

Report on Islamophobia or anti-Muslim hatred submitted to the UN Special Rapporteur on Freedom of Religion or Belief, Dr Ahmed Shaheed, Nov 30 2020.

Report on Norway.

This report has been compiled by Sindre Bangstad, Research Professor, KIFO (Institute For Church, Religion and Worldview Research), and is submitted in a private and civil society capacity.

Key inputs/questions for the report

Please find below a non-exhaustive indicative list of issues that the Special Rapporteur seeks information from individuals and organizations. It is not necessary to respond to all the issues listed below and you may provide any further information that is relevant to the topic.

1. Please provide information on what you understand by the terms Islamophobia and anti-Muslim hatred; on the intersection between anti-Muslim hatred, racism and xenophobia and on the historical and modern contexts, including geopolitical, socio-and religious factors, of anti-Muslim hatred.

Following Gardell (2011), we understand Islamophobia or anti-Muslim hatred to mean «socially reproduced prejudices and aversions against Islam and Muslims, and actions and practices which attack, exclude and discriminate against people on account of these people either being, or being presumed to be Muslim, and to be associated with Islam» (Gardell 2011: 17; authors' translation.)

Norway has a population of 5, 1 million. An estimated 4.2 per cent of the population is of Muslim background. The emergence of a Muslim community in Norway to a large extent started with male labour migration from Muslim-majority countries such as Pakistan, Turkey and Morocco in the 1960 and 1970s, later expanded through the settlement of waves of refugees from countries such as Bosnia-Herzegovina, Iran, Iraq, Somalia, Afghanistan and Syria.

National representative surveys indicate that negative prejudice against Muslims are relatively widespread in Norway; comparable to negative prejudice against Muslims in other Western European countries; and far more widespread than negative prejudice against Jews in Norway (Hoffman and Moe 2020).

34 per cent of Norwegians surveyed have marked negative prejudices against Muslims, and 28 are markedly hostile towards Muslims (Hoffman and Moe 2020: 254). 31 per cent agree with the statement «Muslims want to take over Europe», 48 per cent consider that «Muslims have themselves to blame for the increase in anti-Muslim harassment», and 39 per cent consider Muslims to constitute «a threat against Norwegian culture» (Hoffmann and Moe 2020: 257-8).

In the Norwegian context, a main channel for the distribution and legitimization of Islamophobia or anti-Muslim hatred has been the populist right-wing Progress Party or Fremskrittspartiet (est. 1973), which since 1987 has run electoral campaigns on an anti-immigration and anti-Muslim platform (Bangstad 2014), and which in the period 2013 to 2019 formed part of the Norwegian right-wing government.

2. Discrimination in law and practice

Please provide *details of specific legal provisions, policies and practices* on the following:

- a) Restrictions on the exercise and manifestation of the right to freedom of religion of belief in private or in community with others. For example, restrictions on:
 - the construction and use of mosques;
 - **A revised and amended Law of Faith and Life Stance communities (*Tros- og livsynssamfunnsloven*) adopted by the Norwegian Parliament on April 24 2020 and expected to enter into law on Jan 1 2021 in § 6 that registered Norwegian faith and life stance communities that receive support from foreign states that do not respect the right to freedom of religion and belief may be subject to the Norwegian state's refusal to support them financially. In Norway, any faith or life stance community registered with the state are principally entitled to such support in accordance with their number of registered members. It is quite clear that this particular paragraph is aimed at Norwegian Muslim faith communities in particular, and that it may be potentially discriminatory in its effects.**
 - the display of religious symbols or dress codes at work or in public places;
 - **Whilst military recruits and staff may according to military regulations use religious symbols and attire such as the female hijab, such symbols are not permitted for use by magistrates or police officers. The Norwegian Gender and Equality Ombud (LDO) has in several cases concluded that the latter prohibition must be considered discriminatory in its effects, but there has been no changes to the prohibition resulting from this.**
 - the conduct of prayers or religious ceremonies in public;
 - **It has been long-standing practice from Muslim faith communities born out of a wish not to provoke anti-Muslim sentiment in the Norwegian public not to make the call to prayer (the *adhan*) in public through loudspeakers from mosques in Norway. Norwegian mosques have as a result of the Norwegian right-wing extremist terrorist attack against a mosque in Bærum in August 2019 been forced to spend inordinate amounts on mosque security (security guards, improvement of safety infrastructure at mosques, safety training for mosque staff); there has been no extra state funding made available to compensate for any of this.**
 - the production and dissemination of religious material; ***No information available.***
 - the observance of dietary requirements and other religious rites such as male circumcision;
 - **Female circumcision is prohibited under Norwegian law (Norwegian General Penal Codes § 284 and 285, 2009). Ritual or religious circumcision of underage males under 18 is regulated by *Lov om rituell omskjæring av gutter* from 2014, which requires the circumcision to be performed by a medical doctor, or under the supervision of a medical doctor. It is also required that the parents consent to the procedure being performed on their male children, and that the underage male's own wish be respected. The last attempt to outlaw all circumcision of underage males in Norway was defeated in the Norwegian Parliament in 2018.**
 - **The slaughtering of halal meat is permitted in Norway, subject to it being performed in accordance with Norwegian animal welfare provisions, which require the animal to be unconscious at the time of the slaughter. The main Muslim umbrella organizations in Norway, the Islamic Council of Norway (IRN) and the Muslim Dialogue Network (MDN) both deem slaughter of animals in accordance with Norwegian animal welfare regulations to be halal. Muslim faith communities in Norway aligned with the Turkish Suleimanci Movement do as a matter of religious principle not accept that**

animals that are slaughtered in any unconscious state can be considered halal. Members of Suleimanci faith communities, which number in the low thousands in Norway, have therefore been forced to use special state quotas meant for the import of ritual meat products, in order to import their halal meat from Turkey and/or Germany. Since these quotas are rather limited and also covers the import of kosher meat by the Jewish communities of Norway, the amount of halal meat they are permitted to import is not sufficient to meet this specific Muslim community's consumer demands, and have resulted in their halal meat being extraordinarily expensive for their members in Norway.

- the training and appointment of clergy;
- **Under Norwegian laws and legal practice, it is required of foreign-born religious leaders or instructors who apply for work in Norway that they have at least an M. A. degree in their specific religion or in pedagogics, and that the salary on offer is in line with general Norwegian salary levels, for these to be afforded a residence permit of up to one (1) year at a time, followed by permanent residence permit that may be granted after three (3) years residence. There have to the best of our knowledge been few reports from Muslim faith communities of religious leaders or instructors having been refused a residence permit. In a case from 2020, a Shia imam at a Shia mosque congregation in Oslo, Norway was expelled on the initiative of the Norwegian Police Security Services (PST), but this appears to be linked to suspicions of his being engaged in illegal spying at the behest of Iranian authorities.**
- the provision of religious education or the exercise of parental liberties on education of children, as well as
- **There have for a number of years been media reports about local conflicts over Muslim parents in Norway refusing to permit female daughters to take part in mixed sports lessons and/or swimming at local schools. Our general impression is however that there are fewer reports of this kind than in previous years, and that practical solutions are more often than not found at local school level.**
- discriminatory registration requirements of religious organisations or institutions. See the section above concerning Norwegian state funding of faith and life stance communities that receive funding from states that do not respect freedom of religion and belief, which may according to a new law to enter into effect in 2021 may be withheld.

b) Discriminatory laws and practices, both in public and private services, against Muslims, in the area of:

- *civil and political rights*, including but not limited to participation and representation in the public life, access to justice and effective remedies, liberty and security, freedoms of expression, peaceful assembly, association and movement; asylum, immigration and citizenship;
- **There has since the Norwegian right-wing government came into power in 2013 repeatedly been media reports to the effect that the government is in the process of preparing legislation which will enable state authorities to create lists of alleged 'hate speech propagators' to be barred from entry to Norway. From Norwegian right-wing cabinet ministers, no bones have been made about the fact that such legislation and lists will target alleged 'hate speech propagators' of Muslim origin in particular, but so far, government statements in this field have not resulted in any actual legislative proposals. Though this has never been stated explicitly by the Norwegian right-wing government, under the government in power since 2013, which has enacted more restrictive asylum policies than any modern Norwegian government, asylum seekers of Muslim background have for all practical purposes, and**

especially since the global refugee crisis of 2015, been regarded as particularly undesirable. Though forced deportations have slowed down due to the COVID-19 pandemic, Norway has in recent years featured high on international lists of states which forcibly deport Afghan minor asylum seekers from Norway against the expressed recommendations of the UNHCR and Afghan authorities. In a number of cases, such forced deportations have also involved the use of excessive force by Norwegian police (Bangstad 2019). The body which has the ultimate power of decision on asylum applications in Norway, the Immigration Appeals Board or Utlendingsnemnda (UNE), has also on the initiative of the Norwegian right-wing government since 2016 had members nominated by civil society organizations with an explicitly Islamophobic and anti-Muslim agenda, such as the Oslo-based Human Rights Service or HRS. There are a number of instances in which UNE members nominated by the HRS have been left with powers of decision over asylum claims by individuals of Muslim background.

- *economic, social and cultural rights*, including but not limited to the rights to adequate food and housing, education, employment and healthcare.
 - **Findings from social science studies in Norway indicate that Muslims in Norway face discrimination in the fields of housing and employment, with Muslims of Somali background reporting some of the highest levels of discrimination. There are no systemic studies of healthcare discrimination of Muslims in Norway, but media reports do indicate that patients of Muslim background may at times face individual medical doctors and medical personell providing inadequate medical care with potentially fatal consequences due to their Muslim background.**
- b) Counter-terrorism measures, preventing violent extremism legislations, de-radicalisation programmes, migration and integration policies, anti-foreigners or citizenship laws that evidently discriminate against Muslims based on religious or racial profiling and have negative impacts on them, for example, leading to arbitrary arrests, detention or sentencing.

A persistent paradox in a Norway that has so far not experienced any terrorist attacks known to have been perpetrated by individuals of Muslim background on Norwegian territory, but have suffered two large-scale terrorist attacks perpetrated by Norwegian right-wing extremists in the past ten years (2011 and 2019), is that the Annual Open Threat Assessment of Norwegian Police Security Services (PST) has with the exception of 2020 every year since 2010 deemed terrorist attacks perpetrated by 'radical Islamists' to constitute the pre-eminent terrorist threat against Norway. Though the processes which go into the making of these assessments are not a matter of public record, there is every reason to think that they have been and remain lop-sided and biased towards Muslims (Bangstad 2020).

3. Social attitude, hate speech, attacks and violence against Muslims

Please provide *descriptions, reports or data of*

- Hate speech, whether online or offline, by political or religious leaders and other individuals against Muslims;
- **A central node for the dissemination and mainstreaming of Islamophobia and anti-Muslim hatred in Norway has long been the state-funded civil society organization Human Right Service (HRS) in Oslo (Bangstad and Helland 2019). Led by Mrs Hege Storhaug and her partner Mrs Rita Karlsen, HRS has courtesy of the organization's long-standing close allies in the populist right-wing Progress Party since 2001 featured on the Norwegian state budget. HRS operates the website rights.no which pumps out a daily dose of anti-Muslim hatred and Islamophobia to a daily readership which sometimes number in the hundreds of thousands. The Norwegian government funds this propagation of hate speech to the tune of Norwegian kroner (NOK) 1.8**

million a year, a funding which comes directly from the Ministry of Justice in Norway. The HRS has through rights.no openly purveyed far-right and racist 'Eurabia' conspiracy theories about Muslims in Norway; called for internment and deportation of Muslims from Norway and Europe after terrorist attacks perpetrated by Salafi-jihadists in Europe; and called for state prohibition of mosque construction in Norway and for the banning of sections of the Qur'an. In response to a Norwegian Supreme Court verdict in January 2020 in which an elderly Norwegian woman from Bergen with a membership in the local Progress Party branch was convicted for hate speech for a Facebook post in which she declared a named twenty-two year Norwegian-Somali author and public intellectual to be a «corrupt cockroach», rights.no published an illustration in which the hate speech victim was depicted alongside a flour beetle. The Norwegian state and government funding of the racist propaganda of the HRS stands in a clear and unequivocal contravention of Norway's statutory commitments under ICERD (1967) Article 4 (a) and ICCPR Article 20 (2), and ought to be condemned by relevant UN bodies on those very grounds.

- Among other nodes for the dissemination of Islamophobia and anti-Muslim hatred in Norway, we find SIAN or Stop The Islamisation of Norway (Bangstad 2016). In a televised debating programme broadcast by the Norwegian state broadcaster NRK on Sept 3 2020 SIAN chair Mr Lars Thorsen called for the deportation of a number of named and high-profile Norwegian citizens of Muslim background from Norway. The Norwegian citizens named in this manner were all Muslims born and raised in Norway, and with no known criminal record. This in effect amounts to an open and televised call for ethnic cleansing of specific Muslims, and was disturbingly enough not commented on by neither the Norwegian Minister of Justice, nor the Chief of the Norwegian Directorate of Police (POD) or a Special Advisor to the National Human Rights Institute (NIM) in Norway who were all present when these hateful statements were made.
- Norway also has a number of far-right and racist 'alternative media outlets' which regularly target Norwegian Muslims through hate propaganda. These include Document.no and the Norwegian corporate millionaire-funded Resett.no. These are both outlets by and large sympathetic towards the populist right-wing Progress Party in Norway.
- Disinformation and harmful stereotyping of Muslim communities by State media or private/social media outlets, including in the context of COVID-19 pandemic;
- In the context of the COVID-19 pandemic, far-right and so-called 'alternative media outlets' in Norway, including online media outlets such as rights.no, resett.no and document.no have repeatedly sought to stereotype immigrant communities and/or racialized minorities in Norway as carriers of COVID-19. The fact that the Norwegian-Somali and the Norwegian-Pakistani communities have seen higher rates of COVID-19 infections and deaths also due to the effect that they are more likely to be working in trades where workers are much more liable to infection (i.e. as taxi drivers, health care workers, in public transport or as cleaners) has hardly registered in these circles.
- Social isolation or distance from Muslim communities; **No information available.**
- State-sponsored violence against Muslims, for example, genocide, mass killings, mass internment, reproductive control, forced displacement, etc.; **Not applicable**
- Sectarian hatred or violence by State or non-State actors, including in situations of armed conflict or political instability; **Not applicable.**

- Acts of violence or incitement to violence by individuals or political, vigilante, or paramilitary groups that target Muslims due to real or perceived religious identity; **Not applicable.**
- Attacks on places of worship, sites of Islamic cultural heritage, madrassas, and desecration of cemeteries and Quran or holy books as well as killings and blasphemy charges against converts, dissenters, or followers of different Muslim sects;
- **In a national tour which involved public demonstrations in high-profile public venues, the chairperson of the far-right and racist organization SIAN or Stop The Islamisation of Norway, Mr Lars Thorsen, publicly desecrated the Qur'an by means of burning pages from the Qur'an in the town square of Kristiansand in Southern Norway on Nov 16 2019. In a similar SIAN demonstration held outside the Houses of Parliament in Oslo on Aug 28 2020, SIAN vice-chair Mrs Anna 'Fanny' Bråten, publicly tore out and spat on pages of the Qur'an. Under Norwegian laws, acts of public desecration of the Qur'an (which *ipso facto* constitute blasphemy) can not be penalised. However, in a number of cases, including after the Qur'an-burning in Kristiansand on Nov 16 2019, criminal complaints relating to hate speech under Norwegian General Penal Code § 185 On Hate Speech made against Mr Thorsen and SIAN by Muslim religious organizations and the Norwegian Centre Against Racism (ARS) have been met with chief police prosecutor's refusal to bring charges, in spite of the obvious similarities between the hate speech for which Thorsen has already been convicted by Oslo Magistrate's Court in a verdict from Nov 6 2019, and the anti-Muslim hate speech which preceded his Qur'an-burning in Kristiansand on Nov 16 2019.**
- Abduction, forced marriage or conversion of Muslims. **No information available.**

Please *describe*

- Public reactions towards violent attacks against Muslims, including unrecognised and minority Muslims, and their homes, businesses, madrassas, and places of worship;
- Public reactions towards Muslim communities, including unrecognised and minority Muslims, when a terrorist attack took place in the country.
- **The right-wing terrorist attack against the al-Noor Mosque in Bærum outside of Oslo on Aug 10 2019 was thwarted by two elderly Norwegian-Pakistani members of the mosque congregation. The attack was widely condemned in Norway, and provided the impetus for Norwegian government's acceptance of the need for a state action plan against anti-Muslim hatred, which was presented in 2020.**

4. Multiple discrimination and hatred suffered by Muslims in vulnerable situations

Often Muslims in vulnerable situations encounter multiple human rights challenges in addition to the discrimination based on their actual or perceived religious identities, please provide any *data or reports* in particular relating to

- Muslim refugees, migrants and stateless persons;
- **See section above regarding the situation for Afghan minors that are asylum seekers in Norway.**
- Muslim children;
- **Negative prejudices against Muslims in Norway are likely to have a significant impact on the health, well-being and future prospects of Muslim children in particular: media reports do suggest that many Muslim children feel that they are the object of hatred and vilification as a result of their faith background.**
- Muslim girls, women, and LGBT+ persons;

- **It is well-documented in hate crimes statistics for Norway that 'visibly Muslim' females are more likely to be targeted in and by anti-Muslim hate crimes than their male counterparts.**
- Muslim persons with disabilities; No information available.
- Members of recognised and unrecognised minority Muslim sects, Muslims perceived to be secular or Muslims who converted into other religions or become atheists.
- **A limited number of hate crimes registered in Norway feature victims that are of Ahmadiyya background, and where the perpetrator may in fact be of Sunni Muslim background.**

5. Good practice in identifying and tackling anti-Muslim hatred, undertaken by civil society and international organisations:

Please *elaborate and provide examples of*

- Promotion of interfaith dialogue, peace or youth projects and other initiatives that combat religious intolerance, especially anti-Muslim hatred;
- Promotion of social inclusion by encouraging the participation of Muslims in cultural, religious, social and public or political life;
- Examples of the use of educational curriculum and institutions of learning to combat anti-Muslim hatred, negative stereotyping and stigmatisation.
- Advocacy for equal rights and access to housing, food, healthcare and education, security and protection, etc. by Muslims, especially those in vulnerable situations;
- Effective monitoring, reporting and analysis of anti-Muslim hatred and discrimination, including hate speech, attacks and violence against Muslims;
- Successful public, media or social campaigns in combating anti-Muslim hatred, discrimination, stigmatisation and negative religious stereotyping;
- Examples of positive narratives, solidarity messages and speaking out against anti-Muslim hatred, even in the aftermath of a terrorist attack;
- Successful examples of overcoming sectarian hatred and violence through inter and intra-religious dialogues;
- Successful programmes in providing legal, psychosocial and economic support victims of anti-Muslim hatred, discrimination and violence;
- Effective protection of women and girls as well as LGBT+ persons from anti-Muslim hatred;
- Awareness-raising, training and strict enforcement of ethical guidelines to all public and private sectors employees in relation non-discrimination principles based on religion or belief;
- Adoption and use of codes of conduct by political parties and sport associations that combat anti-Muslim hatred.

Author

This report has been compiled by Sindre Bangstad, Research Professor at KIFO (Institute For Church, Religion And Worldview Research) and a Core Research Group Member in the INTERSECT: Global and Intersecting Flows of Islamophobia Project funded by the Norwegian Research Council (NRC). Bangstad may be contacted at sindre.bangstad@kifo.no

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