

SWITZERLAND 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.

There were isolated reports of societal discrimination based on religious affiliation, belief, or practice. Members of Muslim and Jewish minority religious groups were typically the victims in such incidents.

The U.S. ambassador raised religious freedom in several meetings with government officials and religious leaders. Embassy officers engaged nongovernmental organizations (NGOs), civil society officials, and religious leaders in discussions on religious freedom, and exchanged views with religious law experts from the theology faculties of the Universities of Bern and Lucerne.

Section I. Religious Demography

According to the Federal Office of Statistics, the population is 8.01 million. The June update of the 2010 census estimates religious group membership as 38.6 percent Roman Catholic, 28 percent Protestant, 4.5 percent Muslim, and 1.8 percent Christian Orthodox. Over 20 percent self-identifies as atheist. Religious groups constituting less than 1 percent of the population include Old Catholics, other Christian denominations, Buddhists, Hindus, and Jews. Although actual church attendance rates are much lower, 80 percent report being religious, including 22 percent being very religious, in a 2007 Religion Monitor survey sponsored by the Bertelsmann Foundation.

Most immigrants are members of religious groups different from native-born citizens. Over 90 percent of Muslims are of foreign origin, with nearly 100 nationalities represented. Most come from Bosnia-Herzegovina, Kosovo, Albania, Turkey, and North Africa. The majority of the Muslim community is Sunni, interspersed with some Shia and Alawites. Most of the Muslim population lives in urban areas. Over 75 percent of Jewish households are located in Zurich, Geneva, Basel, and Bern.

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Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom.

The constitution provides for freedom of religion and conscience, and the federal penal code prohibits any form of debasement of or discrimination against any religion or religious adherents.

The law penalizes public incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity.

There is no official state church; the constitution delegates religious matters to the cantons. Most of the 26 cantons, with the exception of Geneva and Neuchatel, financially support at least one of the three traditional religious communities--Roman Catholic, Old Catholic, or Protestant--with funds collected through a church tax. Each canton observes its own regulations regarding the relationship between church and state. In some cantons the church tax is voluntary, while in others an individual who chooses not to contribute to the church tax may have to leave the church formally. In some cantons private companies are required to pay a church tax. Some cantons also allow the church tax to be collected on behalf of the Jewish community. Islamic and other “nontraditional” religious groups are not eligible to receive money from the collected church tax.

The law explicitly states there are no special requirements for any religious group to register with the government to receive tax-exempt status. Applications are routinely granted.

Religious groups of foreign origin are free to proselytize, but regulations set specific standards for foreign missionaries to enter the country. Changes to immigration and labor laws enacted in 2008 impose tighter employment restrictions on non-European Union (EU) nationals. Foreign missionaries must obtain a “religious worker” visa to work in the country. Visa requirements include proof the foreigner does not displace a citizen from a job, has formally completed theological training, and will be financially supported by the host organization. To obtain a work permit the applicant must have sufficient knowledge of, respect for, and understanding of Swiss customs and culture; be conversant in at least one of the three main national languages; and hold a degree in theology. The host organization must also acknowledge the country’s legal order and pledge that it

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will not tolerate abuse by members. If an applicant is unable to meet these requirements, the government may deny the residency and work permit. The government granted a four-year grace period from 2008-2012 to foreign clerics/missionaries who did not meet all the religious worker visa requirements. They and their organizations continued to receive visas, but in diminishing numbers during this time period.

According to the courts, missionaries of certain denominations, such as The Church of Jesus Christ of Latter-day Saints (Mormons), do not meet these requirements. Mormon missionaries from non-EU countries are ineligible for religious visas because they do not possess a theology degree. Mormon missionaries from EU countries are not restricted from working in the country.

The government may also refuse residency and work permits if a background check reveals that the individual has ties to religious groups deemed “radicalized” or has formerly engaged in “hate preaching.” Immigration authorities may refuse residency permits to clerics considered “fundamentalists” by the government if they deem that internal security or public order is at risk.

The law requires mandatory training for immigrant clerics regardless of religious affiliation in order to facilitate their integration into society. Among other provisions, the training program aims to ensure that immigrant clerics can speak at least one of the three main national languages.

Education policy is set at the cantonal level, but municipal school authorities have some discretion in its implementation. Most public cantonal schools offer religious education, with the exception of schools in Geneva and Neuchatel. Public schools normally offer classes in Catholic and Protestant doctrines; a few schools provide instruction on other religious groups in the country. Two municipalities in the canton of Lucerne offer religious classes in Islamic doctrine. In some cantons religious classes are voluntary, while in others they form part of the mandatory curriculum; however, waivers are routinely granted for children whose parents request them. Children from minority religious groups are free to attend classes for their own religious group during the class period. Parents may also send their children to private religious schools and to classes offered by religious groups, or they may homeschool their children.

A number of cantons either complement or replace traditional classes in Christian doctrines with nonconfessional teachings about religion and culture. There are no

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national guidelines for waivers on religious grounds from classes other than religious instruction, and practices vary.

The construction of minarets is banned. The ban does not apply to the four existing mosques with minarets or to the construction of new mosques.

A federal law prevents local ritual slaughter for kosher and halal meat; however, importation of such meat is legal and it is available.

Fifteen municipalities provide land for Muslim burials, including Geneva, Basel-Liestal, Zurich, Bern, Thun, Lugano, Lucerne, Biel, Chaux-de-Fonds, and Winterthur.

The Federal Department of Foreign Affairs (FDFA)'s Human Security Division includes the Task Force for Dealing with the Past, responsible for developing a government strategy to prevent atrocity and genocide. The task force also addresses religious conflict issues.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

The government observes the following religious holidays as national holidays: Good Friday, Easter, Easter Monday, Ascension, Whit Sunday, Whit Monday, Christmas Day, and St. Stephen's Day. Sunday is a public holiday; shops remain closed, and Sunday work is generally not allowed unless a special permit is given, usually reserved for hospitals, service industries, and essential occupations.

Government Practices

There were no reports of abuses of religious freedom; however, there were reports of discrimination against minority religious groups, mostly against Muslims, at the local level.

Muslim groups complained of discrimination by cantonal and municipal authorities who refused to approve zoning applications to build mosques or establish Islamic cemeteries. While some mosques were built or cemeteries established in Zurich, Lucerne, and St. Gallen during the year, the organizations stated that this was not sufficient and that they struggled to get newer initiatives approved.

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In December the government ordered a Schengen-wide travel restriction for Muslim cleric Muhammad al-Arifi after declaring him to be a threat to external and internal security.

During the year the supreme court ruled that a long-standing federal law requiring every pupil to take swimming lessons as part of the public school curriculum was constitutional and did not violate religious freedom. In 2008 a Muslim couple challenged the law, stating that they refused to allow their daughters to participate because the mandatory mixed swimming classes violated their religious beliefs.

On June 23 a member of a conservative political party placed offensive anti-Islamic statements on his Twitter page and later resigned from his official position.

A November 2011 assessment by the Organization for Security and Cooperation in Europe (OSCE) found increasing discrimination against Muslims. The OSCE noted that refugees largely from Albania and Bosnia were targeted. The report also noted that the most egregious cases of religious discrimination occurred during naturalization proceedings and in the workplace. The OSCE recommended the government establish an umbrella organization to represent Muslim interests. The government held discussions with officials from several national and local Muslim groups, but had not created an organization representing all Muslim interests by year's end.

In October the UN Human Rights Council (HRC) conducted a Universal Periodic Review for the country. UNHRC members called for improved human rights and religious freedom standards. Member states also raised concerns about the 2010 minaret ban introduced by a national referendum. Several member states called for overturning the ban and establishing institutional guarantees that ensure that popular initiatives would not violate human rights and religious freedom.

In response to the increasing number of Muslim soldiers, the army created guidelines affording special conditions for meals and prayers for Muslim personnel.

On January 27, parliament hosted a Holocaust commemoration organized by the Association of Holocaust Survivors with the support of the FDFA. On January 28, the government commemorated International Holocaust Remembrance Day with a special memorial hour and a speech by President Ueli Maurer.

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In July the canton of Lucerne gave the local Hindu community an official plot of land for funeral rites.

Cantonal authorities in Zurich authorized continued operation of a Mormon prayer house opened by missionaries in 2011.

Following policy changes and consultations with all 26 cantons, the Federal Council released the first draft of integration guidelines in which responsibilities of each canton were outlined to provide improved assistance to immigrants from religious minorities and better protection against discrimination based on religious belief. During the year the Federal Office of Migration and cantonal authorities collaborated to appoint observers to oversee the implementation of the guidelines in the cantons.

The government Federal Service for Combating Racism continued to provide funding for projects focusing on religious freedom and the promotion of intercultural understanding. The budget for the year was 500,000 Swiss francs (\$547,705). Between 2011 and 2013 the government funded 72 projects. Projects included creating a history lesson sequence for schools on anti-Semitism during the 20th century, art shows, and academic research. It also financed special sensitization workshops for the military police. During the year the State Secretariat for Education and Research met with the deans of university theology faculties to establish training courses for Islamic teachers residing in the country.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal discrimination based on religious affiliation, belief, or practice. Most incidents were directed against Muslims and Jews.

According to statistics gathered by the Foundation against Racism and Anti-Semitism, there were 25 cases of anti-Semitism in the German speaking part of the country and 78 cases of racism in the whole country. Because ethnicity and religion were often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance. These figures included instances of verbal and written attacks, which were much more frequent than physical assaults.

Many NGOs coordinated interfaith events to promote tolerance throughout the country. The Interreligious Workgroup of Switzerland organized the Week of Religions initiative in November. This national event consisted of 13 cantons

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holding over 150 events to promote interdenominational tolerance and interfaith pluralism and cooperation among diverse religions.

On October 28, the Swiss Federation of Jewish Communities organized a teaching seminar on Jewish religious education in Bern to promote exchanges among educators responsible for religious curricula.

On November 29, Jewish leaders organized an annual Holocaust awareness trip to Auschwitz for 221 teachers and students to sensitize students to the persecution Jews suffered under the Nazis.

Section IV. U.S. Government Policy

The U.S. ambassador raised religious freedom in several meetings with government officials and religious leaders. Embassy officials continued to raise concerns with the FDFA about the lack of religious visas issued by federal authorities for Mormons.

U.S. embassy officers engaged NGOs, civil society officials, and religious leaders in discussions on religious freedom, and exchanged views with religious law experts from the theology faculties of the Universities of Bern and Lucerne.

In October the embassy sponsored the visit of an American professor and leading religious expert, who gave lectures at the Universities of Bern, Lucerne, and Zurich on religious freedom and politics. The professor spoke with students, lecturers, civic groups, and local officials, and discussed the American and Swiss experiences with religious pluralism and tolerance. He also shared his ideas on how to promote effectively interfaith cooperation.