

AUSTRIA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. The government continued to provide financial support and other benefits to religious groups meeting certain legal qualifications.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Prominent societal leaders, however, took positive steps to promote religious freedom. A nongovernmental organization (NGO) reported 135 anti-Semitic incidents, including six physical assaults, verbal harassment, vandalism, dissemination of anti-Semitic writings, anti-Semitic Internet postings, property damage, and vilifying letters and telephone calls. There were some reports of neo-Nazi activity aimed at Muslims, including defacement of a mosque and use of Internet sites to spread anti-Islamic messages.

The U.S. ambassador and other embassy officers met with political leaders, NGOs, and religious group representatives to emphasize the importance of religious freedom, tolerance, and dialogue. The embassy monitored the government's commitment to religious tolerance. Embassy staff engaged Muslim leaders and promoted Holocaust remembrance and learning.

Section I. Religious Demography

The population is approximately 8.4 million, according to a 2011 Statistics Austria report. Religious groups and the Austrian Integration Fund estimate that Roman Catholics constitute 64 percent of the population and Muslims 6 percent. Religious groups constituting less than 5 percent each include the Lutheran Church; the Swiss Reformed Church (Evangelical Church-Augsburg and Helvetic confessions); Eastern Orthodox churches (Russian, Greek, Serbian, Romanian, and Bulgarian); Jehovah's Witnesses; other Christian churches; the Jewish community; and other non-Christian religious groups.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

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The constitution and other laws and policies protect religious freedom. The government is secular.

Citizens have the right to sue the government for constitutional violations of religious freedom.

The law prohibits public incitement to hostile acts against a church group, religious society, or other religious group if that incitement poses a danger to public order. It also prohibits incitement, insult, or contempt against such groups if it violates human dignity.

Government policy forbids headwear in official identification with an exception for religious purposes as long as the face is sufficiently visible.

By law, religious groups are divided into three legal categories (listed in descending order of status): officially recognized religious societies, religious confessional communities, and associations. Each category possesses specific rights, privileges, and responsibilities.

There are 14 officially recognized religious societies: the Catholic Church, the Protestant churches (specifically Lutheran and Presbyterian, called “Augsburg” and “Helvetic” confessions), the Islamic community, the Old Catholic Church, the Jewish community, the Eastern Orthodox Church (Russian, Greek, Serbian, Romanian, and Bulgarian), The Church of Jesus Christ of Latter-day Saints (Mormons), the New Apostolic Church, the Syrian Orthodox Church, the Coptic Orthodox Church, the Armenian Apostolic Church, the Methodist Church of Austria, the Buddhist community, and Jehovah’s Witnesses.

Recognition as a religious society under the law includes the authority to participate in the mandatory church contributions program, provide religious instruction in public schools, and bring religious workers into the country to act as ministers, missionaries, or teachers. Under the law, religious societies have “public corporation” status, permitting them to engage in a number of public or quasi-public activities, such as government-funded religious instruction in the school system, denied to confessional communities and associations. The government provides religious societies, but not other religious groups, with financial support for teachers of religion at both public and private schools. Religious societies have great leeway under the law to regulate their own affairs.

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The law establishes criteria for religious groups seeking to achieve religious society status, although religious groups recognized as societies prior to a 1998 law retain their status. To be recognized as a religious society, religious groups must have membership equaling 0.2 percent of the country's population (approximately 16,800 people) and have been in existence for 20 years, at least 10 of which must have been as an organized group and five as a confessional community. Only five of the 14 recognized religious societies (Catholic, Protestant, Muslim, Eastern Orthodox, and Jehovah's Witnesses) meet this membership requirement. There is an exception for religious groups that have been active internationally for at least 100 years and active in an organized form in the country for 10 years.

The law allows religious groups not recognized as societies to seek official status as confessional communities without the financial and educational benefits available to recognized religious groups. Groups must have at least 300 members and submit their statutes describing the goals, rights, and obligations of members as well as membership regulations, officials, and financing. Groups must also submit a written version of their religious doctrine, which must differ from that of any previously recognized religious society or religious confessional community. The Education Ministry then determines whether the group's basic beliefs violate public security, public order, health and morals, or the rights and freedoms of citizens.

A confessional community recognized by the government has the juridical standing needed to engage in such activities as purchasing real estate in its own name and contracting for goods and services. A religious group seeking to obtain this status is subject to a six-month waiting period from the time of application to the Education Ministry.

The government recognizes 11 groups as confessional communities: the Bahai Faith, Baptists, the Evangelical Alliance, the Movement for Religious Renewal-Community of Christians, the Free Christian Community (Pentecostals), the Pentecostal Community of God, the ELAIA Christian Community, Seventh-day Adventists, the Hindu community, Mennonites, and Alevis.

Religious groups not qualifying for either religious society or confessional community status may apply to become legal associations. Associations have juridical standing and many of the same rights as confessional communities, such as the right to own real estate. Some groups organize as associations while applying for recognition as religious societies. The Church of Scientology, the

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Unification Church, and a number of smaller religious groups are organized as associations.

There are no restrictions on missionary activities. Unlike workers for religious societies, religious workers for groups recognized only as confessional communities or associations must apply for a general immigrant visa that is not employment or family-based, and is subject to a quota.

The government funds religious instruction in public schools and places of worship for children belonging to any of the 14 officially recognized religious societies. The government does not offer such funding to other religious groups. A minimum of three children is required to form a class. Attendance in religious instruction is mandatory for all students unless they formally withdraw at the beginning of the school year; students under the age of 14 require parental permission to withdraw from instruction. Instruction takes place either in the school or at sites organized by religious groups. Some schools offer ethics classes for students not attending religious instruction.

The curriculum for both public and private schools includes compulsory anti-bias and tolerance education as part of civics education across various subjects, including history and German language instruction. Religious education and ethics classes include the tenets of different religious groups.

Holocaust education is part of history instruction and appears in other subjects such as civics. The Education Ministry conducts training projects with the Anti-Defamation League. Special teacher-training seminars are available on Holocaust education, and Holocaust survivors talk to school classes about National Socialism and the Holocaust.

A strictly enforced law bans neo-Nazi activity, and prohibits public denial, belittlement, approval, or justification of the Nazi genocide or other Nazi crimes against humanity in print, broadcast, or other media.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. The government also contributes financial resources for Holocaust education efforts.

Prisoners are entitled to pastoral care.

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The government observes the following religious holidays as national holidays: Epiphany, Good Friday (Protestants only), Easter Monday, Ascension Day, Whit Monday, Corpus Christi Day, Assumption Day, All Saints Day, Feast of the Immaculate Conception, Christmas Day, and Saint Stephen's Day.

Government Practices

There were no reports of abuses of religious freedom.

The Federal Office of Sect Issues offered advice for persons with questions about groups it considered to be "sects" and "cults." While officially independent by law, the Minister for Economy, Family, and Youth appointed and supervised its head. Some members of the public asserted the Office of Sect Issues and similar government offices fostered societal discrimination against unrecognized religious groups.

The Lower Austria provincial government and the city of Vienna funded a counseling center managed by the Society Against Sect and Cult Dangers (GSK), an NGO working actively against groups it deemed to be sects and cults. The GSK distributed information to schools and the general public and operated a counseling center for those reportedly negatively affected by such groups. Several other provinces funded offices providing information on sects and cults.

Some religious groups criticized the length-of-existence requirement as biased against registration of new religious groups. A complaint to the European Court of Human Rights by the Movement for Religious Renewal-Community of Christians remained pending at year's end. The Education Ministry rejected the group's application for recognition as a religious society in 2009, and the Constitutional Court denied an appeal in 2010.

In February the government cancelled its recognition of the Moravian Church due to inactivity.

The police continued to provide extra protection to the Vienna Jewish Community's offices and other Jewish community institutions such as schools and museums.

The trial of three men arrested in 2011 under a law banning neo-Nazi activity began in May and continued at year's end. The men allegedly ran a neo-Nazi Web

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site displaying links to Hitler's *Mein Kampf*, calling for actions to preserve "German heritage," and denouncing opponents of right-wing extremism.

The government's policy of recognizing umbrella religious groups and giving them wide authority to regulate communal affairs affected some religious groups. In April the Education Ministry rejected an application by the liberal Jewish group Or Chadash for recognition as a separate Jewish community, deferring to the authority of the Israelite Cultural Community (IKG) as the officially recognized Jewish umbrella group.

In June the first Muslim cemetery in the province of Vorarlberg, the province with the highest per capita concentration of Muslims, opened in Altdorf. Local authorities, Muslim groups, and NGOs coordinated cemetery planning.

Politicians from all parliamentary parties condemned the June 29 desecration by unknown vandals of 43 graves in the Jewish section of Vienna's Central Cemetery.

In response to a July court verdict in Germany limiting male circumcision, several politicians recommended a halt to circumcisions in hospitals pending legal clarification. On July 30, the Justice Ministry asserted that male circumcision was legal in Austria.

On August 21, the Vienna Prosecutor's Office launched an investigation on charges of incitement to religious or ethnic hatred regarding a cartoon on a right-wing political leader's Facebook page. No charges were filed.

The Vienna Office for Special Investigations opened an investigation of three policemen who allegedly failed to intervene on behalf of a rabbi accosted with anti-Semitic slogans in Vienna on August 30. The investigation was ongoing at year's end.

In November the King Abdullah Center for Religious Dialogue opened in Vienna. An initiative by Austria, Spain, and Saudi Arabia, the center was designed to be a platform for dialogue among the five largest world religions.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

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Austrian President Heinz Fischer led commemorations to celebrate the 100th anniversary of the state recognition of Islam. He also denounced anti-Semitic activities, declaring that anti-Semitic sentiments were unacceptable: “one can only say in the clearest terms: No way.” Cardinal Christoph Schoenborn called for Austria to be a role model in establishing an interfaith dialogue between Christians and Muslims.

The NGO Forum Against Anti-Semitism reported 135 anti-Semitic incidents, including six physical assaults in addition to verbal harassment, vandalism, dissemination of anti-Semitic writings, anti-Semitic Internet postings, property damage, and vilifying letters and telephone calls.

According to the Equal Treatment Agency’s 2012 report, 80 cases of discrimination based on religion came before the equal rights commissioner in 2011. The report highlighted an increase in the number of labor discrimination complaints from Muslim women wearing headscarves.

Construction of new Islamic centers in Vienna, Wiener Neustadt, and Graz proceeded despite opposition from some right-wing and neighborhood groups.

Relations among the 14 officially recognized religious societies were generally amicable. Fourteen Christian churches, among them the Catholic Church, various Protestant denominations, and eight Orthodox and Old Oriental churches, engaged in dialogue within the Ecumenical Council of Austrian Churches. Baptists and the Salvation Army had observer status on the council. The international Catholic organization Pro Oriente actively promoted dialogue with Orthodox churches. Some Christian churches carried on an active dialogue with Muslim and Jewish groups.

Section IV. U.S. Government Policy

The U.S. ambassador and other embassy officers regularly met with religious and political leaders, including the state secretary for integration and the heads of the Muslim and Jewish communities, in Vienna and throughout the country. The meetings reinforced the U.S. government’s commitment to religious freedom and tolerance and provided an opportunity to discuss the concerns of NGOs and religious groups about the government’s policies.

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Embassy staff met regularly with members of Catholic, Jewish, and Muslim groups, Jehovah's Witnesses, the Church of Scientology, the Unification Church, and other religious groups. The deputy chief of mission initiated contact with the King Abdullah Center for Religious Dialogue to discuss religious freedom issues.

The embassy highlighted religious freedom in outreach and social media programs. The embassy hosted interfaith discussions with government representatives and Muslim and Jewish leaders, organized visits to Muslim schools and a Muslim teachers' academy to observe the government's efforts to better integrate the Muslim minority, submitted for publication editorials advocating greater tolerance, presented a Holocaust documentary movie screening with its director, and sponsored a workshop on Holocaust education for high school curriculum experts. The embassy also sponsored visits of prominent members of minority religious groups to the United States.