

# **AUSTRIA 2013 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 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, in particular reports of anti-Semitic activity and neo-Nazi activity aimed at Muslims.

The U.S. Ambassador and other embassy officers met with political leaders, nongovernmental organizations (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 education.

## **Section I. Religious Demography**

The U.S. government estimates the total population is 8.2 million (July 2013 estimate). Religious groups and the Austrian Integration Fund estimate that Roman Catholics constitute 64 percent of the population, Muslims 6 percent, and 12 percent are unaffiliated with any religion. 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**

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

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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 documents 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 16 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, Jehovah’s Witnesses, the Islamic-Alevi Community, and the Free Christian Churches.

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, which is 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 significant freedom under the law to regulate their own affairs.

The law establishes criteria for religious groups seeking to achieve religious society status, although religious groups recognized as societies prior to a 1998 law

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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 six of the 16 recognized religious societies (Catholic, Protestant, Muslim, Eastern Orthodox, and Jehovah's Witnesses, and the Free Christian Churches) 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 Ministry for Education, the Arts, and Culture (BMUKK) 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 BMUKK.

The government recognizes seven groups as confessional communities: the Bahai Faith, the Movement for Religious Renewal-Community of Christians, the Pentecostal Community of God, Seventh-day Adventists, the Hindu community, the Islamic-Shiite community, and the Old-Faith 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 Unification Church, and a number of smaller religious groups are organized as associations.

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There are no restrictions on missionary activities. Unlike workers for religious societies, religious workers for groups recognized only as confessional communities or associations, or for groups as of yet without any formal recognition, 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 16 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.

The government contributes financial resources for Holocaust education efforts. Holocaust education is part of history instruction and appears in other subjects such as civics. The BMUKK conducts teacher 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 International Holocaust Remembrance Alliance, formerly the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

Prisoners are entitled to pastoral care.

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### Government Practices

The Federal Office of Sect Issues continued to offer 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 complained that 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.

In March the government recognized the Islamic-Shiite Faith Community as a confessional community. In August it recognized the Old-Faith Alevi group as a confessional community.

In May the government recognized the Islamic Alevi Community as a religious society. Following the merger of five Christian groups – Baptists, Mennonites, Evangelical Alliance, ELAIA (“olive tree” in Greek) Christian Community, and the Free Christian Community (Pentecostals) – under the name “Free Christian Churches,” the government recognized the Free Christian Churches as a religious society in August.

The government’s policy of recognizing umbrella religious groups and giving them wide authority to regulate communal affairs affected some religious groups. The status of the Jewish group Or Chadash remained unresolved following the 2012 rejection by the BMUKK of the group’s application for recognition as a separate Jewish community, deferring to the authority of the Israelite Cultural Community (IKG) as the officially recognized Jewish umbrella group.

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

In January, authorities convicted three men connected to a neo-Nazi Web site that displayed links to Hitler’s *Mein Kampf*, called for actions to preserve the “German

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heritage,” and denounced opponents of right-wing extremism. Authorities charged the suspects under the law banning neo-Nazi activity. The sentences ranged from four and a half to nine years in prison.

The courts sentenced three men to prison in February under the law forbidding Nazi-related activities for their involvement in singing a Nazi-era song at a 2011 soccer game. One of the convicted received a 15-month prison sentence.

In March after meeting with the president of the IKG, State Secretary Reinhold Lopatka called for increased vigilance against anti-Semitism and stated that “there is no place for anti-Semitism in society.” Lopatka also declared that prior to meeting with officials in Hungary in April, he would discuss anti-Semitism with them.

In July the Vienna Prosecutor’s Office closed an investigation of a police officer who reportedly had failed to intervene on behalf of a rabbi accosted with anti-Semitic slogans in Vienna in August 2012. The Vienna Prosecutor found no evidence for premeditated abuse of office. The internal investigations office of the Vienna police also did not impose any disciplinary measures against the police officer. Two other police officers who reportedly had also been involved could not be identified.

In July media reports revealed that a tower bell in the village of the Wolfpassing had a swastika carved into it and paid homage to Hitler for his 1938 annexation of Austria. The village mayor reportedly was not concerned over the bell, although some townspeople called for its removal. At year’s end, it remained unclear whether the bell would be removed or would serve as a memorial.

In July police in the Alpine Tyrol region cancelled a soccer game between the Israeli team Maccabi Tel Aviv and the German team Energie Cottbus due to security fears after threats by neo-Nazi groups reportedly from Germany.

Seven men received sentences from 18 months to six years for “re-engagement with National Socialism” in November. In conjunction with other criminal activities, video evidence displayed all seven giving “Sieg Heil” salutes. The sentencing judge reportedly issued the sentences to have a “preventive” effect.

Spokesman for Justice of the Social Democratic Party Hannes Jarolim criticized on several occasions the approach of the government toward anti-Semitism, asserting

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that Austria's democracy is mature enough to allow freedom of speech, assembly, and the like regarding national socialism.

The city of Vienna announced an agreement in October to increase its annual contribution to Jewish cemetery upkeep by 340,000 euros (\$470,000) to 860,000 euros (\$1.2 million). The Jewish community president welcomed the increase and said that efforts to rehabilitate and repair the cemeteries in Vienna would begin soon.

Under a government and civil society initiative, the University of Vienna began a pilot project to train imams. The principal individuals involved in this initiative were Integration State Secretary Sebastian Kurz, the President of the official Islamic Faith Community, and Vice Rector Heinz Fassmann. Once fully implemented, graduates would be expected to serve as imams in mosques and as government-financed religion teachers in schools.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

In January the head of Vienna's Jewish community stated that the number of anti-Semitic incidents doubled in the country in 2012. This included the July desecration of the Jewish cemetery, where 43 graves were vandalized, including those of a number of World War II victims.

The NGO Forum against Anti-Semitism reported 135 anti-Semitic incidents in 2012, the most recent statistics available, 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 2013 report, 77 cases of discrimination based on religion came before the equal rights commissioner in 2012.

In March the media reported opinion poll results that over 40 percent of Austrians believed that the Nazi era was not "all bad." Fifty-four percent of respondents reportedly also thought that if there were no legislation prohibiting neo-Nazi political parties, then those parties could be successful in elections. In addition, 61

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percent of respondents felt that the country's Nazi past had been adequately dealt with, while 39 percent disagreed. Following publication, a number of observers criticized the poll's purpose as "sensationalistic journalism," saying that it had not been conducted in a scientific manner and phrased questions in a way leading to ambiguous answers.

The NGO Civil Courage and Anti-Racism Works 2013 report identified seven cases of anti-Muslim graffiti and approximately 40 anti-Muslim statements made on Austria-based websites in 2012. The report also disclosed several reported cases of anti-Muslim statements, including a statement on a social media site by Freedom Party Chairman Heinz-Christian Strache blaming Muslims for a school's decision not to have a party on St. Nicholas Day.

Construction of new Islamic centers in Vienna, Wiener Neustadt, and Graz proceeded despite opposition from some right-wing and neighborhood groups. The Turkish-Islamic Cultural Union in Austria (ATIB) stated that local authorities in the Floridsdorf neighborhood of Vienna were unduly delaying construction of a cultural center. Another ATIB cultural center in the Brigittenau neighborhood of Vienna overcame a citizen's initiative intended to halt construction. Construction of an Islamic center in Graz slowed due to funding constraints, but faced little opposition during the year, in contrast to 2012.

Relations among the 16 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 promoted dialogue with Orthodox churches. Some Christian churches carried on a dialogue with Muslim and Jewish groups.

### **Section IV. U.S. Government Policy**

The Ambassador and other embassy officers regularly met with religious leaders, including the heads of the Muslim and Jewish communities, in Vienna and throughout the country, as well as political leaders, including the State Secretary for Integration. 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 as well as social attitudes. Embassy officers had several discussions with Jewish and Muslim leaders on events affecting the two communities.

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Embassy staff continued to meet regularly with members of Catholic, Jewish, and Muslim groups, Jehovah's Witnesses, the Church of Scientology, the Unification Church, and other religious groups throughout the country to promote mutual understanding and trust among religious groups.

The embassy highlighted religious freedom in outreach and social media programs. The embassy hosted interfaith discussions with government representatives and Muslim and Jewish leaders, held a Thanksgiving reception for the Muslim community, organized visits to Muslim schools and a Muslim teachers' academy to observe the government's efforts to better integrate the Muslim minority, and invited members of the Muslim community to presentations on civil rights and diversity. The embassy also sponsored visits of prominent members of minority religious groups and young female Muslim journalists to the United States.