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## **A new case at the European Court of Human Rights in Strasbourg**

By Joel Thornton

IHRG (22.07.2009) / HRWF (23.07.2009) - Website: <http://www.hrwf.org> - Email: [info@hrwf.net](mailto:info@hrwf.net) - With the help of Håkon Juell Hassel, a Norwegian attorney working with the law firm Elden DA in Oslo, on Monday 20 July 2009 the application was filed at the European Court of Human Rights in Strasbourg, France.

This is an important case as it involves the rights of freedom of expression and freedom of religion of American evangelist, Larry Keffer, in Europe.

Here is what happened: Twice in less than a year police officers in Oslo arrested evangelists for sharing their Christian faith in public. Petar Keseljevic, also an IHRG client, and Larry Keffer were in public areas in Oslo on May 17, 2008 sharing their faith calmly and quietly during the Norwegian Independence Day Celebration. Part of the celebration was a parade.

Initially, police officers told Larry and Petar that they could share their faith anywhere in Oslo except in front of the Royal Palace. Deciding to work with the police so they could get their message out, the two evangelists moved to a location along the parade route away from the palace and continued to share their faith in conversations with those who passed by them.

It did not take long for the police to come to this location and demand that Larry and Petar leave. When Larry and Petar insisted that they did not understand what law they were breaking the officers arrested the two of them. They were taken to the police station, processed, and released.

Their hearing was scheduled for 1 July 2008. Our team traveled to Oslo so that I could participate in the trial. The court provided an interpreter to relay everything that happened in the court room to me.

I was permitted to represent Larry's interest during the trial. I read Larry's fact statement into the record. Then I cross examined police officers. Then I presented a closing argument based on the international law that protected the rights of Larry and Petar.

The prosecuting attorney told me after the trial that she believed this was the first time in Norway's history that an American attorney had participated in a criminal trial. That seems a bit much to me; however, it was certainly an honor to be able to represent such an important case before the court in Oslo.

Håkon and I were not surprised when the trial court found both Larry and Petar guilty. In Norway freedom of speech means that you are free to speak some times. Much like what we seem to be headed toward here in the States.

For strategic reasons we decided to appeal only Larry's case. Petar already has a case on the same basic facts before the European Court on application. We filed an appeal at the court of appeals and then at the Supreme Court of Norway. Again, we were not surprised when those appeals were refused.

That left us with only one recourse for Larry-the European Court of Human Rights in Strasbourg, France. We currently have four other cases there on application. That was why we filed our application yesterday.

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## **Islam a political target in Norway**

By Thomas Buch-Andersen

BBC (20.04.2009) / HRWF (23.04.2009) - Website: <http://www.hrwf.org> - Email: [info@hrwf.net](mailto:info@hrwf.net) - With less than six months to go until Norway's general election, increasing tensions over immigration and Islam appear likely to play a significant role in the vote.

The leader of the country's main opposition party has warned that it is facing "sneak-Islamisation", while some prominent Muslims say they face growing "persecution".

The heated debate is a sign that Norway, renowned as one of the most peaceful and tolerant nations in the world, is facing the same issues with its Muslim minority as are now familiar in other parts of Europe.

Siv Jensen, the 39-year-old leader of the opposition Progress Party, has objected to moves to introduce special measures in order to accommodate Muslims' religious sensitivities, traditions and rules.

"The reality is that a kind of sneak-Islamisation of this society is being allowed," she recently told a Progress Party conference. "We are going to have to stop this."

Opinion polls suggest the party could win as much as 30% of the vote in the election for the national parliament, the Storting, in September.

"If the Progress Party gets to govern Norway, we will enforce Norwegian law and Norwegian rules. We are not going to allow special demands from any single group in society," Ms Jensen added.

### **'Islamophobia'**

Khalid Mahmood, a Pakistani-born member of the governing Labour Party believes Muslims are being persecuted, and Islam confronted with hatred.

"Muslims are the Jews of our times, stigmatised, generalised and presented as a threat to society" he says.

"It is not any longer immigrants who are targeted, but simply Muslims", he adds.

"We are portrayed as uncivilised people living double lives - orderly and behaved when in public, but at home fundamentalists suppressing and physically abusing women."

Last month, the European Commission against Racism and Intolerance (ECRI), the racism watchdog of the Council of Europe, published a report warning that Islamophobia was on the rise in Norway.

Specifically, the commission highlighted the increasingly aggressive rhetoric of the Progress Party.

With an estimated 150,000 of Norway's almost five million population being Muslims, Islam is the second-biggest religion in the country.

But while Norway was ranked the most peaceful country in the world by the World Peace Index in 2007, it is struggling to integrate its religious minorities.

In some places, Islamic traditions clash with the largely non-religious Scandinavian way of life.

### **Culture clash**

Earlier this year, the Labour Party's governing coalition suggested it would allow police officers to wear headscarves with their uniform, in the hope that it would attract more Muslim women to the police force.

But after widespread criticism of the proposal, the government dropped the idea.

On International Women's Day in March, Syrian-born Sara Azmeh Rasmussen protested against headscarves by burning hers in public in the capital, Oslo.

Ms Jensen's Progress Party has produced a list of special measures it says Muslims have requested to accommodate their religious sensitivities and traditions.

On top of changes to the police uniform, the list mentions prison inmates wanting Halal food, and parents of teenage girls demanding that schools separate their daughters from boys during sports lessons.

Most of her supporters say it is her hardline stand against Islamic values and rules that make her their favourite candidate.

Some polls suggest that Ms Jensen's party could win the election, and that she could become the country's next prime minister - though to do so she would have to secure the support of other parties like the Conservatives, the Liberals and Christian Democrats.

### **'Empty rhetoric'**

The significant success of the Progress Party has forced the governing Labour Party to react.

Earlier this year, the government tightened asylum rules despite earlier pledges not to do so.

And last month, senior members of the Labour Party called for a fight against radical Islam in Norway.

However, the former prime minister and Labour Party leader, Thorbjørn Jagland, called it an unnecessary fight that would only lead to confrontation.

While he argued that it was empty rhetoric, saying there was no radical Islam in Norway, the Norwegian Police Security Service (PST) insists radical Islam does represent a threat.

"In Norway, extreme Islamist activity is carried out by small groups. However, the international connections the persons in these groups represent, in addition to activities they carry out, are such in nature that they can also influence that national threat picture," it said in a recent report.

While the debate is getting more heated, not all Muslims agree with Mr Mahmood.

"Three to four articles critical of religion and the burning of a headscarf is not persecution of Muslims; it is a process of modernising," says Shakil Rehman, another Labour Party member.

"Criticism isn't a smear campaign, but necessary progress."

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## **Hijab debate lifts veil on limits of Norway's tolerance**

By Valeria Criscione

The Christian Science Monitor (20.03.2009) / HRWF (27.03.2009) - Website: <http://www.hrwf.org> - Email: [info@hrwf.net](mailto:info@hrwf.net) - Norway's biggest headache right now is not the financial crisis. Rather, the predominantly Christian nation is plagued by a religious dilemma over the right of a Muslim woman to wear a hijab as part of her police uniform.

As the controversy has escalated, the country has seen the physical collapse of the justice minister, the public burning of a hijab, and a substantial rise in the popularity of Norway's anti-immigrant opposition party just six months before general elections.

This is odd for a country known for religious tolerance, generous international development aid, and peace efforts worldwide. But the controversy highlights the latent fears of a nonpluralistic society, where 91 percent belong to the Evangelical-Lutheran Church of Norway.

The dilemma began last fall when a Norwegian Muslim woman petitioned for permission to wear her hijab, the traditional head covering for Muslim women, as part of her police uniform. Norway's justice ministry originally decided in February to allow it, but revoked the permission a few weeks later after loud criticism from the police union, which argued it breached the neutrality of the uniform.

"A change of uniform regulations, with an allowance for covering hair, has never been a goal in itself. It has always been thought of as a possible means to increase the recruitment of police from minority groups in society," said Justice Minister Knut Storberget, in defense of his decision to revoke the initial permission.

Amid the heightened media attention and political backlash from his flip-flopping, the minister collapsed and subsequently announced a two-week sick leave, which was then extended.

The hijab debacle comes on the back of the minister's other religious-related political defeat over a now-defunct blasphemy law. Mr. Storberget initially tried to replace the law with a new paragraph that would have protected individuals from defamatory religious statements. But after much political opposition, the law was repealed and no paragraph introduced.

This has provided political fodder for the opposition Progress Party, which has stoked fears among Norwegians over "sneak Islamization." Progress Party leader Siv Jensen spoke out strongly at the party's national meeting last month against granting special permission for special groups. She pointed specifically to the case of a largely Muslim neighborhood in Malmö, which she claimed had been partly overrun by Islamic law.

A March poll by Norstat for Norway's national broadcasting station NRK showed that Progress Party soared 8.5 percentage points to 30.1 percent in the polls from a month earlier. Three government coalition partners, Labor, Socialist Left, and Center Party, all lost ground.

The center-left coalition holds 87 out of 169 parliamentary seats, while the Progress party holds 38 seats, the second largest after Labor. A continuing shift to the right could pose a threat to reelection chances in September for Jens Stoltenberg, Norway's Labor prime minister.

"If they continue to spin these irrational fears, I'm afraid it could lead to a lot of commotion," said Thorbjørn Jagland, Norway's parliamentary leader and former Labor prime minister, during a highly-attended religious debate in Oslo this week.

Some 500 people lined up around the block to hear Mr. Jagland, religious professor Torkel Brekke, the bishop of the Church of Norway, and leader of Norway's Muslim Student Society discuss why religion is suddenly a hot topic.

The panelists discussed the recent media focus surrounding the hijab debate and blasphemy paragraph, the provocation caused by the burning of a hijab on International Women's Day on March 8 by a Norwegian Muslim woman in protest of the garment, and fears among "religious nationalists" and "secular intellectuals" toward Norway's Muslim minority.

"We could very well live with the mosques because they stayed in them. But when this began to affect our cultural values, then it became a conflict, and then it became politicized," Jagland told the crowd. "But Islam is not a threat to Norway."

"I don't see Norway as a tolerant society at all, partly based on these debates and how they react to people coming to Norway," said Professor Brekke, from the University of Oslo. "It's tolerant in that you can practice any religion, but you have large sections of Norwegian society that react strongly to alien cultures."

Immigrants make up 9.7 percent of Norway's 4.8 million inhabitants. Norway has granted permission to about one-fourth of the 328,000 immigrants who arrived from non-Nordic countries between 1990 and 2007 to stay as refugees. The largest immigrant population is Polish, who are traditionally Catholic, followed by Pakistani. Islam accounts for 20 percent of the 9 percent of the population belonging to religious communities outside the Church of Norway.

Sweden has a more liberal policy in accepting refugees than Norway and allows hijabs in its police uniform, as does Britain. France has banned the use of hijabs and other ostensible religious items in its state schools since 2004.

The religious debate has overshadowed the economic one in Norway, which has been relatively shielded from the financial crisis thanks to its vast petroleum resources as the world's third largest gas exporter.

Norway has a large budget surplus to help fund its financial stimulus packages and relatively mild unemployment – 3 percent, compared to 8.1 percent in the US. Moreover, it has invested its oil revenues in a \$329 billion Government Pension Fund.

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