

United States Senate

December 15, 2022

The Honorable Rashad Hussain
Ambassador at Large
Office of International Religious Freedom
United States Department of State
2201 C Street, NW
Washington, D.C. 20520

The Honorable Douglas Hickey
United States Ambassador to the Republic of Finland
U.S. Embassy Helsinki
Itäinen Puistotie 14 B
00140 Helsinki, Finland

Dear Ambassadors Hussain and Hickey:

On March 1, 2022, I wrote about my concerns over the criminal prosecution of two Finnish Christians, Dr. Päivi Räsänen and the Reverend Dr. Juhana Pohjola, by the Office of the Prosecutor General of Finland. On March 30, 2022, a three-judge panel of the Helsinki District Court unanimously dismissed all charges. The court's decision held that "it is not for the district court to interpret biblical concepts" and ordered Finnish prosecutors to pay nearly \$67,000 in legal fees.¹ This correct decision absolves Dr. Räsänen and Rev. Dr. Pohjola of criminal liability for simply expressing their Christian faith. Such a decision deserves to be celebrated as a victory for religious freedom.

While many Americans could be forgiven for reasonably believing that acquittal means that this prosecution is over, sadly, it remains ongoing. Americans are familiar with the Double Jeopardy Clause of the Fifth Amendment to the U.S. Constitution, which protects criminal defendants from being prosecuted twice for the same offense by the same sovereign. Under Finnish law, however, the government is allowed to appeal a not guilty verdict to a higher court. On April 30, 2022, Finnish prosecutors filed an appeal to the Helsinki Court of Appeal that could drag this criminal process out to 2023 or beyond.² This means that the lower court's decision to dismiss charges against Dr. Räsänen and Rev. Dr. Pohjola could possibly be overturned.

¹ Mark A. Kellner, *Prosecutors appeal 'hate speech' exoneration of politician who quoted Bible on homosexuality*, THE WASHINGTON TIMES (April 7, 2022), <https://www.washingtontimes.com/news/2022/apr/7/prosecutors-appeal-hate-speech-exoneration-finnish/>.

² Paul Coleman, *The Fight for Free Speech Continues Around the World*, NEWSWEEK (Nov. 9, 2022), <https://www.newsweek.com/fight-free-speech-continues-around-world-opinion-1758003>.

Because Finnish prosecutors seek an appeal in a criminal case for years-old expressions of Christian faith, religious freedom remains under threat in Finland despite Dr. Räsänen and Rev. Dr. Pohjola's acquittal over eight months ago. No person should be subjected to criminal prosecution for expressing their sincere religious views in a non-violent manner. If a member of the Finnish Parliament and a Lutheran bishop can be forced to endure criminal prosecution by the Finnish Government for their peaceful, closely held religious beliefs, what protections are afforded to ordinary citizens who lack the influence, resources, and media attention to defend against such a criminal prosecution?

If this can happen in Finland, it can happen anywhere, and it is worth noting that this appeal occurs while Europe continues to witness anti-Christian hate crimes and hostility toward Christian-led organizations throughout the continent.³ But this criminal prosecution may have one silver lining despite the prosecutors' best efforts. As Dr. Räsänen noted earlier this year, the Supreme Court of Finland could ultimately issue a ruling "guaranteeing freedom of expression and religion" in Finland that "would serve as a legal guide for possible similar allegations in the future."⁴

Religious freedom faces threats in countries throughout the world but it could yet achieve a lasting victory in Finland.⁵ In my first letter on this issue, I asked our Department of State officials to stand up for religious freedom and stand against any erosion of this fundamental right—no matter where this erosion may occur. I urge you to continue to do so.

Thank you for your attention to this urgent matter.

Sincerely,



John Kennedy
United States Senator

³ Ryan Foley, *Europe sees over 500 anti-Christian hate crimes in 2021: report*, THE CHRISTIAN POST (Nov. 15, 2022), <https://www.christianpost.com/news/europe-sees-over-500-anti-christian-hate-crimes-in-2021-report.html>.

⁴ YLE NEWS, *Appeals court to consider Christian Democrat MP's comments about homosexuality* (May 31, 2022), <https://yle.fi/news/3-12468208>.

⁵ See generally United States Commission on International Religious Freedom, Annual Report, April 2022.