islam and Catholicism, are also most popular among individuals who are in the country either illegally or as political refugees, and who may be leery of contact with state officials.

Foreign religious workers are subject to the same visa and work permit requirements as other foreign workers.

A 1997 law introduced the Christian Knowledge and Religious and Ethical Information (CKREE) course for grades one through 10 (generally ages six to 16). The CKREE course reviews world religions and philosophy while promoting tolerance and respect for all religious beliefs. Citing the country's Christian history (and the stated importance of Christianity to society), the CKREE course devotes an extensive amount of time to studying Christianity. This course is mandatory; there are no exceptions for children of other religious groups. On special grounds, students may be exempted from participating in or performing specific religious acts, such as church services or prayer.

Organizations for atheists, as well as Muslim communities, contested the legality of mandatory religious education, claiming that it was a breach of freedom of religion and parents' right to provide religious instruction to their children. After the case was heard before the ECHR in 2002 and again in 2006, the government modified the curriculum and expanded the education to more thoroughly discuss other religions while continuing an emphasis on Christianity as the religion of the majority of citizens.

Restrictions on Religious Freedom

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.

In April 2010 parliament amended the Worker Protection and Working Environment Act (WPWEA) and the Gender Equality Act to remove exemptions for discrimination on religious grounds. The amendments removed religious organizations' explicit right to inquire about an applicant's sexual orientation or discriminate on the basis of gender, unless the differential treatment is shown to have a legitimate purpose. Until April 2010 the WPWEA permitted employers to ask job applicants applying for positions in religious or other private schools, or day care centers, whether they would agree to teach and behave in accordance with the institution's or religion's beliefs and principles. In effect, however, the right of religious organizations to use discretion in their hiring processes has been retained as "legitimate purpose" is broadly defined.

On August 5, 2009, the government officially initiated a "Hamsun Year" celebrating the 150th anniversary of the birth of Norwegian author Knut Hamsun, the 1920 Nobel laureate in literature, who became a prominent Nazi sympathizer during World War II. Leading international Jewish organizations strongly criticized the observance and called on the country to relinquish the chairmanship of the International Task Force for Holocaust Education, Remembrance, and Research. The government responded that Hamsun was being honored for his literary achievements and stated that the anniversary in no way condoned Hamsun's support for the Nazi regime.

The government did not enforce a ban on the wearing of burqas and niqabs in schools, permitting every school to determine independently whether to implement such a ban. During the reporting period, one Oslo student asked to wear a niqab to school and was told she could not do so, because all students are required to show their faces in class. The decision generated little controversy.

A ban remained on policewomen wearing the hijab (head covering) with police uniforms, despite the government having earlier briefly supported a proposal to allow wearing of it. Anecdotal reports from Muslim leaders during the reporting period suggest that some Muslim women have been unable to obtain police employment because of the hijab ban.

In May 2010 the Directorate of Education granted permission to Foreningen Fredsskolen to establish a Muslim elementary school in Oslo, despite opposition from governing coalition and opposition party politicians. The city of Oslo appealed the decision to the Ministry of Education, arguing that the decision is undermining integration in Oslo. The minister of education rejected the appeal, stating that to deny the Muslim school's application based on integration concerns could be discriminatory and violate human rights, since there are 95 Christian schools in the country and no Muslim ones.

During the reporting period, the University of Oslo permitted Muslim students to begin using a building in the sports stadium for prayer services, after students complained that the on-campus space for Friday night prayers was insufficient. Although the university also provides prayer space for other religious groups, the request and the university's response sparked a heated debate over whether a secular university should remain neutral vis-a-vis different religious groups or whether secularism should prohibit any religious expression on campus. Some students expressed concern that a larger prayer space would unfairly favor Muslims and pressure nonpracticing Muslims.

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

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

There were some reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Citizens were generally tolerant of diverse religious practices. Anti-Semitism existed, however, and some Muslims engaged in nonviolent protests over perceived societal discrimination of Muslims. Law enforcement authorities maintained statistics on hate crimes.

Debate arose over alleged "morality police" in an Oslo district populated largely by immigrants. The debate began when a leading newspaper reported complaints from Muslims and non-Muslims who have been scolded or threatened for not wearing conservative dress, eating during Ramadan, or acting "too western." Following suggestions by a University of Oslo professor to research the issue, the cabinet minister in charge of integration organized a study.

During the reporting period, and especially following the Free Gaza Flotilla incident in May 2010, anti-Semitism, and a corresponding debate about it, experienced another peak in intensity. In contrast with the anti-Israel riots in December 2008 to January 2009, however, protests after the flotilla incident were peaceful and without incident. Nonetheless, Jewish community leaders gave a consistent message: Jews in the country are safe, but there is a worrying rise in anti-Semitism. The line between criticism of Israeli policy and anti-Semitism continued to be discussed.

A television news feature in March 2010, produced by a state-owned broadcasting company, highlighted increasing anti-Semitic attitudes, expletive-filled language, and bullying incidents against Jewish students in schools, particularly by Muslim youth. Four teachers interviewed anonymously on the news program said that anti-Semitism has become acceptable among some students, with some denying the Holocaust openly in the classroom and claiming Jews were responsible for the 9/11 attacks. The television report triggered a public debate that is continuing, focusing on the existence of "old" and "new" fashioned anti-Semitism in modern society. In response to the news report, the Ministry of Education inaugurated a working group in May 2010, tasked with recommending ways to counter increasing incidents of racism and anti-Semitism in primary and secondary schools. The working group is diverse; in addition to representatives from religious groups, it includes teachers and school leaders, parents and police. The Center for Studies of Holocaust and Religious Minorities will be the secretariat for the group, which is expected to provide its recommendations to the government by December 2010.

Nongovernmental organization (NGO) representatives and leaders of the Jewish and Muslim communities alike have applauded the government's prompt response to the problem. Some have expressed concern, however, that the news feature identified Muslim youth as the main instigators, noting that the problem is more nuanced.

Asylum centers increasingly have come under attack during the reporting period. In October 2009 some boys threw stones through a window at an asylum center in Fossanaasen. A note with Nazi symbols was attached to the stones with the message: "Go home to your own country." In September 2009 an asylum center for unaccompanied minors in Namsos was attacked three times. Nazi symbols were sprayed on the walls, notes with racist messages were left on the door step of the center, and three windows were broken. In August and September 2009, an asylum center in Sjøholt off the western coast was shot at with training rifles from cars on three occasions. No one was hurt, but the bullets went through the windows. Because ethnicity and religion are often inextricably linked, it is difficult to categorize these incidents specifically as ethnic or religious intolerance.

Anecdotal press reports during the reporting period indicated that job seekers with first or last names that appear to be Muslim continue to be much less likely to receive responses to their applications for employment.

In May 2010 the Equality Tribunal determined that a woman who refused to work with a Muslim real estate agent and demanded a Christian or nonreligious agent acted discriminatorily within the meaning of the Discrimination Act, which states that "direct and indirect discrimination based on ethnicity, national origin, ancestry, color, language, religion or belief is prohibited." The woman had refused to let a Muslim real estate agent assess the value of her house and filed a claim with the Equality Tribunal when the real estate agency declined to offer her another agent and asked her to find another agency.

On the Thursday of Holy Week, April 1, 2010, Norwegian State Radio broadcast a show on the origin of myths during which a well-known journalist commented that whereas the Christian Easter was connected to the death of Jesus, the Jewish Passover relates to "the slaughter of Egyptian children."

During the reporting period, politicians, the media, and civic and religious groups continued to debate Islam and so-called Islamification in the country. These debates included exchanges over the use of the hijab in the courtroom and niqabs in schools, prayer space for Muslim students at the University of Oslo, and whether newspaper editors should apologize for printing material that Muslims found offensive. Muslim leaders and NGO representatives have expressed concern that these types of debates serve to marginalize Muslims in society by focusing on distinctions between Muslims on the one side and mainstream society on the other.

In early February 2010, approximately 3,000 persons marched through downtown Oslo in a protest against two newspapers that printed caricatures of the Prophet Mohammed. The protest was peaceful, apart from one firecracker that was thrown into a cafe's outdoor area with minor burn marks to a sofa. Police were on hand throughout but maintained a low profile. An estimated 1,000 taxi drivers in Oslo and neighboring municipality Baerum also refused to drive for several hours in protest against the caricatures. A debate arose as to whether news editors should apologize to the Muslim community; the editors ultimately declined to do so, and the foreign minister reaffirmed the government's strong support for freedom of expression -- the basis for religious freedom, he noted.

The debate over the caricatures revealed that a growing number of Muslims feel alienated. Although influential Muslim leaders discouraged demonstration attendance due to the involvement of radicals, the protests gave radical Islam a face. Commentators have expressed concern that more extreme views are increasing among second-generation Muslims.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research and completed a one-year rotation as chair of the organization in March 2010. Schools nationwide observe Holocaust Memorial Day on January 27 as part of a National Plan of Action to Combat Racism and Discrimination. In addition, high school curriculums include learning about the deportation and extermination of Jewish citizens from 1942 to 1945. The government also continued to support the foundation "The White Buses," an extracurricular program which takes some secondary school students to Auschwitz, Poland, to educate them about the Holocaust. During the reporting period, the Center for Studies of Holocaust and Religious Minorities (housed in the WWII-era residence of Nazi collaborator Vidkun Quisling) continued to support Holocaust-related research and sponsored seminars related to the Jewish experience during the Nazi occupation period.

The Oslo city government has also launched a project to research students' attitudes toward and knowledge of religious minorities, with a particular focus on anti-Semitism and the Holocaust. On March 22, 2010, Oslo's governing mayor invited representatives from the Jewish community, the Islamic Council, Norway's Christian Council, the Holocaust Center and the Municipal Department of Cultural Affairs and Education to consult on what the country can do about harassment of religious minorities. The city's goal is to research the scope of the problem and then introduce targeted measures based on the results of the study.

Beginning February 1, 2010, Oslo municipality commenced a campaign called OXLO -- Oslo Extra Large, aimed at combating the growing incidence of "morality police" in Muslim communities. Campaign posters, describing the city

as a place that welcomes diversity, were placed at bus and tram stops and metro stations during the first week of February 2010. School leaders and teachers were encouraged to discuss the campaign with students.

On November 12, 2009, the board of the Norwegian Technical University in Trondheim (NTNU) unanimously rejected a proposed academic boycott of Israel. Before the NTNU Board's vote, the minister of higher education spoke in parliament and in the media against the proposed boycott, and she later saluted the board's decision to reject the proposed boycott on the grounds that it was inconsistent with academic freedom. Following public reaction to the Free Gaza Flotilla incident of May 31, 2010, there were renewed calls for an academic boycott of Israel, this time by the University of Oslo. The board considered the proposal in June 2010, but ultimately rejected it with nine votes to two. The University of Oslo's dean did not support the proposal, stating that dialogue is essential in the academic community and that a boycott would violate individual academic freedom.

The country has several civil organizations designed to combat anti-Semitism, including the Norwegian Center Against Racism and the Norwegian Association Against Anti-Semitism. The latter organization was revitalized in May 2010, after having lain dormant for five years.

The Council for Religious and Life Stance Communities in Norway was established in May 1996 and includes the state church and 12 other religious and humanistic communities, among them the Jewish, Muslim, and Buddhist communities. The council seeks to prevent differences in belief from being used as a basis for prejudice and xenophobia and has received government support for its work since 1998. The council, acting as an umbrella organization, organized many events that furthered interreligious dialogue and debate, including a debate about religion in educational institutions.

The Oslo Coalition for Freedom of Religious Beliefs facilitated closer coordination and international cooperation on religious freedom problems both domestically and outside of the country. The coalition continues to research new directions in Islamic thought and practice, how to facilitate freedom of religion, missionary activities and human rights, and how to teach tolerance and religious freedom.

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. During the reporting period, the U.S. embassy regularly sponsored speakers and hosted events to highlight religious freedom, including an iftar (evening meal during Ramadan), an interreligious Thanksgiving meal, an interfaith introduction to the Passover seder, and, in January, a human rights NGO reception during which the importance of religious freedom, both in the country and around the world, was discussed. In March 2010 the Department of State's Special Representative to Muslim Communities, Farah Pandith, met with young persons representing every major Muslim organization in the country to discuss what it means to be Muslim in the country and Europe. The embassy takes full advantage of exchange programs such as the International Visitor Leadership Program in its outreach to a diverse set of religious communities.

REFLECTIONS

The Tandem Project

The First Preamble to the Universal Declaration of Human Rights reads: 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.

Surely one of the best hopes for humankind is to embrace a culture in which religions and other beliefs accept one another, in which wars and violence are not tolerated in the name of an exclusive right to truth, in which children are raised to solve conflicts with mediation, compassion and understanding.

There is an increase in dialogue today between religions and other beliefs to embrace diversity, but few persons, less than one percent of any population, ever participate. This is a challenge. The value of such dialogues is proportionate to the level of participation. For civil society increased participation would create opportunities for education on inclusive and genuine approaches to human rights and freedom of religion or belief.

In 1968 the United Nations deferred passage of a legally-binding convention on religious intolerance saying it was too complicated and sensitive. Instead, they adopted a non-binding declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief. While very worthwhile, the declaration does not carry the force and commitment of a legally-binding international human rights convention on freedom of religion or belief.

Religions and other beliefs historically have been used to justify wars and settle disputes. This is more dangerous today as the possible use of nuclear and biological weapons of mass destruction increases. Governments need to consider whether religions and other beliefs trump human rights or human rights trump religions and other beliefs or neither trumps the other. Can international human rights law help to stop the advance and use of such weapons in the face of this historic truth?

- **QUESTION:** Weapons of mass destruction as history teaches are often legitimized for national security and justified by cultural, ethnic, religious or political ideology. The U.N. Review Conference on the Nuclear Test Ban Treaty and studies on biological and cyber weapons demonstrate advances in science and technology is being used to increase their potential for mass destruction. The question is whether an International Convention on Human Rights and Freedom of Religion or Belief, elevated and supported equally by the U.N. Human Rights Council and U.N. Security Council, would help offset the risk of weapons of mass destruction. Recognition of the need for synergy to balance rights and security is a foundation for solving this issue.

“I am become death, the destroyer of worlds”

- Robert Oppenheimer, quote from the Bhagavad Gita after exploding the first atomic bomb, Trinity 1945.

The Tandem Project believes until a core legally-binding human rights Convention on Freedom of Religion or Belief is adopted international human rights law will be incomplete. It may be time to begin to consider reinstating the 1968 Working Group to bring all matters relating to freedom of religion or belief under one banner, a core international human rights legally-binding treaty.

The Tandem Project a non-governmental organization (NGO) founded in 1986 to build understanding, tolerance, and respect for diversity of religion or belief, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference material 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 the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.