LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Finland guarantees freedom of religion and conscience, which includes the right to profess and practise a religion, to express one’s beliefs and to belong, or not, to a religious community (Chapter 2, 11). Everyone is equal before the law and discrimination based on religion is prohibited (Chapter 2, 6). Discrimination complaints can be made to the Non-Discrimination Ombudsman.

The Criminal Code of Finland prohibits any “breach of the sanctity of religion,” including public blasphemy or insulting what is held sacred by a religious community, and disturbing, interfering with, or preventing religious practices (Chapter 17, 10 and 11).

The Criminal Code of Finland (Chapter 11, 10), conventionally called the “ethnic agitation” law, prohibits expressing opinions that threaten, insult or defame a certain group on the basis of certain characteristics, such as religion, belief, and sexual orientation.

The Act on the Freedom of Religion applies to the Evangelical Lutheran Church of Finland (ELC), the Orthodox Church of Finland (OCF), and registered religious communities (Chapter 1, 2), such as the Jehovah’s Witnesses, the Evangelical Free Church of Finland, and the Catholic Church.

Religion can be practised without registration, but the latter is required to be eligible for government funds. To register, a community must have at least twenty members, a religious purpose, and written by-laws.

Members of the ELC or the OCF are obligated to pay a church tax, while other religious communities are not permitted to tax their members. The ELC receives state funding to carry out its statutory duties, and the OCF and other registered religious communities receive government grants.

In 2017, Finland’s only Catholic diocese was ordered to hire its former volunteer priests as workers in order to pay taxes and employee benefits. Raimo Goyarolla, the administrator of the Helsinki diocese, said this policy change left the diocese as “one of the poorest in Europe”. We had to demolish the diocesan centre for retreats and summer camps, and many experts advise us to shut down three of the eight parishes.”
The religious affiliation of children under 12 years is decided jointly by the parents or legal guardians; the religious affiliation of children between 12 and 15 years may only be changed with the consent of both the child and the parents or legal guardians. Religious education is mandatory and students are given religious instruction in accordance with their registered religions, while others can choose between religious education or secular ethics.

The Animal Welfare Act allows some religious slaughter to stun and bleed animals simultaneously. Conscientious objection to military service on religious grounds is permitted, provided that objectors complete alternative civilian service. Failure to serve can result in imprisonment.

In February 2019, Finnish lawmakers ended the blanket exemption from both military and civilian service for Jehovah’s Witnesses after a 2018 court ruling deemed the practice discriminatory to other objectors.

According to the 2018 Hate Crime Reporting database, there were 65 crimes motivated by anti-Christian bias (31 physical assaults, 29 threats/threatening behaviour, three incidents of damage to property, and two attacks on places of worship). A total of 46 crimes were reported the year before. A church in eastern Finland was burned to the ground by an arsonist in September 2018. Arson was suspected in a July 2019 fire on church property in Hyvinkää.

A Christian Finnish parliamentarian was the subject of a criminal investigation and was questioned by police under Chapter 11, Section 10 of the Criminal Code of Finland, the so-called “ethnic agitation law”, for authoring a church pamphlet in 2004 and speaking publicly in 2019 and 2020 about her Christian perspective on the biblical view of human sexuality. Her remarks were deemed an insult to homosexuals.

Official figures from the Hate Crime Reporting database for 2018 indicate 21 crimes motivated by anti-Semitism (2 physical assaults, 15 incitements to violence/threats/threatening behaviour, and 4 cases of vandalism/damage to property). In 2017, Finland reported 9 anti-Semitic crimes. There was reportedly a spike in anti-Semitic attacks in Finland in 2019. In November 2019, anti-Semitic attacks were “plastered across the city” of Helsinki on the anniversary of Kristallnacht, also known as the Night of Broken Glass, when an anti-Jewish pogrom was carried out across Nazi Germany on 9–10 November 1938. Ostensibly, the stickers were part of a coordinated plan by Nordic neo-Nazi groups. Politicians and community leaders held a rally in solidarity with the Jewish community.

In February 2020, President Sauli Niinistö condemned rising anti-Semitism and racism in the country, citing two incidents (vandalism of the Turku synagogue and the burning of an Israeli flag by a neo-Nazi group) on International Holocaust Remembrance Day.

According to the 2018 Hate Crime Reporting database, 50 crimes were motivated by anti-Muslim bias, including hate crime “committed between Shia and Sunni Muslims” (20 physical assaults, 19 incitements to violence/threats/threatening behaviour, 8 incidents of damage to property, and 3 disturbances of the peace). This figure was significantly lower than the 137 crimes reported in 2017.

In December 2018, a 10-year-old Muslim girl was reportedly attacked by classmates for wearing a hijab at school.

After the 15th March 2019 attacks on mosques in Christchurch, New Zealand, the Helsinki mosque was vandalised with anti-Muslim graffiti. A smoke bomb was thrown through a window of the Oulu mosque of the Islamic Society of Northern Finland in February 2019, “the ninth time that mosque had been vandalised within one year,” the mosque’s imam said. Other incidents included vandalism against property and destruction of frozen halal meat.

A Russian-speaking man from Latvia man was arrested in October 2018 on charges of plotting to detonate homemade bombs during 2018 New Year’s Eve celebrations in Helsinki. The prosecution said that his planned targets included “foreigners and Muslims.”

According to the U.S. Office of International Religious Freedom, “NGOs working with migrants, including the Finnish Refugee Advice Centre and Amnesty, continued to raise concerns about the ability of religious minorities housed in migrant reception centers to worship without harassment by other migrants held within the same center.”

As a result of the COVID-19 pandemic, Finland imposed tight restrictions on religious activities, suspending public celebrations but allowing for private prayer in places of worship or secular ethics.
It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review, but freedom of expression could be at risk through the use of the “ethnic agitation” law. The rise in anti-Semitic hate crimes is of concern, but political leaders are addressing the issue by holding perpetrators accountable under the law.

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SOURCES / ENDNOTES

4. Ibid.
10. Ibid.
17. Ibid.
22. Office for Democratic Institutions and Human Rights, op. cit.
23. Ibid.
25 Ibid.
27 Office for Democratic Institutions and Human Rights, op. cit.
28 Ibid.
32 Ibid.
34 Office of International Religious Freedom,” op. cit.