



NORGES HØYESTERETT

JUDGMENT

Rendered on April 29, 2026, by the Supreme Court in a panel

with Justice Aage Thor Falkanger
Justice Wenche Elizabeth Arntzen
Justice Thom Arne Hellerslia Justice
Thomas Chr. Poulsen Justice Therese
Steen

HR-2026-1009-A, (Case No. 25-089326SIV-HRET)

Appeal of the judgment of the Borgarting Court of Appeal of
March 14, 2025

The State, represented by the Ministry of Children and Families (The Government Attorney
represented by Attorney Liv Inger Gjone
Gabrielsen – for review)

v.

Jehovah's Witnesses

(Attorney Anders Christian Stray Ryssdal)

The European Association of Jehovah's
Witnesses (amicus curiae)

V O T I N G

(1) Judge Steen:

The issues and background of the case

- (2) The case concerns the validity of the decision to deny state subsidies to and the registration of the religious community of Jehovah's Witnesses.
- (3) Section 6 of the Religious Communities Act provides the legal basis for wholly or partially denying subsidies to a religious community that violates the rights of others. If the conditions in Section 6 are met, the religious community may also be denied registration under Section 4 of the Act.
- (4) Jehovah's Witnesses practice a doctrine of social shunning of former members, both those who have been disfellowshipped and those who have resigned. The first question is whether the shunning of disfellowshipped members, including the disfellowshipping process itself, violates children's rights. The second question is whether the practice of shunning resigned members violates members' right to freely resign. If the conditions under the Religious Communities Act for denying registration and withholding financial support are met, a third question arises: whether the decisions constitute a violation of Jehovah's Witnesses' rights as a religious community under Article 9 of the European Convention on Human Rights (ECHR) on freedom of religion, cf. Article 11 on freedom of association, or constitute unlawful discrimination under Article 14, cf. Article 9.
- (5) On February 26, 2021, Jehovah's Witnesses submitted a claim for state subsidies for 2021 for 12,727 members.
- (6) Shortly thereafter, the Ministry of Children and Families received a letter from a former member regarding the Jehovah's Witnesses' practice of disowning and expelling former members. The Ministry forwarded the letter to the State Administrator in Oslo and Viken and requested an assessment of the information, particularly regarding the treatment of minors. The State Administrator sought statements from Jehovah's Witnesses.
- (7) On January 27, 2022, the State Administrator in Oslo and Viken decided to deny Jehovah's Witnesses state subsidies. The State Administrator found that Jehovah's Witnesses' practice of not having contact with former members violates members' freedom of religion by preventing them from leaving the organization. Furthermore, the State Administrator found that the exclusion and expulsion of baptized minors constitutes negative social control. This practice thus violates children's rights. On this basis, the State Administrator determined that the subsidy should be denied in its entirety, cf. the Religious Communities Act § 6, cf. the Religious Communities Regulation § 11.
- (8) Jehovah's Witnesses appealed the decision. The Ministry of Children and Families upheld the denial of the grant in its decision of September 30, 2022. The Ministry found that Jehovah's Witnesses' practice of excommunication toward baptized children and the corresponding consequences for baptized children who leave the religious community constitute psychological violence and negative social control that violate children's rights, cf. the Religious Communities Act § 6. In the Ministry's view, it was not necessary to determine whether the practice also prevents members from leaving the Jehovah's Witnesses in violation of Section 2 of the Act. The Ministry further held that a refusal to

that the state subsidy does not constitute discrimination against the religious community, cf. Article 14 of the ECHR, and that any differential treatment is in any case based on objective, reasonable, and legitimate grounds.

- (9) On December 22, 2022, the State Administrator decided to revoke the registration of Jehovah's Witnesses as a religious community, cf. the Religious Communities Act § 4, third paragraph, cf. § 6, cf. the Religious Communities Regulation § 6, first paragraph. At the same time, Jehovah's Witnesses had their application for re-registration as a religious community rejected, cf. the Religious Communities Act § 4, third paragraph, cf. the Religious Communities Regulations § 4, fourth paragraph. The decisions, like the State Administrator's decision of January 27, 2022, are based on the grounds that the religious community violates its members' right to freely withdraw from the community, and that the expulsion of baptized minors and the exclusion of so-called unbaptized preachers who violate norms are to be regarded as negative social control and thus violate children's rights.
- (10) Subsequently, the request for subsidies for 2022 was denied by the State Administrator on November 7, 2023, because Jehovah's Witnesses had not provided new information indicating that the religious community planned to rectify or had rectified the criticized conditions.
- (11) Requests for state subsidies for 2023, 2024, and 2025 were denied by the State Administrator on the grounds that Jehovah's Witnesses are not a registered religious community.
- (12) Among the 724 local, regional, and national religious and belief communities that were registered in 2021 after the new Religious Communities Act came into force, it is reported that only Jehovah's Witnesses have been deregistered, denied re-registration, and denied state subsidies.
- (13) On December 21, 2022, and February 10, 2023, Jehovah's Witnesses filed lawsuits challenging the validity of the decisions to deny state subsidies and registration, respectively. The cases were consolidated for joint consideration in the Oslo District Court. New decisions rejecting claims for state subsidies have been incorporated into the case as they were issued.
- (14) On March 4, 2024, the Oslo District Court issued a judgment in which the state was acquitted and awarded legal costs. The District Court found that the Jehovah's Witnesses' practice of social shunning violates children's rights, particularly the right to freely leave the organization and the right to be protected from the effects of the shunning practice. The District Court did not rule on whether adult members' right to freely leave the organization is violated.
- (15) Jehovah's Witnesses appealed to the Borgarting Court of Appeal, which on March 14, 2025, issued a judgment with the following conclusion:
 - “1. The decision by the State, represented by the Ministry of Children and Families, dated September 30, 2022, to deny state subsidies for 2021 is invalid.
 2. The decision of the State Administrator of Oslo and Viken dated November 7, 2023, denying state subsidies for 2022 is invalid.
 3. The decision of the State Administrator of Oslo and Viken dated November 7, 2023, rejecting the claim for state subsidies for 2023 is invalid.
 4. The decision of the State Administrator of Oslo and Viken dated June 18, 2024, regarding the rejection of the claim for state subsidies for 2024 is invalid.
 5. The decision of the State Administrator of Oslo and Viken dated December 22, 2022, regarding the loss of registration is invalid.

6. The State, represented by the Ministry of Children and Families, is ordered to pay the legal costs of the Jehovah's Witnesses for the District Court and the Court of Appeal in the amount of 8,500,000 – eight million five hundred thousand – kroner.”

- (16) The Court of Appeal held that the Jehovah's Witnesses' practice toward individuals who leave the organization does not violate the right to freely withdraw. In cases of doubt, the court also concluded that the practice of “social distancing” does not constitute psychological abuse or negative social control of minors.
- (17) The State has appealed the Court of Appeal's application of the law and assessment of evidence.
- (18) During the preparation of the case for the Supreme Court, the decision denying state subsidies for 2025 has been withdrawn, so that the case now concerns the validity of a total of six decisions, five of which concern the denial of state subsidies and one concerns deregistration and the denial of re-registration as a religious community.
- (19) The European Association of Jehovah's Witnesses has acted as an intervenor on behalf of Jehovah's Witnesses, cf. Section 15-7(1)(b) of the Dispute Act. Before the Supreme Court, the State has withdrawn its argument that the treatment of minor, unbaptized preachers who violate the rules also infringes on children's rights. Otherwise, the case remains in the same position as before the Court of Appeal.

The parties' views on the case

- (20) The appellant—the State, represented by the Ministry of Children and Families—has essentially argued:
- (21) The Court of Appeal correctly held that, in assessing the evidence, great weight must be given to how the Jehovah's Witnesses' own texts describe the religious community's practices, cf. the alternative “encourages or supports” in Section 6 of the Religious Communities Act. There is no doubt that the social ostracism referred to here is followed by the members.
- (22) The practices described in the texts violate members' right to freely leave the organization. Jehovah's Witnesses' use of family and social networks as a means of pressure creates significant obstacles to an individual's actual ability to leave the religious community. This provides grounds for denying state subsidies and registration under Sections 6 and 4 of the Religious Communities Act.
- (23) The Court of Appeal has established overly strict conditions for the members' right to withdraw to be considered violated. Furthermore, Jehovah's Witnesses' practice of shunning subjects children to psychological abuse and negative social control. This applies to both the shunning process itself and the consequences of shunning. This practice violates children's rights and provides an independent basis for denying state subsidies.
- (24) The decisions do not constitute an interference with the religious community's freedom of religion under Article 9 of the ECHR. In any case, the conditions for interference are met, in part because the decisions are not overly intrusive and the state has a duty to protect the rights of others. Nor do the decisions constitute discrimination in violation of Article 14 of the ECHR, cf. Article 9, and furthermore, they do not violate Article 11 or Article 1 of Protocol No. 1 regarding the protection of property rights. The duty to investigate under Section 17 of the Public Administration Act has been fulfilled.

- (25) The State, represented by the Ministry of Children and Families, has made the following claim:
- “1. The State, represented by the Ministry of Children and Family Affairs, is acquitted.
 2. "The State, represented by the Ministry of Children and Family Affairs, is awarded legal costs for all instances."
- (26) The respondent—*Jehovah's Witnesses*—has essentially argued:
- (27) The Court of Appeal has correctly concluded that the decisions are invalid. The religious community concurs with the Court of Appeal's application of the law, but disagrees on several points regarding the assessment of evidence. The judgment is based solely on selected text excerpts, and the Court of Appeal fails, among other things, to assess the actual exclusion practices Jehovah's Witnesses employ toward minors. The State must prove that such violations occur. No evidence has been presented that baptized minors are subjected to psychological violence or negative social control. Nor has it been established that members are in fact prevented from leaving the organization.
- (28) The decisions are also invalid for other reasons that the Court of Appeal did not need to address. The duty to investigate under Section 17 of the Public Administration Act has not been fulfilled. Furthermore, the decisions violate the Jehovah's Witnesses' freedom of religion under Article 16 of the Constitution and Article 9 of the ECHR. It follows from the practice of the European Court of Human Rights that the decisions constitute an interference with the Jehovah's Witnesses' freedom of religion that must be justified under Article 9(2)—and these conditions are not met. Furthermore, the decisions violate the rights of Jehovah's Witnesses under Article 11 on freedom of assembly and association and Protocol No. 1, Article 1, on the protection of property rights. The decisions also constitute unlawful discrimination under Article 14 of the ECHR, See Article 9.
- (29) Jehovah's Witnesses have made the following claim:
- “1. The appeal is dismissed.
 2. The decision of the State Administrator of Østfold, Buskerud, Oslo, and Akershus dated November 4, 2025, rejecting the claim for state subsidies for 2025, is declared invalid.
 3. Jehovah's Witnesses are awarded the costs of the case as described in the statements of costs for the District Court, the Court of Appeal, and the Supreme Court, with the addition of interest from the due date until payment is made.”

My view on the case

Overview

- (30) The case concerns the validity of five decisions rejecting state subsidies and one decision regarding the deregistration of Jehovah's Witnesses as a religious community and the refusal of re-registration.
- (31) I find it appropriate to first provide a brief presentation of the religious community of Jehovah's Witnesses. I will then review the legal framework—the Religious Communities Act and the protection of freedom of religion under Article 9 of the ECHR—before conducting a specific assessment of the validity of the decisions.

Jehovah's Witnesses as a Religious Community

- (32) Jehovah's Witnesses is an international religious organization founded in the United States in the 1870s. There are approximately 9 million members of Jehovah's Witnesses worldwide. Both the organization of the religious community and its doctrine are the same throughout the world. Jehovah is the name of God in the Old Testament.
- (33) The first congregation in Norway was established in 1900. In 1985, Jehovah's Witnesses were registered as a religious community eligible for state support under the then-current Religious Communities Act and have had the right to perform marriages since 1986. The religious community currently has approximately 12,000 members in Norway, distributed across 162 congregations. Membership numbers are stable.
- (34) Each congregation has a board of elders that oversees and supervises the congregation. The congregations receive periodic visits from traveling elders, known as circuit overseers. These are appointed by the elders of each individual congregation, who number approximately 1,300 men in Norway.
- (35) A Governing Body, which currently consists of 11 men at the headquarters in the United States, provides biblical guidance and publishes the denomination's literature. This includes guidelines for members' conduct with extensive references to biblical texts.
- (36) It is only through baptism that one becomes a Jehovah's Witness and gains member status. Jehovah's Witnesses practice both adult baptism and the baptism of minors, but not infant baptism. Minors who are baptized are typically between the ages of 15 and 18. Although there are also examples of the baptism of younger children, a child between the ages of 11 and 15 may alternatively become a so-called unbaptized preacher. Prior to baptism, Bible studies and studies of key texts are required. Furthermore, the person must possess sufficient maturity to make an independent decision to be baptized. Prior to baptism, the congregation's elders will conduct an interview with the individual to ensure that the candidate is both sufficiently mature and understands the obligations that come with becoming a Jehovah's Witness. If the individual is a minor, the parents are usually present during the interview.
- (37) The religious community holds open congregation meetings twice a week. Regular conventions are held, and members spend a great deal of time preaching, going from house to house and to places where people gather. Members decide for themselves which activities they wish to participate in, and they may also choose to remain completely inactive.
- (38) Jehovah's Witnesses have certain practices that are controversial and have led to various interventions by authorities in a number of countries. Several of these cases have been brought before national courts and international bodies for review. Jehovah's Witnesses have prevailed in most of these cases, including nearly all of the more than 70 cases before the European Court of Human Rights (ECHR). The cases have involved practices such as refusing blood transfusions, abstaining from voting in elections, refusing military service, and engaging in outreach missionary work.
- (39) The religious community believes it may be necessary to expel a member who renounces the teachings of Jehovah's Witnesses or repeatedly violates God's commandments without repentance. Acts that provide grounds for disfellowshipping may include "sexual immorality, adultery, homosexual acts, blasphemy, apostasy, and idolatry," see the book *Organized to Do Jehovah's Will*, 2019, page 148. The doctrine of social shunning of disfellowshipped members was first

directly addressed in the March 1952 issue of The Watchtower. It is rooted in the religious community's interpretation of the Bible and is described as follows in the book *Remain in God's Love* from 2018, pages 39–40:

“A person may choose to continue doing things that Jehovah disapproves of and that harm the congregation. He rejects help, and by his actions, he shows that he no longer wishes to be part of the congregation. He may choose to leave the congregation on his own, or he may have to be disfellowshipped. The Bible clearly states that if this happens, we are to ‘stop associating’ with him. (Read 1 Corinthians 5:11–13; 2 John 9–11) This can be very difficult if he is a friend or a family member. But in such a situation, our loyalty to Jehovah must be stronger than our loyalty to anyone else.”

- (40) I note that this book covers the same topics as the 2008 book **Preserve Yourself in God's Love**, to which the minority refers, among other things. The 2018 book **Remain in God's Love** is in many respects more restrained and less detailed, including with regard to conduct toward former members. In assessing current practices within the religious community, I base my assessment on more recent texts, including the 2018 book, as the State Administrator also does in his decisions.
- (41) Members of the religious community are therefore not to associate with former members, whether they have been expelled or have resigned. This also applies to close relatives, unless they belong to the same household. Family ties are not severed, but contact with family members other than those with whom one lives is permitted only in necessary family matters. It is undisputed that the threshold for such contact is relatively high.
- (42) I will return to the exception for family members in the same household and the significance of family ties not being severed during the specific assessment of the decisions.
- (43) I should also mention that Jehovah's Witnesses have a doctrine of salvation and eternal life that also includes formerly disfellowshipped and former members who choose to return to the congregation. The congregation has no doctrine of hell, but apostates and other non-believers lose the opportunity for life after death.
- (44) Which term to use to describe the practice toward former members has been a point of contention between the parties. In English-language literature on Jehovah's Witnesses, the practice is often referred to as “shunning.” In the religious community's own texts, there are also examples of the practice being described as “to shun” a former member. In the Norwegian translations, the terminology has varied, including expressions such as “to cast out” and “to avoid contact with.” In our case, Jehovah's Witnesses have argued that the term “social distancing” is the most accurate, while the state believes this downplays the practice's real consequences.
- (45) In the following, I will use the term “*shun*” to describe the practice, as it is rooted in the Jehovah's Witnesses' own texts and conveys the gravity and consequences for the individual who is no longer a member.

Legal Framework

Legislative history and the Religious Communities Act

- (46) The state church system, which was enshrined in the Constitution of 1814, required the country's inhabitants to profess the Evangelical Lutheran Christian faith. With the Dissenters Act

of 1845, it became possible to be a Norwegian citizen outside the state religion, and under certain conditions, permission was granted to establish other Christian denominations. Members of such dissenter communities were exempt from paying fees and local taxes that went toward covering the expenses of the state church. The Dissenter Act of 1891, which also included Jews and Unitarians, continued this legal status.

- (47) The Dissenters Act Committee of 1957 proposed that the individual tax exemption for dissenters be replaced by a state subsidy to the dissenter congregations. This was followed up and codified in the Religious Communities Act of 1969. The fundamental condition for the allocation of subsidies was that the religious community did not violate “law and morality,” cf. § 13. The same condition was incorporated into the Religious Communities Act of 1981, § 1. The requirement was formulated there as “law and propriety.” The laws thus contained both a requirement to comply with Norwegian law and to adhere to ethical standards based on the prevailing moral outlook in Norway, cf. the Dissenter Law Committee’s report on the Religious Communities Act of 1962, page 166.

- (48) In 2012, constitutional amendments were adopted that transformed the former state church into a so-called national church. Following these changes, the Evangelical-Lutheran religion is no longer the state’s official religion; however, it follows from Article 16, second sentence, of the Constitution that the Church of Norway shall “remain Norway’s national church and be supported as such by the state.” The fourth sentence further states that “all religious and life stance communities shall be supported on an equal footing.” An actively supportive policy on religion and life stance and the principle of equal financial treatment of religious and life stance communities were thus enshrined in the Constitution.

- (49) In NOU 2013: 1 **The Open-Minded Society: A Comprehensive Policy on Religion and Belief**, the Stålsett Committee presented its report on the state’s policy on religion and belief. The committee discussed freedom of religion and belief as well as its limits. Regarding the right to refuse requests for state subsidies, the committee recommended that the new law establish more precise and clear conditions, as the conditions in the Religious Communities Act and the Life Stance Communities Act were considered “weak and unclear,” cf. section 23.4.1.1, page 341.

- (50) During the discussion of the right to withdraw from a religious community under Article 9 of the ECHR, the committee stated in section 23.4.2.2, page 347:

“The committee believes that it is justifiable to deny support to a religious community that establishes rules for the treatment of persons who violate the community’s norms, which result in these persons experiencing complete social ostracism and/or serious economic consequences. However, the difficulties in defining this condition would be so significant that the Committee does not recommend such a criterion as a prerequisite for support.”

- (51) At the same time, the committee recommended that conditions for state aid be established to protect children’s interests, but that “the threshold for concluding that the condition has not been met should be relatively high.”

- (52) The committee’s recommendations on these points were followed up by the legislature in the new Act on Religious and Belief Communities (the Religious Communities Act), which was adopted on April 24, 2020. The main purpose of the legislative reform was to simplify and modernize the legislation in a social sphere undergoing significant development, cf. Prop. 130 L (2018–2019), section 1.2, page 11.

- (53) According to Section 1, first paragraph, of the Religious Communities Act, the purpose of the Act is “to support religious and belief communities” so that they are ensured a material basis for their activities. Religious and belief communities are free to set their own terms for membership and may thus determine

who may be admitted as a member, cf. Section 2, second paragraph. The provision also ensures members' right to withdraw from the community by submitting a written notice of withdrawal.

- (54) The rules regarding *registration* are set forth in Section 4. Under the first paragraph, a religious or philosophical community may be registered if the formal requirements of the provision are met. The third paragraph further links eligibility for registration to the substantive rules on subsidies:

“The religious or philosophical community may be denied registration, or its registration may be revoked, if one or more of the conditions for denying subsidies in Section 6 are met.”

- (55) A registered religious or life stance community may, pursuant to Section 5, first paragraph, claim *state subsidies*. The subsidy shall be of such an amount that, per member, it roughly corresponds to the state and municipal subsidies to the Church of Norway per member. Section 6 of the Act specifies the circumstances that may justify the denial or reduction of subsidies. The Ministry stated that clarifying the grounds for denying subsidies may, *in practice*, mean a tightening of the previous legal situation, cf. Prop. 130 L (2018–2019), Chapter 24, page 257. I will return shortly to the specific content of Section 6.

- (56) The proposal also emphasizes that the state must exercise caution in imposing overly intrusive requirements on religious and belief communities. Regarding the relationship with smaller religious communities, section 17.5, page 191, states:

“The Ministry also wishes to emphasize that a grant scheme intended to apply to all should not be designed in a way that primarily aims to counteract undesirable practices, etc., in small and marginal communities. Intrusive conditions for support may contribute to withdrawal, for example, such that religious and belief communities choose not to utilize the grant scheme to avoid oversight, etc., and instead seek funding from other sources domestically and abroad. With such a development, the state would lose the contact with religious and belief communities that the grant scheme provides.”

Further details on Section 6 of the Religious Communities Act

- (57) The authority to deny state support to a religious community is regulated in Section 6 of the Religious Communities Act. The first paragraph, which is relevant to our case, reads:

“If a religious or philosophical community, or individuals acting on behalf of the community, commits acts of violence or coercion, make threats, violate children's rights, violate statutory prohibitions against discrimination, or in other ways seriously violate the rights and freedoms of others, the community may be denied grants or grants may be reduced. Grants may also be denied or reduced if the community encourages or supports the violations mentioned in this paragraph.”

- (58) The Religious Communities Act no longer distinguishes between violations of legal rules (“law”) and violations of other norms (“morality”/“decency”). The right to state support under Section 6 is linked to the religious community's safeguarding of the rights and freedoms of its members and others. However, the provision shall not be a means of limiting the scope of action of religious and belief communities with regard to different theological views and values, cf. Prop. 130 L (2018–2019), section 17.5, page 193. The report from the Family and Culture Committee further emphasizes that the threshold for denying subsidies under Section 6 “shall remain high, as freedom of religion and belief is a fundamental right and a right that holds a strong position in our liberal, democratic society,” cf. Innst. 208 L (2019–2020), section 17.2, page 26. The public

bears the burden of proof that the religious community has acted in violation of Section 6, cf. Prop. 130 L (2018–2019), Chapter 24, page 258.

- (59) I will return to the alternatives “violates children’s rights” and “seriously violates the rights and freedoms of others”—specifically, members’ right to withdraw—during the specific discussions. I will limit myself here to noting that the phrase “the rights and freedoms of others” is taken from Article 9(2) of the ECHR regarding restrictions on freedom of religion. In principle, Article 9 protects against interference by the state. However, Section 6 of the Religious Communities Act, however, the question is whether *the religious community* infringes upon the rights or freedoms of others. The provision can therefore be seen as an expression of the state’s duty to protect, cf. Article 1 of the ECHR and Article 92 of the Constitution. The duty to protect implies that the state may have a duty to intervene against private violations of the rights and freedoms of others under the Convention; see, for example, Rt-2013-588, paragraph 41 et seq.
- (60) When assessing the conditions in Section 6, it must therefore be assumed that the religious community is the subject of the duty, while at the same time the European Court of Human Rights (ECHR) has consistently granted both religious communities and their members a relatively broad scope of action within the freedom of religion for practices that would otherwise be considered violations of the rights and freedoms of others. The conditions in Section 6 must therefore be understood in light of freedom of religion; see also the bill, Chapter 17.5, page 193, regarding the fact that the conditions reflect a balancing of rights.

The Scope of Freedom of Religion under Article 9 of the ECHR

- (61) The Religious Communities Act must be applied within the framework of the ECHR. Article 9, which protects freedom of thought, conscience, and religion, reads as follows in the English version:
- “1. Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change one’s religion or belief, and freedom, either alone or in community with others and in public or private, to manifest one’s religion or belief in worship, teaching, practice, and observance.
 2. Freedom to manifest one’s religion or belief shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health, or morals, or for the protection of the rights and freedoms of others.”
- (62) Article 9 protects, first and foremost, *the individual’s right to have and to change religion*, including the right not to have a religious belief. This is sometimes referred to as *internal* freedom of religion, which Article 9(2) does not allow states to interfere with. If internal freedom of religion is to be genuine, the individual must also have the right to join and to leave a religious community. That the right to withdraw is part of religious freedom is explicitly stated in the ECHR’s Advisory Opinion of March 5, 2026 (P16-2025-001), paragraph 60. I will return to the content of the right to withdraw in more detail during the discussion of whether Jehovah’s Witnesses violate this right.
- (63) Second, Article 9 protects the right to manifest one’s religion, including the religious community’s right to define its own religion, as well as the members’ right to live in accordance with their religious beliefs—“through worship, teaching, practice, and observance.” This

so-called *external* freedom of religion may only be restricted if the conditions in Article 9(2) are met.

- (64) There is no clear distinction between internal and external freedom of religion, as a given case will often involve both elements. The practice of the European Court of Human Rights has evolved toward a more holistic assessment, in which the distinction itself is rarely decisive. Examples of this include cases involving conscientious objectors, see the Grand Chamber judgment of July 7, 2011, *Bayatyan v. Armenia*, and cases concerning the right not to disclose one's religious beliefs, see the judgment of June 3, 2010, *Dimitras and Others v. Greece*. In these and similar decisions, the ECHR has conducted a broad, holistic assessment rather than distinguishing between internal and external religious freedom.
- (65) The European Court of Human Rights (ECHR) regards freedom of religion and belief as one of the cornerstones of a democratic society. In its religious dimension, it is one of the most fundamental elements of *believers' identity and understanding of life*. At the same time, freedom of belief is of central importance to atheists, agnostics, skeptics, and those who are indifferent. These aspects of freedom of religion and belief are addressed, among other places, in the ECHR Grand Chamber judgment of February 18, 1999, *Buscarini and Others v. San Marino*, paragraph 34, and in the ECHR Advisory Opinion of December 14, 2023 (P16-2023-001), paragraph 66.
- (66) The ECHR has further established in several decisions that *the autonomy of religious communities* is at the very core of Article 9. In this context, the ECHR Grand Chamber judgment of April 26, 2016, *İzzettin Doğan and Others v. Turkey*, is central, where the facts of the case were that the Alevi community had been denied recognition as a religious community and state funding. In paragraph 68, the ECHR states that Article 9 requires states to act neutrally toward different religious communities, and states should therefore not take a position on religious matters. Regarding the autonomy of religious communities, paragraph 93 states:
- “It should be noted that religious communities traditionally exist as organized structures. They adhere to rules that are often regarded by their followers as being of divine origin. Religious ceremonies—including religious worship—have meaning and sacred value for believers only if they are conducted by ministers authorized for that purpose in accordance with these rules (see *Hasan and Chaush v. Bulgaria* [GC], no. 30985/96, § 62, ECHR 2000-XI). In that regard, the right of a religious community to an autonomous existence lies at the very heart of the guarantees in Article 9 of the Convention (see *Religionsgemeinschaft der Zeugen Jehovas and Others v. Austria*, no. 40825/98, § 79, 31 July 2008). That autonomous existence is also indispensable for pluralism in a democratic society. It directly concerns not only the organization of these communities as such but also the effective enjoyment of the right to freedom of religion by all their active members. Where the organization of the religious community is at issue, Article 9 of the Convention must be interpreted in the light of Article 11, which safeguards associations against unjustified State interference. Were the organizational life of the community not protected by Article 9, all other aspects of the individual's freedom of religion would be undermined (see *Hasan and Chaush*, cited above, § 62, and *Sindicatul “Păstorul cel Bun” v. Romania* [GC], no. 2330/09, § 136, ECHR 2013, with further references).
- (67) Religious freedom under Article 9 must therefore be understood in light of the freedom to form religious communities, which is also protected against state interference, cf. Article 11. Members' collective religious practice is often based on rules and rituals that they believe have a divine origin. The religious community's autonomy is both a prerequisite for a pluralistic democratic society and for safeguarding the members' individual freedom of religion.

- (68) It further follows from paragraph 110 of the judgment that it is up to the religious community's spiritual leaders to determine religious doctrine, and that only "the most serious and compelling reasons can possibly justify State intervention."
- (69) The review shows that state interference in the religious practice of the religious community—and thereby also in that of its members—must be based on strong grounds for the conditions for interference in Article 9(2) to be considered met. I do not rule out that the threshold for accepting interference may vary depending on the severity of the interference. For our case, I will limit myself to pointing out that denying a religious community registration—when an established registration system grants access to specific rights or privileges—is considered an interference under Article 9, cf. the ECtHR judgment of March 5, 2024, *Föderation der Aleviten Gemeinden in Österreich v. Austria* Paragraph 53. This applies even if the religious community could continue to exist as a legal religious community without registration or financial support. It is less clear to me whether the withdrawal of support under the Norwegian support scheme, without the religious community being deregistered, constitutes an infringement of Article 9.
- (70) A religious community that is denied support and privileges enjoyed by other religious communities will, however, be protected by the prohibition against discrimination in Article 14, cf. Article 9; see the İzzettin judgment, paragraph 156. In the discussion of whether unlawful discrimination existed, the importance of religious freedom in a democratic and pluralistic society is again emphasized, cf. paragraph 182, which concludes as follows:
- "In a democratic society based on the principles of pluralism and respect for cultural diversity, any difference on grounds of religion or belief requires compelling reasons by way of justification. In that regard, it must be borne in mind that an unfavorable attitude and an unjustified difference in treatment with regard to a particular faith may have significant repercussions on the exercise of the religious freedom of its followers."
- (71) Thus, differential treatment also requires *compelling reasons*, because negative differential treatment of a religious community could have significant consequences – *significant repercussions* – for members' exercise of religious freedom.

Do Jehovah's Witnesses violate children's rights?

Introduction

- (72) It follows from Section 6, first paragraph, of the Religious Communities Act that subsidies may be denied if the religious community "violates children's rights." A natural linguistic interpretation of the condition is that the violation must concern statutory rights.
- (73) In Prop. 130 L (2018–2019), Chapter 24, the special remarks on Section 6, page 258, state the following regarding children's rights:
- "The second alternative concerns violations of children's rights. This includes such rights as the state is obligated to protect under the Convention on the Rights of the Child (CRC), cf. the Human Rights Act § 2 no. 4 and § 3. However, the provision must be balanced against children's and parents' freedom of religion and belief, and does not, in principle, preclude differing views on upbringing or worldview. Examples of violations that

“Grounds for denying subsidies may include negative social control directed at children, psychological abuse, forced marriage, female genital mutilation, or honor-based violence.”

- (74) It is thus children’s legally protected rights, primarily under the UN Convention on the Rights of the Child, that this provision targets. Our case raises particular questions regarding the protection of children against psychological violence and negative social control.
- (75) When determining the protection of children under Section 6 of the Religious Communities Act, it is also necessary to consider their freedom of religion. Children reach the age of religious majority when they turn 15, cf. Section 2, first paragraph, of the Religious Communities Act. They may then decide for themselves whether to join or leave a religious community. Furthermore, it follows from Section 3 of the Religious Communities Act that children have the right to participate when they “are capable of forming their own opinions.” Children’s freedom of religion is also protected by Article 14 of the Convention on the Rights of the Child.
- (76) The State must also ensure parents’ right and duty to guide their children in matters of religion and belief, cf. Article 14(2) of the Convention on the Rights of the Child. Furthermore, the state has a duty to respect “the right of parents to ensure such education and teaching in accordance with their own religious and philosophical convictions,” cf. Article 2, second sentence, of Protocol No. 1 to the European Convention on Human Rights.
- (77) When assessing whether children’s rights have been violated, it is also worth noting that it can be challenging for outsiders to assess how the children are actually faring. On this point, the Stålsett Committee states in NOU 2013:1, section 23.4.2.2, page 349:
- “What outsiders perceive as a strict ‘sect’ *may* nevertheless be experienced or function in a more positive way by and for the children themselves. The committee assesses that there will be very difficult demarcation issues associated with a condition intended to protect children’s interests. The committee nevertheless concludes that conditions must be set for support intended to protect children’s interests, but that the threshold for concluding that the condition is not met should be relatively high.”
- (78) The rulings under review are based on the claim that Jehovah’s Witnesses subject baptized children to psychological abuse and negative social control.

More on “psychological violence”

- (79) Article 104, paragraph 3, of the Constitution grants children “the right to protection of their personal integrity.” This right has its parallel in Article 19(1) of the Convention on the Rights of the Child, which reads as follows in the Norwegian translation:
- “States Parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury, or abuse, neglect or negligent treatment, maltreatment, or exploitation, including sexual abuse, while the child is in the care of one or both parents, a guardian or any other person.”
- (80) In this case, it is not necessary to assess the scope of Article 104 of the Constitution, as the Convention on the Rights of the Child, which has been incorporated into Norwegian law with precedence, cf. the Human Rights Act § 2(4) and § 3, contains a more detailed regulation of the right to protection against psychological

violence. Article 104 of the Constitution does not provide broader protection in this regard compared to the provisions of the Convention on the Rights of the Child; see HR-2019-2286-A, paragraph 42.

- (81) The Committee on the Rights of the Child's General Comment No. 13 (2011), "*The right of the child to freedom from all forms of violence*," contains general comments on Article 19. Before delving further into these, I note that the Supreme Court has, in a number of cases, held that General Comments from the Committee on the Rights of the Child are a relevant source of law when determining obligations under the Convention. The weight to be given to these statements depends, among other things, on how well they are grounded in the text of the Convention. Another key factor is whether the statement is an interpretive statement, or whether it should rather be viewed as a recommendation regarding best practices within the scope of the Convention. I refer to the plenary judgment in Rt-2015-1388, paragraph 151, with further reference to Rt-2009-1261, paragraph 44.
- (82) In paragraph 17 of the aforementioned General Comment, the Committee states that all forms of violence against children are unacceptable – "Frequency, severity of harm, and intent to harm are not prerequisites for the definitions of violence."
- (83) Paragraph 21 provides the following definition of psychological violence:
- "21. Mental violence.
'Mental violence', as referred to in the Convention, is often described as psychological maltreatment, mental abuse, verbal abuse, and emotional abuse or neglect, and this can include:
- (a) All forms of persistent harmful interactions with the child, for example, conveying to children that they are worthless, unloved, unwanted, endangered, or only of value in meeting another's needs;
 - (b) Scaring, terrorizing, and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring, and showing favoritism;
 - (c) Denying emotional responsiveness; neglecting mental health, medical, and educational needs;
 - (d) Insults, name-calling, humiliation, belittling, ridiculing, and hurting a child's feelings;
 - (e) Exposure to domestic violence;
 - (f) Placement in solitary confinement, isolation, or humiliating or degrading conditions of detention; and
 - (g) Psychological bullying and hazing by adults or other children, including via information and communication technologies (ICTs) such as mobile phones and the Internet (known as 'cyberbullying').
- (84) This definition appears to be an interpretation of the Convention and must therefore be given significant weight when determining the Convention's meaning on this point.
- (85) The Children's Committee's examples of psychological abuse against children are of such a nature that, depending on the circumstances, they may fall under Section 266 of the Penal Code concerning reckless conduct, see Ot.prp. No. 104 (2008–2009), Chapter 14, special remarks on Section 30 of the Children Act, page 72.

More on "negative social control"

- (86) In the bill for the Religious Communities Act, the Ministry has included the following definition of "negative social control," cf. Prop. 130 L (2018–2019), section 7.4.6, box 7.12:

“Negative social control refers to various forms of surveillance, pressure, threats, and coercion exercised to ensure that individuals live in accordance with the norms of the family or group. This control is characterized by being systematic and may violate the individual’s rights under, among other things, the Convention on the Rights of the Child and Norwegian law.”

- (87) The preparatory work appears to be based on the premise that children have legally protected safeguards against negative social control. The Convention on the Rights of the Child does not explicitly establish such a right, but in my view, serious forms of negative social control could be covered by other provisions, particularly the protection against psychological violence that I have just reviewed.
- (88) I cannot see that a prohibition against negative social control is otherwise included in Norwegian legislation. In NOU 2024:13 *Law and Freedom*, which addresses, among other things, negative social control and psychological violence against children, the legislative committee discussed whether a prohibition against negative social control should be introduced in Section 30 of the Children Act. The majority concluded that it is neither necessary nor appropriate to include such a prohibition in the law, cf. section 20.5.1, pages 285–286. The rationale was that it would not be possible to draw clear legal boundaries for when parents’ social control over a child falls within or outside the scope of what parents may do by virtue of their parental responsibility. The Committee’s recommendation has been followed up through Prop. 159 L (2024–2025) and Prop. 69 L (2025–2026). The Ministry has adopted the majority’s recommendation not to propose a ban in the Children Act and has instead introduced a bill aimed at preventing negative social control.
- (89) In this context, I would add that religious codes of conduct, which are protected by Article 9, may entail varying degrees of social control; see, for example, the ECHR judgment of June 10, 2010, *Jehovah’s Witnesses of Moscow and Others v. Russia*, paragraph 118.
- (90) As previously noted, the examples in the preparatory works of acts that violate children’s rights are consistently criminal acts against children, such as “forced marriage, genital mutilation, or honor-based violence,” cf. Prop. 130 L (2018–2019), Chapter 24, p. 258. This illustration suggests that the alternative of negative social control directed at children must also be of a similar degree of severity to provide grounds for denying state support, see HR-2024-2211-A, paragraphs 44 and 45, stating that the examples provided in the text may serve as a natural starting point for the assessment. In my view, this implies that the threshold must be high for negative social control to justify a denial of state subsidies and, consequently, registration.

The specific assessment

- (91) In assessing whether Jehovah’s Witnesses violate children’s rights, I base my analysis on the religious group’s practices.
- (92) As mentioned, in the Jehovah’s Witnesses, minors are typically baptized between the ages of 15 and 18. By then, they will have reached the religious age of majority of 15, cf. the Religious Communities Act § 2, first paragraph.
- (93) There is neither any claim nor any evidence to suggest that minors’ decisions to be baptized are not based on informed and independent choices. Baptism requires a good knowledge of the Bible and the religious community’s central scriptures, and the congregation’s elders must assess whether the individual possesses the necessary maturity and understanding of the obligations that baptism entails. It must therefore

be assumed that the minor is also aware of the consequences of leaving or being expelled from Jehovah's Witnesses.

- (94) With regard to a potential disfellowshipping process involving a minor, this was clarified in 2024; see *The Watchtower*, August 2024, page 25, paragraph 18:

“What if a baptized minor—someone under the age of 18—commits a serious sin? In that case, the Council of Elders will arrange for two elders to have a conversation with the minor and his Christian parents. The elders will find out what the parents have already done to help their child make the necessary changes and repent. If the minor has a good attitude and the parents are able to reach him, the two elders may conclude that no further action is necessary. ... The elders will periodically speak with the parents to ensure that the minor is receiving the help he needs. But what if a baptized minor continues with the wrongdoing he has committed, without repenting? Then a committee will meet with him together with his Christian parents.”

- (95) It is undisputed on the part of the state that the religious community will follow these guidelines, as the Court of Appeal has also held.

- (96) If the outcome of the process is that a minor is disfellowshipped, social contact with the other members of the religious community will be severed. This also applies to close relatives with whom the minor does not live. However, limited contact is permitted in so-called necessary family matters. In the religious community's informational brochure on “Jehovah's Witnesses and Exclusion,” it states under the heading “Family Ties Are Not Broken”:

“In any case, disfellowshipping does not affect life within the immediate family circle when it comes to ‘the affection between family members or normal family relationships,’ since ‘his disfellowshipping neither breaks the bonds of blood nor dissolves the marriage.’ ...

If a disfellowshipped parent becomes ill or is no longer able to care for himself financially or physically, children who are Jehovah's Witnesses will have a biblical and moral duty to help him. Likewise, if a disfellowshipped child is not doing well physically or emotionally, parents who are Jehovah's Witnesses will take care of him.”

- (97) An expulsion does not, therefore, sever family ties. A minor will also normally continue to live in the parental home. The family's usual daily activities may continue, but a central part of the family's spiritual—that is, religious—life and interaction will, following an expulsion, no longer be available to the expelled minor. At the same time, the doctrine of faith provides guidance on safeguarding the minor's family life, including emotionally.
- (98) The government has argued that both the expulsion process and the consequences of expulsion constitute psychological abuse and negative social control against children.
- (99) In my view, the guidelines for handling a potential exclusion of a minor mean that the process appears more lenient than before. Nevertheless, it must be acknowledged that it can be both unpleasant and humiliating for a child to have to explain the allegations to the congregation's elders, often with their parents present—especially if the matter concerns matters of an intimate or sensitive nature. I nevertheless find that the process itself does not constitute psychological violence under Article 19 of the Convention on the Rights of the Child.

- (100) Expulsion from the congregation, including the loss of contact with close family and friends who remain members, will undoubtedly have serious consequences for a minor in a vulnerable life situation. The child will, however, remain part of the nuclear family and will be able to maintain contact in the usual manner with family members and friends who do not belong to the religious community. In my view, it is significant in this context that Jehovah's Witnesses do not operate their own schools. The minor will thus be able to maintain a network outside the congregation, even though the extent of this may be limited in practice, as the religious community encourages its members to avoid unnecessary interaction with young people outside the congregation.
- (101) The consequences for a minor who voluntarily leaves the religious community are the same as those for expulsion. The difference lies in the fact that the member takes the initiative to leave the Jehovah's Witnesses, and that he or she is not required to explain themselves to the congregation's elders in a separate meeting.
- (102) The question then is whether the state has presented sufficient evidence that Jehovah's Witnesses violate children's rights. In the complaint filed with the Ministry of Children and Families, Jehovah's Witnesses stated that one 17-year-old had been expelled at the time the state administrator issued his first decision in 2022. No further details are available regarding this expulsion. The state has otherwise not presented new evidence to the Supreme Court substantiating that minors are in practice subjected to psychological violence or negative social control. I therefore have no basis for deviating from the Court of Appeal's assessment of the evidence, which was conducted following extensive direct examination:
- “The State has not specifically demonstrated whether and to what extent baptized minor members of Jehovah's Witnesses actually experience pressure not to violate norms or not to leave the organization, for fear of undergoing an expulsion process (in the event of a norm violation) and of losing relationships with family and friends within the religious community. In this regard, the Court of Appeal notes that the testimony from the State's witnesses, Langvann from Hjelpekilden and Santana Vega from the Competence Team for Negative Social Control and Honor-Related Violence, provided little concrete support for this claim by the State regarding minor baptized members of Jehovah's Witnesses. Being subject to negative social control over a long period of time must further be assumed to cause psychological distress for many. However, it has not been established that baptized minors who grow up in the Jehovah's Witnesses generally face greater psychological challenges than others in the population.”
- (103) Given the potential impact that exclusion practices have on minors' mental health, I would not rule out the possibility that children's rights could be deemed to have been violated in individual cases. Although there is currently only information indicating that one minor has been excommunicated since 2021, the assessment of children's rights could change if a practice of excommunication of a certain scale can be demonstrated. Such documentation is not available in our case.
- (104) Based on this, I *conclude* that the state has not presented sufficient evidence that Jehovah's Witnesses violate children's rights, as the Ministry and the State Administrator have asserted in their decisions.

Do Jehovah's Witnesses violate the right to withdraw from the congregation?

Introduction

- (105) The State Administrator has argued that Jehovah's Witnesses seriously violate the rights of others under Section 6 of the Religious Communities Act, because the practice of social shunning may pressure members to remain in the religious community in violation of the right to freely withdraw under Section 2 of the Religious Communities Act, Article 16 of the Constitution, and Article 9 of the ECHR. Since Article 9 of the ECHR provides the most far-reaching protection, I will not discuss Article 16 of the Constitution in further detail.

Is the practice of Jehovah's Witnesses in accordance with Section 2 of the Religious Communities Act?

- (106) It follows from Section 2, second paragraph, of the Religious Communities Act that religious and philosophical communities themselves determine "the conditions for membership and the procedure for joining the community. Resignation must always be possible in writing." It is clear that Jehovah's Witnesses accept written resignations in accordance with this provision. Withdrawal requires no justification. Viewed in isolation, this practice is thus in accordance with the Religious Communities Act § 2, second paragraph.
- (107) The purpose of the Religious Communities Act § 2, second paragraph, is to ensure the right to withdraw, including that it should not be practically difficult to withdraw from a religious or life stance community, cf. the consultation paper of September 25, 2017, "Proposal for a New Act on Religious and Life Stance Communities," point 18.4.2, page 165. The specific comments on Section 2 state that withdrawal "shall be possible unconditionally and without obstacles from the religious or life stance community," see Prop. 130 L (2018–2019), Chapter 24, page 254.
- (108) So far, I do not see any basis for interpreting further requirements into Section 2 of the Religious Communities Act. The question is whether the practice of expulsion must nevertheless be regarded as an obstacle to members' right to freely withdraw from the community, and whether it thereby "seriously infringes upon the rights and freedoms of others" under Section 6 of the Religious Communities Act, cf. Article 9 of the ECHR.
- (109) Before I turn to Article 9, I would like to recall that the Stålsett Committee recommended not linking the right to withdraw from a religious community to the absence of social ostracism, as such a condition would be difficult to define. I take as my starting point that such delimitation problems may, among other things, relate to *the extent* of the social ostracism, whether it is *rooted* in religious scriptures, and whether it is *based* on written or unwritten practice. In addition, I note the consideration of avoiding *discrimination* against religious communities that are more or less open about their practices.

Protection of the Right to Free Withdrawal under Article 9 of the ECHR

- (110) There is no doubt that Article 9 of the ECHR protects *the right to freely withdraw* from a religious community. To the best of my knowledge, the specific scope of this right has not been subject to review by the European Court of Human Rights (ECHR). Nor am I aware that the Court has ruled on whether a religious community's practice of social ostracism of former members can justify state intervention against the religious community or its members.

- (111) However, the ECHR has held in several judgments that Article 9 protects against pressure to *change one's faith*—so-called “improper proselytism,” see ECHR judgment of May 25, 1993, *Kokkinakis v. Greece*, para. 48, and ECHR judgment of February 24, 1998, *Larissis and Others v. Greece*, para. 45. What rendered the influence in the Larissis judgment improper was—taking into account “the particular characteristics of military life”—that military officers had abused their positions to proselytize to subordinates, see paragraphs 50–52. In later judgments, the officers’ conduct has been described as “a form of harassment,” see the ECHR judgment of June 7, 2022, *Taganrog LRO and Others v. Russia*, paragraph 168. In the Kokkinakis judgment, however, it was not improper for a Jehovah’s Witness to knock on the doors of private homes and attempt to convert the residents, not even in the case of vulnerable persons.
- (112) In both of these cases, the issue was *direct pressure*. In the Larissis case, it was the means of pressure itself—abuse of a superior military position—that rendered the pressure undue. I hold that it takes quite a bit for pressure to do something that falls within the scope of ordinary freedom of action, such as choosing to avoid social contact among adults, to be undue within the meaning of Article 9.
- (113) In the same way that Article 9 of the ECHR protects against undue pressure to join a religious community, the provision, in my view, also protects members against undue pressure not to leave. Although *the standard*—undue pressure—is the same, it is significant in applying the standard whether the pressure is direct or indirect.
- (114) When assessing whether a religious community’s practices constitute *undue pressure* in violation of the right to freely withdraw, two other rights must also be taken into account:
- (115) First, it must be taken into account that, under Articles 8 and 9 of the ECHR, the *remaining members* have the right to organize their private lives in accordance with their religious beliefs, including the right to decide for themselves with whom they wish to socialize. An indirect requirement by the state to maintain contact with former members—to avoid deregistration and loss of state funding—would in reality put pressure on individual members to include these former members in their social circle. This conflicts with their understanding of the Bible and infringes upon both their freedom of religion under Article 9 of the ECHR and their right to privacy under Article 8 of the ECHR.
- (116) Second, consideration must be given to the protection of *religious communities* under Article 9 of the ECHR, cf. Article 11. As previously noted, the autonomy of the religious community lies “at the very heart of the guarantees” in Article 9, cf. the İzzettin judgment, paragraph 93. The religious community is, among other things, free to admit and expel members at its own discretion, cf. the Grand Chamber judgment of the European Court of Human Rights of July 9, 2013 *Sindicatul “Păstorul cel Bun” v. Romania*, para. 137. It has the right to uphold and practice its religious teachings, including the right to establish doctrinal norms regarding the conduct members are expected to follow in their private lives, particularly where these norms are considered to have divine origin, cf. the ECHR Grand Chamber judgment of October 26, 2000, *Hasan and Chaush v. Bulgaria*, paragraph 62.
- (117) In weighing the rights at stake—the right to freely withdraw from the religious community, the remaining members’ freedom of religion, and the religious community’s right to self-determination—I find that a practice which, in the extreme, prevents members from withdrawing could violate their freedom of religion under Article 9(1) of the ECHR. This presupposes, however, that the pressure against withdrawal, particularly when rooted in the religious community’s doctrine, must be of a significant nature. This interpretation is also supported by the preparatory works to the Religious Communities Act,

where an example of a violation of others' rights is cited as the religious community encouraging "forms of punishment" against persons who leave the community, cf. Prop. 130 L (2018–2019), Chapter 24, special remarks on Section 6, page 259. The Stålsett Committee also pointed out that it is difficult to justify subsidies to religious communities that support "physical punitive measures" for religious apostasy. The term "punishment" must, in principle, be understood as a direct sanction against the person who leaves the community.

- (118) In the ECHR's decision of March 6, 2003, *Šijakova and Others v. the Former Yugoslav Republic of Macedonia*, a complaint filed by several parents under, among other provisions, Article 8 of the ECHR was dismissed as "inadmissible." The complainants' adult children had chosen to join a monastic order that prohibited them from having contact or communication with their parents. The parents argued that the religious community's rules violated their right to family life, including the right to contact with and support from their children in the event of illness and in old age. In response, the ECHR stated:

"The Court considers that the issue of maintaining contact and communication between parents and children who are not minors, and the respect and affection they show toward one another, is a private matter that concerns and depends on the individuals bound by a family relationship; the absence of such contact and communication, and the reasons for and origins of such absence, do not require a positive obligation on the part of the State and cannot be attributed to it."

- (119) Although the statement concerns Article 8 of the ECHR, it shows that the Convention does not, in principle, protect a right to maintain relationships between close, adult family members. The significance of adults choosing to follow the rules of a religious community that restrict the rights and freedoms of its members is also discussed in the bill's special remarks on Section 6, page 258:

"If adult members follow such rules of their own free will, they cannot be regarded as violations within the meaning of this provision. This applies in principle even if the obligations may be considered harmful."

- (120) My analysis so far shows that the question of whether "undue pressure" exists involves and balances conflicting rights. This has implications for the threshold that must be met before pressure is considered undue.

The Specific Assessment

- (121) Jehovah's Witnesses have been a registered and eligible religious community since 1985 under the Religious Communities Act of 1969, which in Section 3 guaranteed the right to freely join and leave religious communities. I do not see that the Religious Communities Act of 2020 establishes stricter protection of the right to withdraw, which was also previously protected by Article 9 of the ECHR.
- (122) In assessing whether Jehovah's Witnesses violate the right to withdraw, I take as my starting point the actual consequences that withdrawal has for former members. The decisions in question are based on a *general* assessment of whether the teachings of Jehovah's Witnesses violate the right to freely withdraw, but they also raise specific questions regarding children.
- (123) As I have previously discussed, Jehovah's Witnesses have a stated doctrine that even those who leave the religious community are to be shunned. This practice results in a distinction being drawn, both religiously and socially, between remaining members and former members.

Although the tone of the texts has become somewhat more subdued in recent years, this practice can have significant social consequences for the person who is ostracized, particularly regarding contact with close family members, but also with others who have been close to that person. The practice will therefore undoubtedly be difficult and burdensome for the individual, as the Court of Appeal has also held. I view the practice as challenging the right to freely withdraw from the church, as it may entail clear psychological pressure not to withdraw.

- (124) At the same time, I would like to point out certain factors that should be considered in the assessment and that are likely to mitigate the consequences for the person who has withdrawn to some extent:
- (125) The practice does not mean that family ties are severed. I have already addressed the consequences for minors in the discussion of whether children's rights are violated. I will limit myself here to noting that the shunning practice does not apply to family members—typically children and adolescents—who live in the same household. The remaining family members decide for themselves how active they wish to be in the congregation. Regarding the relationship between spouses, the 2022 article “Do Jehovah’s Witnesses Try to Avoid Those Who No Longer Belong to Their Religious Community?” states:

“What if a man is disfellowshipped, while his wife and children are still Jehovah’s Witnesses? The religious ties between him and his family change, but the family ties do not cease. The marriage and family life continue.”

- (126) Furthermore, as mentioned earlier, contact between family members may be maintained in so-called necessary family matters.
- (127) A former member may still attend Jehovah’s Witnesses’ meetings. Nor is it the case that any contact with former members carries the risk of disfellowshipping; see *Be Shepherds of God’s Flock*, 2019, chapter 12, paragraph 17, which distinguishes between family members and others:

“Unnecessary association with disfellowshipped ones or those who have withdrawn: There is grounds for appointing a judicial committee if a person, despite repeated admonitions, deliberately continues to have unnecessary association with someone who has been disfellowshipped or has withdrawn, and *with whom he is not related*. —Matt. 18:17b; 1 Cor. 5:11, 13; 2. John 10, 11; *lvs* pp. 39–40.

If a member of the congregation is known to have unnecessary contact with *family members* who have been disfellowshipped or have withdrawn and who do not belong to the household, the elders should counsel him and reason with him based on the Bible.

Review the information from *Remain in God’s Love*, page 241, with him. If it is clear that a Christian is acting contrary to the purpose of the disfellowshipping policy and is not heeding guidance, he is not qualified to receive privileges in the congregation, as this requires one to be a good example. A disciplinary committee shall not be convened unless there is a matter of persistent *spiritual* [i.e., religious] fellowship or persistent open criticism of the decision to exclude.”

- (128) Withdrawal from the congregation does not, therefore, result in total social isolation, not even from the family.
- (129) Members of Jehovah’s Witnesses are, furthermore, generally socially integrated into Norwegian society: Children attend regular schools, adults pursue education and participate in work and other social activities. It is also significant that Jehovah’s Witnesses are a relatively small religious community with approximately 12,000 members spread throughout the country. The person who has left the organization thus finds themselves

not in a situation where he or she is excluded from a religious community that constitutes a dominant majority in the local community, such that religious exclusion entails a real risk of *general* social exclusion.

- (130) There is no evidence or basis to suggest that Jehovah's Witnesses subject members who are considering leaving to any form of *direct* pressure, coercion, or threats. Central to my assessment is that the *indirect* pressure members will experience stems from the doctrine itself, which—as I understand it—aims both to keep the congregation “pure” and to influence the disassociated member to return to the faith in order to attain salvation. The possibility of returning and thereby achieving salvation is the reason why Jehovah's Witnesses refer to the practice of disfellowshipping as an *act of love*. I find it difficult to see how such a general faith-based doctrine, which members are familiar with when they join the religious community, is later regarded as undue pressure that hinders the right to freely leave the faith.
- (131) Although I assume that members normally follow the religious community's teaching on excommunicating former members, Jehovah's Witnesses accept that members make decisions in accordance with their conscience. This may also influence how individuals choose to relate to excommunicated members, particularly within close family circles.
- (132) Otherwise, I note that no systematic studies or other documentation have been presented to substantiate the claim that the expulsion practice actually results in members refraining from resigning. The Court of Appeal has indeed found that the consequences of resigning “are so negative for some that certain members choose not to resign for that reason.” Most of the witness statements regarding negative consequences, however, come from former members who, aware of the practice of expulsion, *have* resigned.
- (133) In this context, I note that it is not unusual for there to be social consequences for those who leave a small, close-knit religious or other community, especially if family and friends share the same affiliation. In addition, those considering leaving a religious community often face the fear of *religious* sanctions hanging over them—in this life or the next—which can be just as deterrent without the religious doctrine itself constituting undue pressure not to leave the community.
- (134) So far, it is my assessment that the state has not demonstrated that Jehovah's Witnesses generally violate their members' right to freely withdraw from the community under Article 9(1) of the ECHR.
- (135) The same applies, in my view, to minors' independent right to withdraw from the religious community. This has not been assessed by the State Administrator in any of the decisions.
- (136) Minors' right to join or leave a religious community on their *own* initiative does not take effect until they reach the age of 15, cf. Section 2, first paragraph, of the Religious Communities Act. For younger children, it is the parents who make the final decision by virtue of their parental authority. Among Jehovah's Witnesses, baptism—and thus enrollment in the religious community—generally takes place between the ages of 15 and 18. Minors in this age group have, following extensive baptismal instruction, recently made an independent choice to adhere to the teachings of Jehovah's Witnesses.
- (137) The Court of Appeal found, based on the immediate presentation of evidence, that it had not been established whether, or to what extent, minor members “actually experience pressure not to leave” out of fear of losing relationships with family and friends within the religious community. I have no basis for deviating from this assessment of the evidence. As long as the issue concerns the

indirect effect of a religious practice that has existed for a long time, it cannot be sufficient to point out that the practice *is capable* of having such an effect.

- (138) *In summary*, I find that the Jehovah’s Witnesses’ practice of disfellowshipping does not constitute undue pressure that violates members’ right under Article 9 of the ECHR to withdraw from the religious community. Disfellowshipping does not apply to family members living in the same household, and family ties are not severed. Although the practice entails indirect pressure against leaving, members are not subjected to direct pressure, such as threats of sanctions, in connection with leaving. Furthermore, the shunning practice is rooted in the doctrine itself, which is known to those who join Jehovah’s Witnesses.
- (139) My view is consistent with comparable rulings in other countries. The Jehovah’s Witnesses’ practice of social shunning—which, according to the information provided, is consistent across national borders—has also been reviewed by higher courts in, among other places, Germany, Belgium, Italy, the United States, and Canada. Despite differing legal starting points, the outcome has consistently been the same: The practice is not considered a violation—neither of former members’ rights nor of remaining members’ right to freely leave the religious community.
- (140) By way of illustration, I refer to the German Constitutional Court’s ruling of December 19, 2000, which overturned earlier decisions denying Jehovah’s Witnesses the status of a “corporate body under public law.” The Court emphasized, among other things, that it was not sufficient to refer to the religious community’s teachings—the actual consequences had to be identified and assessed. The case was remanded to the Higher Administrative Court in Berlin, which, in its ruling of March 24, 2005, ruled in favor of Jehovah’s Witnesses. The authorities argued that the Jehovah’s Witnesses’ practices, among other things, prevented members from leaving the congregation out of fear of social isolation, and that former members were denied contact with children within the congregation. After numerous and nationwide investigations, the court concluded that no evidence had been presented to support any of the state’s claims.
- (141) In conclusion, I would like to point out that the European Court of Human Rights (ECHR) has, in a number of decisions, emphasized the absolutely crucial importance of freedom of religion in a democratic society based on pluralism and respect for cultural diversity. In this sense, freedom of religion also safeguards the distinct character of individual religious communities. As the ECHR notes in its Grand Chamber judgment of November 10, 2005, *Leyla Şahin v. Turkey*, paragraph 109, the place of religion in society, including the relationship between state and religion, may vary among different member states. The *Norwegian* context is one with a history of a state church, which, following the constitutional amendments in 2012, has been replaced by a publicly funded national church combined with a requirement that all religious and life stance communities be supported on *an equal footing*.
- (142) A pluralistic democratic society will also have to accept—within certain limits—religious practices that appear problematic and difficult to understand to outsiders. A number of practices would not be tolerated without the protection afforded by freedom of religion, such as gender-based discrimination and norms regarding sexual orientation. In *Jehovah’s Witnesses of Moscow v. Russia*, paragraph 144, the ECHR noted that the rituals and practices of many religions “may harm believers’ well-being” and also provided examples of this. When confronted with such practices, one must not lose sight of the fact that religion is not primarily based on reason, but first and foremost on faith. According to the ECHR’s case law, the individual’s right to live in accordance with their faith constitutes a fundamental element of human identity and self-understanding.

- (143) I therefore *conclude* that the State has not demonstrated that the Jehovah's Witnesses' practice of expelling former members constitutes undue pressure that violates the members'—including children's—right to freedom of religion under Article 9(1) of the ECHR. Nor does the practice thus constitute a serious violation of the rights and freedoms of others, cf. Section 6 of the Religious Communities Act. Consequently, the decisions cannot be upheld on this basis either.

Conclusion and Legal Costs

- (144) My conclusion is that the State has not demonstrated that the conditions for denying Jehovah's Witnesses state subsidies and registration under Section 6 of the Religious Communities Act, cf. Section 4, have been met. The decisions are therefore invalid.
- (145) The appeal is dismissed with respect to the decisions that were under review by the Borgarting Court of Appeal. The decision of the State Administrator for Østfold, Buskerud, Oslo, and Akershus dated November 4, 2025, rejecting the claim for state subsidies for 2025 is declared invalid.
- (146) Jehovah's Witnesses have won the case and, in accordance with the general rule of law, are entitled to reimbursement of their legal costs for all instances, cf. Section 20-2, first paragraph, of the Dispute Act, cf. Section 20-9, second paragraph. There is no basis for making an exception under Section 20-2, third paragraph.
- (147) Jehovah's Witnesses have claimed NOK 2,165,461, including value-added tax, to cover their legal costs before the Supreme Court. The respondent has not objected to the amount of the claim, and the expenses are considered necessary, cf. Section 20-5, first paragraph, of the Dispute Act. The claim is granted. I see no reason to make changes to the Court of Appeal's assessment of legal costs for the District Court and the Court of Appeal.
- (148) I vote in favor of this

JUDGMENT:

1. The appeal is dismissed.
2. The decision of the State Administrator for Østfold, Buskerud, Oslo, and Akershus dated November 4, 2025, rejecting the claim for state subsidies for 2025 is declared invalid.
3. As for legal costs before the Supreme Court, the State, represented by the Ministry of Children and Families, shall pay the Jehovah's Witnesses 2,165,461 – two million one hundred sixty-five thousand four hundred sixty-one – kroner within 2 – two – weeks of the pronouncement of this judgment.

(149) Justice **Poulsen:**

Partial dissent

Overview

- (150) I have reached a conclusion that differs in part from that of the presiding judge. In my opinion, the county governor's decision to deny registration and the subsequent decision to reject the application for state subsidies are not invalid.
- (151) I agree with the presiding judge that it has not been proven that Jehovah's Witnesses violate children's rights through negative social control or psychological abuse, or encourage such behavior. To a large extent, I agree with the reasoning she has provided for this, but I have a different view on the evidentiary threshold required for the conditions in Section 6 of the Religious Communities Act to be met. I will return to these evidentiary requirements later.
- (152) However, regarding whether the right to withdraw from the religious community has been violated, and thus whether the rights and freedoms of others have been seriously violated, I hold a different view than the presiding judge. In my opinion, therefore, the conditions of the Religious Communities Act for denying subsidies and registration are met. Finally, I believe that the decision to deny registration and the subsequent decision to reject the claim for state subsidies do not violate the Jehovah's Witnesses' right to freedom of religion under Article 9 of the ECHR, cf. Article 11, the protection against discrimination in Article 14, or the protection of property rights in Article 1 of Protocol No. 1.
- (153) As the presiding judge has explained, the Ministry of Children and Families' appeal decision to deny state subsidies for 2021—unlike the other decisions under review—is based solely on the provision in Section 6 of the Religious Communities Act regarding the violation of children's rights, and not on the violation of the right to withdraw from the religious community. I interpret the state's argument to mean that the courts may also review the validity of this decision based on whether the right to withdraw membership has been violated—that is, even though the administration did not consider this when the decision was made. Regarding this, I note the following:
- (154) The provision in Section 6 of the Religious Communities Act regarding the authority to deny subsidies is a discretionary provision. Whether the administration should exercise its authority to deny subsidies when the conditions for doing so are met can only be reviewed by the courts within the framework of the doctrine of abuse of authority. When an administrative decision is to be made in this manner based on a discretion that the courts do not review beyond the question of abuse of authority, the general rule is that the courts' review of the decision's validity must be based on the same statutory conditions that the administration applied, cf. HR-2017-331-A, paragraph 97. The rationale is that, otherwise, the courts might end up upholding a decision that the administrative authorities would not have made.
- (155) If an exception is to be made to this general rule—that is, if the courts are to review the validity of a provision based on a different statutory provision than the one relied upon by the administrative authorities—the case must be such that the courts do not thereby assume the role of the administrative authorities with regard to the exercise of discretion required by law, see the same judgment, paragraph 98. In this assessment, it will be central whether there is a difference with regard to which considerations are relevant and—in particular—how the considerations are to be weighed against one another, depending on whether

the exercise of discretion is based on one or the other of the statutory conditions, cf. paragraph 96 of the judgment.

- (156) In HR-2017-331-A, the situation was that the administrative agency had expressly stated in its decision that it did not take a position on one of the alternative conditions of the law. The Supreme Court then found it clear that the courts could not base their review of the decision's validity on this condition, cf. paragraph 99. In our case, the situation is analogous, since the Ministry explicitly states in its decision that it is not necessary to take a position on whether the right to withdraw from the organization has been violated. This must therefore mean that the courts cannot review the validity of the Ministry's decision on the basis of whether the right to withdraw has been violated. Consequently, the consequence of the fact that it has not been proven that Jehovah's Witnesses violate children's rights in the form of negative social control or psychological violence, or encourage such conduct, must be that the Ministry's decision to deny state subsidies for 2021 must be declared invalid.
- (157) I will therefore limit the discussion below exclusively to the State Administrator's decision of December 22, 2022, to revoke registration and deny new registration, and the subsequent decision to reject claims for state subsidies for the years 2022–2025.

***Is the condition “seriously infringes upon the rights and freedoms of others” in the Religious Communities Act
Section 6?***

- (158) I agree with the presiding judge that Jehovah's Witnesses accept written resignations in accordance with the Religious Communities Act § 2, second paragraph. My view that the right to resign has been violated relates to the condition “seriously infringes upon the rights and freedoms of others” in the Religious Communities Act Section 6, read in conjunction with Article 9 of the ECHR. I will elaborate on this further below.

General remarks on the right to withdraw

- (159) If a religious community or individuals acting on behalf of the community “seriously infringe upon the rights and freedoms of others,” subsidies may be denied pursuant to the Religious Communities Act Section 6, first paragraph. The same applies where the community “encourages or supports” such violations. As pointed out by the presiding judge, the threshold for denying subsidies must be high. This is already evident from the requirement that the violation of others' rights and freedoms must be “serious.” At the same time, the preparatory works state that since the basis for denying grants was previously unclear, the provision in § 6 may represent a tightening compared to practice under the previous law, cf. Prop. 130 L (2018–2019), Chapter 24, page 257.
- (160) On page 258 of the bill, it is explicitly stated that the condition “seriously infringes upon the rights and freedoms of others” may apply to communities that prevent members from leaving. Furthermore, page 259 states that the community may be subject to sanctions if it encourages “forms of punishment against ... persons who leave the community.”
- (161) In my opinion, it therefore cannot be of any particular significance that the Stålsett Committee did not advocate codifying that “complete social ostracism” of persons who break with the community should be an obstacle to support, as Jehovah's Witnesses have argued. In any case, I understand that the Stålsett Committee's objections to codification primarily concerned issues of demarcation. The Stålsett Committee was also clear that the right to change one's worldview and thereby leave a religious or philosophical community is a fundamental part of

freedom of belief, and that it is important for the authorities to step in and safeguard the financial and psychological needs of individuals who wish to break away from a religious or belief community,
see NOU 2013: 1, section 23.4.2.2, page 347.

- (162) On page 258 of Prop. 130 L (2018–2019), it is stated that the phrase “the rights and freedoms of others” in Section 6 of the Religious Communities Act is derived from Article 9(2) of the ECHR. This must have significance for the interpretation—including for determining what constitutes a violation of the right to withdraw from a religious community.
- (163) As the presiding judge has explained, it follows from Article 9(1) of the ECHR that freedom of religion consists of two aspects: First, the right to have a religion and, as a consequence, to be able to change one’s religion—the “internal” freedom of religion. Second, the right to express this faith through worship, teaching, practice, and observance—the “external” freedom of religion.
- (164) Regarding these two aspects of freedom of religion and the difference between them, the ECHR’s Advisory Opinion of December 14, 2023 (P16-2023-001), paragraphs 67–69, states:
- “67. Article 9 § 1 of the Convention encompasses two distinct aspects: on the one hand, the right to *hold* a personal belief (a matter of each person’s inner conviction or *forum internum*) and, on the other, the right to *manifest* such a belief (an individual’s outward expression of a belief or *forum externum*). The distinction between these two aspects can clearly be seen in the formulation and sequencing of the two paragraphs of Article 9 of the Convention ...
68. The first paragraph of this Article refers to three types of acts in relation to an individual’s freedom of thought, conscience, or religion: the fact of ‘holding’ a belief and, deriving therefrom, the fact of ‘changing’ and the fact of ‘manifesting’ that belief. The possibility for the State to restrict the exercise of these guaranteed rights is limited, as can be seen from the second paragraph, to the subject matter defined in the first paragraph after the word ‘and’; namely ‘freedom, either alone or in community with others and in public or private, to manifest [one’s] religion or belief, in worship, teaching, practice, and observance.
69. Freedom of thought, conscience, and religion in general (the freedom to “hold” any belief and to “change” religion or belief) cannot be subject to any restriction or limitation. As shown by the Court’s case law, these are absolute rights and the State cannot interfere with them—for example, by dictating what a person should think or believe, taking coercive steps to make a person change his or her beliefs, or prohibiting conversion from one religion to another ...”
- (165) Thus, only the right to manifest one’s religion may be subject to lawful restrictions under Article 9(2). The right to have a religion, or to convert to another, is, however, an absolute right that the State cannot interfere with, see also Prop. 130 L (2018–2019) section 5.2.1, page 41. The same must apply to leaving a religion without converting to another. This distinction in the scope for interfering with these rights underscores that even though freedom of religion also entails a right to express one’s faith, it is “primarily a matter of individual conscience,” see, inter alia, the ECHR Grand Chamber judgment of April 26, 2016, *İzzettin Doğan and Others v. Turkey*, paragraph 104.

- (166) The right to change one’s religion—which is, in other words, part of the freedom *of* religion—necessarily implies the right to leave a religious community. There is also no doubt that such a right to leave a religious community is protected under Article 9(1) of the ECHR, cf. most recently the ECtHR’s Advisory Opinion of March 5, 2026 (P16-2025-001), paragraph 60.
- (167) As the presiding judge has also pointed out, the ECHR has not ruled on cases where the question has arisen as to whether the right to withdraw has been violated. However, there are decisions from the ECHR concerning restrictions on the right to proselytize—which is part of *external* religious freedom—justified by consideration for others’ right to *internal* religious freedom. It follows from these decisions that Article 9 of the ECHR, in such cases, protects individuals against *undue pressure or influence* to convert, see the judgment of May 25, 1993, *Kokkinakis v. Greece*, paragraph 48, and the judgment of February 24, 1998, *Larissis and Others v. Greece*, paragraph 45. I agree with the presiding judge that the same threshold—undue pressure or influence—must apply to the question of whether a religious community violates the right to freely withdraw from its membership. I also agree that the pressure must be of a qualified nature. However, I have a somewhat different view on what is required for this threshold to be met.
- (168) It is central to me that the individual’s right to internal religious freedom—the right to have a religion or to convert to another—is, as mentioned, an *absolute* right. Admittedly, this right to hold a belief must be balanced against the rights of others to express their beliefs based on their religious convictions, as demonstrated, among other things, by paragraphs 47 and 48 of the Kokkinakis judgment. However, the special status enjoyed by the right to hold a belief must, in my view, be taken into account in the balancing of interests that must be carried out.
- (169) In this context, I also find reason to emphasize the following: As noted in the preparatory works for the Religious Communities Act, Prop. 130 L (2018–2019), Chapter 24, page 258, many religious communities have rules that restrict the rights and freedoms of their members. If adult members voluntarily follow such rules, this cannot be regarded as a violation of “the rights and freedoms of others” under Section 6 of the Religious Communities Act. This applies as a general rule even if the obligations may be considered harmful. But precisely because many people give up rights and freedoms by being part of a religious community, it is all the more important that it be possible to reclaim these rights and freedoms by resigning. In my view, this must be a factor in determining where the threshold for undue pressure or influence should lie when it comes to whether the right to freely resign has been violated.
- (170) In cases where withdrawal entails negative consequences for the person withdrawing, there will be indirect pressure against withdrawing. Whether this indirect pressure should be considered undue or such that the religious community violates the right to withdraw will, in my view, depend primarily on *the nature* of the negative consequences in question and their *severity*. I assume that it will be particularly social consequences, such as loss of social contact, as well as economic consequences, that are relevant. As pointed out in NOU 2013: 1, page 347, purely religious consequences, including preaching about consequences in the afterlife, cannot be of significance in this context.
- (171) Where the negative consequences are imposed by the remaining members, for example through the loss of social contact, it will, in my view, be relevant to the assessment of unreasonableness whether this occurs as a result of an *order or encouragement* from the religious community. Conversely, that is, where the remaining members act solely on the basis of their own convictions, it would be difficult to establish that *the religious community* is exerting undue pressure against withdrawal. In the case of loss of social contact, it is therefore not a question of the state—directly or indirectly—

may require members to maintain contact with former members. The question is whether, and to what extent, the religious community can influence members not to have such contact.

- (172) The *purpose* of imposing these negative consequences may also be relevant. As mentioned, the legislative history states that “punishment of ... persons who leave the community” is an example of a violation of others’ rights.
- (173) I would add that the threshold for undue pressure will be lower when it comes to children. Under Article 9 of the ECHR, children have an independent right to freedom of religion, see, among other things, the ECtHR judgment of October 20, 2020, *Perovy v. Russia*, paragraph 49. Children’s right to freedom of religion is also protected under Article 14(1) of the Convention on the Rights of the Child. In my opinion, for children, a significant reduction or change in contact with their parents as a result of withdrawal could easily constitute a violation of the right to withdraw.
- (174) I would also note that Article 1 of the ECHR requires the State Party to ensure the rights set forth in the Convention for everyone within the State’s jurisdiction. This implies, among other things, that the State has a duty, depending on the circumstances, to take active steps to prevent private individuals from infringing upon one another’s rights, see Rt-2013-588, para. 41. Such a duty to prevent violations between private individuals may also apply to freedom of religion, see, inter alia, the ECtHR judgment of November 6, 2008, *Leela Förderkreis E.V. and Others v. Germany*, para. 99. A similar duty to safeguard human rights follows from Article 92 of the Constitution.
- (175) The duty to protect entails that “action must be taken against a real and immediate risk of which the authorities are aware, or ought to be aware, using the measures that are reasonably expected given the situation,” see Rt-2013-588, para. 46. In our case, this means that it is not necessary for the state to prove that the practices of Jehovah’s Witnesses *have* violated the right to withdraw from the organization, including whether members actually experience pressure not to withdraw, as the Court of Appeal has requested. It is sufficient that the practices are *capable* of constituting a real and immediate risk that the right to withdraw will be violated.
- (176) In my opinion, the fact that it is not necessary to present evidence of actual violations also follows from the second sentence of Section 6, first paragraph, of the Religious Communities Act, which stipulates that it is sufficient to deny or reduce subsidies if the community “encourages ...” such violations as mentioned in the first sentence.

The specific assessment

- (177) Under Section 6 of the Religious Communities Act, acts committed by the religious community as such or “individuals acting on behalf of the community” that may result in the conditions of the Act being met.
- (178) It is stated in Prop. 130 L (2018–2019), Chapter 24, page 257, that it is required “that a matter can be meaningfully linked to a religious or life stance community for the community in question to be denied a grant.” As an example of a circumstance that can be linked to the community as such, it is mentioned that the circumstance “is expressed in established practice within the community or is evident from bylaws or other documents that apply to or have been prepared by the community.”

- (179) Based on this, I find that guidelines for members' conduct that can be derived from the writings of Jehovah's Witnesses are relevant to the assessment. The fact that the texts are relevant to whether the conditions of the law are met does not mean that a position is taken on religious issues, as Jehovah's Witnesses have argued.
- (180) Jehovah's Witnesses have argued that a stricter standard of proof applies in this case, since the decisions are based on facts that are particularly incriminating and stigmatizing. I do not agree with this. Whether the practice constitutes a violation of others' rights is a matter of legal interpretation, not of the assessment of evidence.
- (181) I refer to the first judge's account of the Jehovah's Witnesses' practice that those who leave the religious community are to be expelled. As she has pointed out, the practice is grounded in the texts of the Jehovah's Witnesses. The practice can therefore be linked to the Jehovah's Witnesses as such in the manner required by law. It is clear to me that the practice of expulsion is something the religious community "encourages ...," cf. the Religious Communities Act § 6, first paragraph, second sentence.
- (182) In the book *Keep Yourselves in God's Love* from 2008, most recently published in 2016, it states on page 207:
- "We have no spiritual or social fellowship with disfellowshipped persons. The Watchtower of November 15, 1981, page 19, stated: 'Simply saying "Hello!" to someone can develop into a full conversation and perhaps even into a friendship. Do we want to take such a first step toward someone who is [disassociated]?'
Is it really necessary to avoid such a person completely? Yes, for several reasons. First, this is a matter of being loyal to God and his Word. We obey Jehovah not only when it is easy to do so, but also when it presents real challenges."
- (183) I would like to point out here that there is no evidence to suggest that what is written about excommunication in **Remain in God's Love** no longer reflects current practice within the religious community. Nor was this claimed by the Jehovah's Witnesses during the appeal hearing.
- (184) The presiding judge has quoted from pages 39–40 of the 2018 book **Remain in God's Love**. I find reason to repeat this here:
- "A person may choose to continue doing things that Jehovah disapproves of and that harm the congregation. He rejects help, and by his actions, he shows that he no longer wishes to be part of the congregation. He may choose to leave the congregation on his own, or he may have to be disfellowshipped. The Bible clearly states that if this happens, we are to 'stop associating' with him. (Read 1 Corinthians 5:11–13; 2 John 9–11) This can be very difficult if he is a friend or a family member. But in such a situation, our loyalty to Jehovah must be stronger than our loyalty to anyone else."
- (185) In my view, the state is correct in stating that the practice is not merely advisory but appears to be the result of a *rule-based mandate*. This is particularly true because having unnecessary contact with former members could provoke a reaction from the religious community and, in extreme cases, lead to expulsion.
- (186) *The main purpose* of this practice appears to be to keep the congregation "pure." On page 40 of **Remain in God's Love**, it states that the practice of shunning "protects the congregation from those who do not care about Jehovah's standards." The brochure *"Why Disassociation Is a Loving Arrangement"* states that "the practice of disassociation protects the pure, Christian congregation."

- (187) At the same time, it also appears to be intentional that the consequences for the one who has been disfellowshipped should be tangible, so that the person in question will be influenced to return to the congregation. This is evident, among other things, in **Keep Yourself in God's Love**, where it states on page 208:

“The fact that he loses a precious fellowship with family and friends may cause him to ‘come to his senses,’ understand the seriousness of his wrongdoing, and take steps to return to Jehovah. — Luke 15:17.”

- (188) In **Remain in God's Love**, page 40 similarly states that “this strong form of discipline can help him realize that what he is doing is wrong and motivate him to change.”

- (189) The informational brochure “*Jehovah's Witnesses and Disassociation*” states:

“A primary goal of disciplinary action and shunning is to bring a wrongdoer to his senses. Everyone in the congregation shows principled love by having no contact with and not speaking to the disfellowshipped person. This leads many disfellowshipped individuals to realize what they have lost, change their ways, and return to the congregation.”

- (190) As the presiding judge has also pointed out, leaving the Jehovah's Witnesses can have significant negative consequences for the person who leaves in the form of a loss of social contact with those who remain part of the religious community, including close family members.

- (191) In my opinion, however, *the consequences* are more serious than the presiding judge assumes. This applies in particular to the significance of lost contact with family members, and especially the impact on children who leave the congregation—in practice, minors between the ages of 15 and 18. Admittedly, contact is maintained with family members who have left the faith but remain part of the household. A child who leaves the faith will therefore continue to have contact with their parents and siblings living at home who remain members. But the child who has left the faith can no longer share in the spiritual fellowship with the rest of the family. For members of Jehovah's Witnesses, religion and spiritual fellowship with other members constitute a very central part of life. Witnesses who testified before the Court of Appeal described how spiritual fellowship takes up a significant portion of members' free time, with meetings, studies, and field work. This has not been disputed by Jehovah's Witnesses. If a child leaves the organization, contact with the rest of the family who remain members will therefore change and be significantly reduced.

- (192) For adults, contact with family members who remain part of Jehovah's Witnesses will be reduced to an even greater extent. As the presiding judge has noted, apart from the relationship between spouses, contact is permitted only in so-called “necessary family matters,” and this permission is limited. On page 20 of the January 2007 issue of *The Watchtower*, the following is stated:

“The situation is different if the person who has been disfellowshipped is not a minor and does not live at home. ... Although handling necessary family matters may require some contact with the disfellowshipped person, a Christian parent makes every effort to avoid unnecessary contact.”

- (193) In the book *Keep Yourself in God's Love*, pages 208–209 state:

“Although there may be a need for limited contact on rare occasions to handle necessary family matters, such contact should be kept to a minimum. Loyal Christians

family members do not look for excuses to have contact with an disfellowshipped relative who does not live at home. Instead, their loyalty to Jehovah and his organization leads them to support the biblical practice of disfellowshipping. Their loyal conduct is for the benefit of the offender and can help him to benefit from the discipline he has received.”

(194) A footnote to the passage just quoted states: “For more information on how to treat a disfellowshipped relative, please refer to the biblical guidance provided in *The Watchtower* of April 15, 1988, pages 26–31, and in *The Watchtower* of November 15, 1981, pages 21–26.”

(195) In the April 1988 issue of *The Watchtower*, page 28 discusses the permissibility of having contact with a disfellowshipped family member who is not part of the same household:

“The situation is different if the one who has been disfellowshipped or has withdrawn does not live with his or her immediate family. In that case, it may be possible to avoid all contact with the relative. Even if situations arise within the family that make it necessary to make contact, such contact should be kept to a minimum, in accordance with the following God-given principle: ‘You [shall not] associate with anyone who claims to be a Christian brother but is sexually immoral or greedy [or has committed another serious sin] . . . Nor should you eat with such a person.’
— 1 Corinthians 5:11.

“It is understandable that this can be difficult because of emotions and family ties, such as grandparents’ love for their grandchildren. But it is a test of whether we are loyal to God, . . .”

(196) According to the information provided, Jehovah’s Witnesses have not subsequently adjusted their teachings regarding how disfellowshipped family members should be treated. As mentioned, individuals who voluntarily leave Jehovah’s Witnesses are to be treated in the same manner as those who have been disfellowshipped.

(197) Admittedly, as the presiding judge points out, those who leave may have contact with family members and friends who are not Jehovah’s Witnesses. I agree with the presiding judge that it is significant in this context that Jehovah’s Witnesses, unlike some other religious minorities, do not operate their own schools. However, since Jehovah’s Witnesses encourage their members to choose “friends who love God” and to “keep themselves separate from the world” outside the congregation—see Chapters 3 and 5, respectively, of the book **Remain in God’s Love**—those who choose to leave will often have a limited social network outside the congregation. The significant negative impact of the ostracism that withdrawal entails is therefore mitigated only to a limited extent by the fact that the person who has withdrawn is free to have contact with non-members.

(198) In my opinion, the fact that a child’s withdrawal results in contact with the rest of the family who remain members being altered and reduced to the extent described here is so serious that it constitutes a violation of the child’s right to withdraw. When children know that withdrawing from the church means that contact with their parents and any siblings who are also members will, in reality, be radically altered and reduced—especially after the child moves out—I believe that the pressure to refrain from withdrawing must be considered unreasonable.

(199) As for whether the pressure should be considered undue even when directed at adults, I have had considerable doubts. However, I have concluded that the right to leave the organization is violated in this case as well. In cases where the member’s closest relatives are still part of Jehovah’s Witnesses, a decision to leave will mean that contact with those relatives will, in practice, cease. The member must therefore

forgo contact with their closest relatives in order to exercise their fundamental right to choose their own faith. It is true that severed contact with relatives will in many cases be the real consequence of exercising freedom of thought and religion—even without such a consequence being recommended by a religious community. This is a manifestation of the general freedom of action of individuals. However, as mentioned, the Jehovah’s Witnesses’ practice of shunning appears to be the result of a rule-based mandate, where failure to comply can lead to expulsion. For me, this is central to the specific assessment. It is also significant that the expulsion is intended to be a tangible consequence for the person who leaves.

- (200) In my opinion, the fact that members are aware of the practice of disfellowshipping upon joining, as Jehovah’s Witnesses have argued, carries limited weight. I refer to what I have previously stated: precisely because many people relinquish rights and freedoms by being part of a religious community, it is all the more important that it be possible to reclaim those rights and freedoms by withdrawing from the community. This applies particularly to children.
- (201) The fact that Jehovah’s Witnesses have been registered as a religious community since 1985 without the state having previously raised concerns that their practice of excommunication violates the right to freely withdraw from the community is, in my view, irrelevant. As mentioned, the preparatory works for the Religious Communities Act state that the provision in Section 6 may represent a tightening of the rules compared to the practice under the previous law.
- (202) I therefore conclude that Jehovah’s Witnesses encourage a practice of excommunication against those who withdraw, and that this violates the right to withdraw from a religious community. The right to change one’s religion, and thus the right to withdraw from a religious community, is fundamental, and when this right is violated, it constitutes, in my opinion, a “serious” violation of the rights and freedoms of others, cf. the requirement in Section 6, first paragraph, first sentence, of the Religious Communities Act. On this point, therefore, the State Administrator’s decision is based on a correct assessment of the evidence and application of the law.

Do the decisions constitute a violation of the rights of Jehovah’s Witnesses under Article 9 of the ECHR?

- (203) Even if the legal conditions for denying subsidies and registration are, in principle, met, it must be assessed whether the decisions constitute a violation of the Jehovah’s Witnesses’ freedom of religion under Article 9 of the ECHR. If so, the decisions must nevertheless be declared invalid, cf. the Human Rights Act § 3.

Do the decisions constitute an infringement of Article 9 of the ECHR?

- (204) As mentioned, the freedom of religion under Article 9 of the ECHR includes an external aspect—that is, the right to manifest one’s faith through worship, teaching, practice, and observance. This right has a collective dimension, namely the right to manifest one’s faith together with others. Furthermore, Article 9 must be interpreted in light of Article 11 on freedom of assembly and association, which protects associations against unjustified state interference.
- (205) As the presiding judge has explained, the right to establish independent religious communities lies at the core of freedom of religion under Article 9 of the ECHR, cf. inter alia the Grand Chamber judgment of the European Court of Human Rights July 9, 2013, *Sindicatul “Păstorul cel Bun” v. Romania*, para. 136.

- (206) In the Grand Chamber judgment of the ECHR of April 26, 2016, *İzzettin Doğan and Others v. Turkey*, paragraph 68, it is emphasized that Article 9 requires states to act neutrally toward different religious communities, and that states should therefore not take a position on religious matters. The ECHR has also stated that referring to a religious community in a hostile or derogatory manner may constitute an interference with the rights under Article 9, see the judgment of November 23, 2021, *Centre of Societies for Krishna Consciousness in Russia and Frolov v. Russia*, paragraph 38.
- (207) At the same time, it is clear that Articles 9 and 11 do not entitle religious communities to a specific status under public law, beyond the right to be a separate legal entity with legal capacity, see the ECHR judgment of April 8, 2014, *Magyar Keresztény Mennonita Egyház and Others v. Hungary*, paragraph 91. For example, there is no obligation under the ECHR to establish subsidy schemes for religious communities, see the same judgment, paragraph 106. Nor are states obligated to recognize religious marriages under civil law, see the judgment of December 9, 2010 *Savez crkava "Riječ života" and Others v. Croatia*, para. 56.
- (208) The fact that an association is denied registration as a religious community is therefore not in itself an interference under Article 9. The specific effects of the denial of registration must be assessed. If registration is a prerequisite for acting as an independent legal entity, a refusal of registration is considered an interference, see the ECtHR judgment of March 23, 2017, *Genov v. Bulgaria*, paragraphs 37–38. A refusal is also considered an interference if registration is otherwise a prerequisite for the right to manifest one's faith, for example by performing religious rituals and acquiring religious materials, see the judgment of March 22, 2022, *Christian Religious Organization of Jehovah's Witnesses in the NKR v. Armenia*, paragraphs 59–61.
- (209) Where a refusal to register does not affect the religious community's legal capacity, or otherwise restrict "its ability to operate and to practise its religion," I understand that the ECHR's case law has traditionally been based on the premise that there is no violation of Article 9 of the ECHR. Instead, the ECtHR has assessed whether the refusal of registration violates the prohibition against discrimination under Article 14, see the judgment of June 8, 2021, *Ancient Baltic religious association Romuva v. Lithuania*, paragraph 126:
- "Freedom of religion does not require [... States] to create a particular legal framework in order to grant religious communities a special status entailing specific privileges. Nevertheless, a State that has created such a status must not only comply with its duty of neutrality and impartiality but must also ensure that religious groups have a fair opportunity to apply for this status and that the criteria established are applied in a non-discriminatory manner"
- (210) However, in the judgment of March 5, 2024, *Föderation der Aleviten Gemeinden in Österreich v. Austria*, there appears to have been a shift in the ECHR's view on this issue. In this judgment, a religious community had been denied registration as a "religious community." Under Austrian law, such registration would have allowed the community to apply for the status of "religious society," which conferred certain privileges, including a reduced tax burden, see paragraph 26 of the judgment. The ECHR concluded that if registration entails "specific privileges," a refusal to register would constitute an interference with Article 9, see paragraph 53. It does not appear to be a requirement in this context that the specific rights or benefits in question must themselves be protected under Article 9 of the ECHR. The ECtHR considered it irrelevant that the religious community in question also had legal capacity without registration, and that its members were free to practice their religion.

- (211) *In summary*, Articles 9 and 11 of the ECHR do not grant religious communities a right to a specific status under public law, beyond the right to be a separate legal entity with legal capacity. For example, there is no obligation under the ECHR to establish subsidy schemes for religious communities. Denial of registration as a religious community constitutes an interference under Article 9 if the refusal affects the religious community's legal capacity or otherwise restricts the right to manifest one's faith. A refusal of registration also constitutes an interference if registration confers specific rights or benefits.
- (212) It is clear that registration under the Religious Communities Act confers certain rights that unregistered religious communities do not have, including the right to state subsidies, the right to perform marriages, and enhanced protection of confidences entrusted to the religious community through pastoral care, through rules on confidentiality and the prohibition of disclosure. This must mean that the State Administrator's decision to revoke registration and to deny new registration must be regarded as an interference with the Jehovah's Witnesses' freedom of religion under Article 9(1) of the ECHR. The same must apply to subsequent decisions to reject claims for state subsidies for the years 2022–2025, since these are a direct consequence of the fact that Jehovah's Witnesses are no longer a registered religious community.

Can the interference be justified?

- (213) Interference under Article 9(1) of the ECHR may only be carried out if it is "prescribed by law and is necessary in a democratic society in the interests of public safety, for the protection of public order, health, or morals, or for the protection of the rights and freedoms of others," cf. Article 9(2).
- (214) It is clear that the decision to refuse registration has a legal basis. However, the legal requirement also entails qualitative requirements, including requirements regarding accessibility and predictability. I find it beyond doubt that the statutory condition of "seriously infringing upon the rights and freedoms of others," which is, of course, derived from Article 9(2) of the ECHR, satisfies this requirement.
- (215) In my view, it is also clear that the measure pursues a legitimate aim, namely to protect the rights and freedoms of others, specifically the right to opt out.
- (216) The question is whether the restriction is necessary in a democratic society—whether it is *proportionate*. Where—as in this case—it is a matter of balancing two rights that are both protected under the ECHR against each other, the authorities must conduct a balanced assessment
– "strike a balance" – between the conflicting interests, see the Grand Chamber judgment of the European Court of Human Rights (ECHR) of June 12, 2014, *Fernández Martínez v. Spain*, paragraph 123. The same passage of the judgment states that the ECHR grants states a wide margin of appreciation in this assessment. Paragraph 125 further states that in the final determination of whether the interference is necessary, the margin of appreciation will vary—in particular depending on the nature of the right being interfered with. Nevertheless, "where there is no consensus within the member States of the Council of Europe, either as to the relative importance of the interest at stake or as to how best to protect it, the margin will be wider."
- (217) In the Grand Chamber judgment of November 10, 2005, *Leyla Şahin v. Turkey*, paragraph 109, it is emphasized that there is no uniform view across Europe regarding the significance of religion in society. The same paragraph states that the rules in this area will therefore "vary from one country to another according to national traditions and the requirements imposed by the need to protect the rights and freedoms of others and to maintain public

order.” This, too, thus supports a wide margin of appreciation; see, for example, the judgment of December 13, 2022, *Tonchev and Others v. Bulgaria*, paragraph 49.

- (218) Paragraph 73 of HR-2022-2329-A states the following regarding the significance of this margin of appreciation for national courts’ review of measures implemented by a state:

“In HR-2022-718-A (*Cabin Quarantine*), paragraph 89, it is stated that the margin of appreciation granted to states by the ECHR is not ‘transferable to national courts’ review of measures implemented in a state.’ However, it is clarified in the same passage that the Supreme Court will nevertheless, ‘on the basis of Norwegian law, in its review of the relationship to the ECHR, exercise caution in overruling assessments that are largely technical or depend on complex societal considerations.’ This applies in particular where the matter concerns the balancing of legitimate interests carried out by political authorities, see HR-2018-1958-A, para. 86.”

- (219) In our case, it is significant in this context that the legislature, through the drafting of Section 6 of the Religious Communities Act, has made such a balancing of a religious community’s right to freedom of religion against the protection of others’ rights. Regarding this, Prop. 130 L (2018–2019), point 17.5, page 193, states:

“The purpose of Section 6 of the bill is to protect the rights and freedoms of others. Here, too, a balancing of rights has been undertaken. The conditions for receiving grants shall not be used as a means to restrict the freedom of action of religious and belief communities when it comes to differing theological and ethical views. As a clear starting point, there must be room for different views on what is morally or value-wise ‘right’ or preferable. Therefore, the authority to deny grants is limited to the types of violations mentioned above. ...

To the extent that the requirements imposed would interfere with the actual practice of religion or belief, they are nevertheless, in the Ministry’s view, objective, reasonable, and proportionate limitations on the right to receive subsidies.”

- (220) In my opinion, the restriction entailed by the refusal of registration is proportionate. First, I emphasize that the restriction is not particularly far-reaching. It does not entail any ban on the activities of Jehovah’s Witnesses in Norway, which may continue as before. Nor does it deprive the religious community of its status as an independent legal entity or its legal capacity. Although the refusal of registration means that Jehovah’s Witnesses no longer have the right to perform marriages, it is still possible to enter into a religious marriage within the congregation. The fact that the rules on confidentiality regarding confessions do not apply carries some weight, but this too cannot be considered particularly burdensome. I have also noted that the government is considering proposing changes to the regulations on this point, so that the duty of confidentiality will also apply to religious communities that have lost their registration, cf. the Ministry of Children and Families’ consultation paper of August 18, 2025, section 4.2.2.
- (221) On the other hand, consideration for the rights of others—that is, the right to leave a religious community—must carry significant weight. The right to leave a religious community is part of the freedom of religion, which enjoys particularly strong protection. The practices of Jehovah’s Witnesses involve using close relationships as a means of pressure to prevent members from leaving. This is particularly problematic when it comes to children.
- (222) I would add that the foreign court decisions presented in this case are not sufficient to change my view. None of the decisions appear to concern issues of infringement of

the right to withdraw from a religious community can form the basis for an intervention of a relatively limited nature in a religious community's freedom of religion, such as a refusal to register. As mentioned, there will in any case be variations among European states regarding the view of when it is necessary to intervene in freedom of religion to protect the rights and freedoms of others.

- (223) My conclusion is therefore that the decision to revoke registration and deny re-registration, as well as the subsequent decision to reject the application for state subsidies for the years 2022–2025, does not violate the Jehovah's Witnesses' freedom of religion under Article 9 of the ECHR.

Other Arguments

- (224) Jehovah's Witnesses have also argued that the decisions to deny subsidies and registration violate the protection against discrimination under Article 14 of the ECHR and the protection of property rights under Article 1 of Protocol No. 1 to the ECHR (P1-1). In my opinion, it is clear that these arguments cannot succeed. Jehovah's Witnesses have not established any likelihood of differential treatment. The fact that, so far, only Jehovah's Witnesses have been denied subsidies under the Religious Communities Act does not alter this. The protection of property rights under P1-1 presupposes the existence of "possession." Jehovah's Witnesses have received state subsidies for many years, but it is settled law that a conditional claim that lapses due to failure to meet the condition, as in this case, does not constitute "possession," see, inter alia, the ECHR judgment of January 22, 2009, "*Bulves*" *AD v. Bulgaria*, paragraph 53.
- (225) Finally, it is also clear that Jehovah's Witnesses cannot argue that the decisions are invalid because they were inadequately investigated, cf. the duty to investigate under Section 17 of the Public Administration Act. The courts have full jurisdiction to review whether the statutory conditions for denying subsidies and registration have been met, and any procedural error on the part of the administration related to the conditions is then of no independent significance for the validity of the decisions, cf. Rt-1969-1053 at page 1060. It has not been alleged that there are errors related to the exercise of the "may" discretion.

Conclusion

- (226) I therefore vote to dismiss the appeal with respect to the decision of the Ministry of Children and Families dated September 30, 2022, and to acquit the State in all other respects.

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| (227) | Judge Arntzen : | I agree in substance and in the result with the presiding judge, Judge Steen. |
| (228) | Judge Hellerslia : | Likewise. |
| (229) | Judge Falkanger : | I agree in substance and in the outcome with the dissenting opinion of Justice Poulsen. |

(230) Following the vote, the Supreme Court rendered this

JUDGMENT:

1. The appeal is dismissed.
2. The decision of the State Administrator for Østfold, Buskerud, Oslo, and Akershus dated November 4, 2025, rejecting the claim for state subsidies for 2025 is declared invalid.
3. The State, represented by the Ministry of Children and Families, shall pay the Jehovah's Witnesses
2,165,461 – two million one hundred sixty-five thousand four hundred sixty-one – kroner
within 2 – two – weeks of the pronouncement of this judgment.

This document is a true copy of the original: Anders
Berg Dønås