

Submission to the Special Rapporteur on freedom of religion or belief in response to her Call for Input for her Report to the General Assembly in October 2023

Freedom of Religion and Non-Discrimination in Sweden

2 June 2023

Submission by:

Swedish Evangelical Alliance (SEA). SEA is a part of the World Evangelical Alliance and European Evangelical Alliance. It was originally founded in 1853, and re-started in 2001 as a continuation of the Swedish Lausanne Committee. At present, SEA functions mainly as a think tank, writing articles and producing materials in areas such as Evangelical Identity, Human Dignity, Freedom of Religion, Speech and Consciousness, Christian Faith and Other Worldviews, and Marriage and Family.

European Evangelical Alliance (EEA). The EEA is an alliance of more than 50 European grassroots national and transnational evangelical movements from all Protestant traditions present in 35 European countries. The EEA serves as a platform for common action and a voice for Europe's 15+ million Evangelicals.

World Evangelical Alliance (WEA). WEA is a network of churches in over 140 nations that have each formed an evangelical alliance and over 100 international organisations joining together to give a worldwide identity, voice, and platform to more than 600 million evangelical Christians worldwide.

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We would like to bring to the attention of the UN Special Rapporteur on Freedom of Religion or Belief the following recent developments in Sweden related to freedom of religion and non-discrimination principles. The following case is part of a larger pattern where state authorities, counties, municipalities and individual politicians deny churches and other religious bodies grants based either on Christian teaching or on a policy that public funds should not support religious work even when they simply contribute to public good such as camps, relief effort, etc. The former Swedish government was also in the process of introducing stricter democratic criteria for religious organizations that receive state funding. Among these criteria was stipulated that any misconduct by any representative of a church, (a youth pastor, volunteer leader, or Sunday school teacher) was enough to jeopardize an entire denomination's state funding.

The sermon of Furuhöjdskyrkan church pastor Lukas Ternborg on January 29, 2023

Furuhöjdskyrkan, Alunda, Sweden, is a Christian congregation with about 350 members. The church runs a children's and a youth association with about 200 members and the preschool Smulan with about 30 children. The church also runs a second-hand shop.

On January 29, 2023, Furuhöjdskyrkan church pastor Lukas Ternborg preached a five-part sermon on the Holy Spirit. The sermon was livestreamed on YouTube and is accessible via the following link (unlisted): <https://www.youtube.com/watch?v=quUhtTGtXdM>

Part five of the sermon, which begins around the one hour and two minutes into the video, was titled "The Holy Spirit wants to lead you into the truth." It was a reflection on gender, marriage, and sexuality as a commentary on John 16:13.ⁱ Pastor Ternborg says (translation from Swedish):

"It is no secret that we live in a time when truth is being distorted and common sense no longer applies. We need the guidance of the Holy Spirit to understand how to relate to this world and the times we live in as Christians. People are being deceived in our world. I say this to you, I say it to the students because you will hear something completely different in school. I say it to you parents, to you young people. I say it to everyone. There are so many lies in our world. We need the spirit of God and the word of God to stand firm in the truth. There are lies about gender. But the Bible is clear that we are created male and female in the image of God. There are lies about marriage. According to the Bible, marriage is between a man and a woman. There are lies about sexuality. The worst thing is not these lies, the worst thing is when these lies become the norm then we as Christians are either the ones who condemn or we are condemned."

"Therefore we need the Holy Spirit to bring us into the whole truth. There is a lack of common sense or of the Holy Spirit, or of both. It is difficult to navigate through these times we live in but we thank God for the Holy Spirit who leads us into the whole truth. Jesus prays for us: Sanctify those in the truth, your word is truth."

Östhammar municipality reprisal

In a meeting on May 10, 2023, the Culture and Leisure Committee of Östhammar municipality decided to deny a grant to the association Furuhöjdskyrkans Ungdomsförening. The grant purpose was for youth camps and scout activities.

Grant approval or rejection falls usually with the municipality staff. However, in response to the pastor Lukas Ternborg's sermon and the media coverage of his sermon, the matter was elevated to the political level of the Culture and Leisure Committee of Östhammar municipality.

Furuhöjdskyrkans Ungdomsförening is an association closely affiliated with the Furuhöjdskyrkans church in Alunda. Article 2 of its statutes state that the association shares a Christian confession with all Christians.

The association has previously been granted local activity support and a new application was submitted for 2023.

The justification in the decision for the refusal of the grant was that "the committee considers that Furuhöjdskyrkan does not follow Östhammar municipality's grant standards for receiving local activity support." The decision adds: "Furuhöjdskyrkans Ungdomsförening has submitted an application for local activity support. It has come to the attention of Östhammar municipality that Furuhöjdskyrkan is openly spreading opinions that do not comply with the norms established for obtaining local activity support."

The decision quotes Östhammar municipality's grant standards for local activity support, eligible activities: "LOK support is provided for children's and youth activities that the association conducts and is responsible for. A children's rights perspective, good ethics, increased participation, voluntary commitment, gender equality and integration must be taken into account."

In an interview with the media,ⁱⁱ Jan Holmberg, chairman of the Culture and Leisure Committee said, "We have looked at the association's own statutes and see no problems there. But after this sermon (of January 29, 2023), we believe that they do not follow our grant standards in practice."

Östhammar municipality violates the right to freedom of religion or belief

Furuhöjdskyrkan church and its pastor Lukas Ternborg were not accused of carrying hate speech or advocating discrimination against vulnerable or minority groups. Indeed, the January 29 sermon falls well within Evangelical orthodox theology as well as the historic Christian tradition.

Absent any allegation of hate speech or for calls to discrimination, Östhammar municipality's denial of the grant for the explicit reason of "opinions that do not comply with the norms established for obtaining local activity support" constitutes a State sanction for the internal doctrine and teaching of religious communities. Sanctioning an association that is affiliated with a church due to opposition between Christian doctrine and State ideology is a violation of the right to freedom of religion or belief.

It is quite reasonable for the state to condition access to its funds on furtherance of state policy.ⁱⁱⁱ And religious communities have the right to decide upon and administer their own internal religious affairs and their doctrine without interference by the institutions of government.

However, in the current situation, a municipality sanctioning an association that is affiliated with a church explicitly because of traditionally held Christian beliefs undermines the right to

freedom of religion or belief. The public opposition to the teachings of the church and the sanction of an association in good standing, but affiliated with the church, inevitably has a chilling effect on religious communities.

Östhammar municipality discriminates on the basis of religion

The municipality's action against Furuhöjdskyrkan church and its association comes at a time when public debate in Sweden are focused on cultural freedom.

After October 2022 when Sweden got a right-wing government, the debate on politicians' meddling in matters of culture and artistic freedom has become increasingly lively.^{iv} Märta Stenevi, Green party leader and former Minister for Gender Equality, spoke of the sacrosanct principle of the sanitary cordon between culture and politics in Sweden.

In 1999, in the case of *Waldman v. Canada*, the Human Rights Committee held that the State is required to provide reasonable and objective criteria for public funding, to avoid discrimination. The Committee said, "if a State party chooses to provide public funding to religious schools, it should make this funding available without discrimination. This means that providing funding for the schools of one religious group and not for another must be based on reasonable and objective criteria. In the instant case, the Committee concludes that the material before it does not show that the differential treatment between the Roman Catholic faith and the author's religious denomination is based on such criteria. Consequently, there has been a violation of the author's rights under article 26 of the Covenant to equal and effective protection against discrimination."^v

In 2018, the UN Special Rapporteur on the right to freedom of religion or belief wrote in this report to the Human Rights Council that "States are also obliged to ensure that individuals belonging to minorities are able to practise their religions or beliefs or receive public support in the same manner as adherents to a State religion. Other positive duties include satisfying all obligations stipulated by article 27 of the Covenant and by the Declaration on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities, which require States to "take measures to create favourable conditions" that enable persons belonging to religious, ethnic and linguistic minority communities, to "express their characteristics". Furthermore, the Beirut Declaration and its 18 commitments on "Faith for Rights" 12 explicitly refer to preventing the use of the notion of "State religion" or "doctrinal secularism" to discriminate against individuals or groups, and to "reducing the space for religious or belief pluralism in practice".^{vi}

Based on the 1999 decision of the Human Rights Committee, and in view of the 2018 report of the UN Special Rapporteur on the right to freedom of religion or belief, and in light of the national debate in Sweden around public funding of cultural events, we believe that the lack of reasonable and objective criteria for the municipality's grant denial to the association constitutes a discriminatory measure and is a violation to the right of equality before the law.

Considering that the association's project for which the funding was requested is unrelated to the issue of marriage and human sexuality further reinforces the perception of arbitrariness and discrimination against the church and the association.

Furthermore, the public statements of politicians unjustly criticizing the January 29 sermon and citing the sermon as the cause for action against the association have contributed unfavorable conditions for Christian minorities.. And since this case is part of a recurring

pattern as stated in the beginning of this report it threatens the space for religious pluralism in Sweden.

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- i John 16:13 “But when He, the Spirit of truth, comes, He will guide you into all the truth; for He will not speak on His own initiative, but whatever He hears, He will speak; and He will disclose to you what is to come.”
 - ii Municipality stops grant to free church after his sermon, May 15, 2023, <https://www.dagen.se/nyheter/2023/05/15/kommunen-nekar-bidrag-till-furuhojds kyrkan/>
 - iii Religion and the Secular State, 2014, General Rapporteurs, Javier Martínez-Torrón, W. Cole Durham, <https://classic.iclrs.org/content/blurb/files/General%20Report.pdf>
 - iv Conservative or nationalistic politicians have criticized drag show story hour-events in public libraries, where tax-money is used to invite drag show artists to read fairytales to children. Progressive politicians have argued that politicians should not intervene in cultural matters.
 - v Human Rights Committee, Waldman v. Canada, Communication No 694/1996, 3 November 1999, CCPR/C/67/D/694/1996, para. 10.6, https://adsdatabase.ohchr.org/IssueLibrary/HRC_Communication_694_1996_Waldman%20v.%20Canada.pdf?ID=1831
 - vi Report of the Special Rapporteur on Freedom of Religion and Belief to the Human Rights Council, 2018, A/HRC/37/49, para. 29, https://digitallibrary.un.org/record/1629601/files/A_HRC_37_49-EN.pdf?ln=en