

SWITZERLAND 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of faith and conscience, and the penal code prohibits discrimination against any religion or religious adherents. The constitution delegates religious matters to the 26 cantons. Local authorities in some cantons continued to try to impose bans on headscarves in schools, and authorities continued to deny permission to establish a private Islamic nursery school in Zurich. The construction of minarets remained banned. The Federal Court ruled in favor of the Islamic Central Council of Switzerland (ICCS) after it complained the Saane District wrongly rejected the organization's application for hosting its yearly conference in Fribourg in November 2014. The municipality of Bois-de-Vaux in Lausanne presented plans to establish 350 Muslim gravesites.

There was an increase in anti-Semitic statements and acts, reportedly from right-wing extremists. In July individuals spat on the face of an Orthodox Jew in Zurich and yelled "Heil Hitler!" Islamic organizations reported an increase in anti-Muslim sentiment, which they attributed to the rise of Da'esh (Islamic State in Iraq and the Levant) and the terror attacks in Paris and Copenhagen. Women with headscarves were verbally harassed and some experienced strangers trying to remove their headscarves. In May vandals desecrated at least 13 Muslim gravesites in the municipality of Bois-de-Vaux in Lausanne. Muslims who saw themselves as moderate said they faced hostility from more conservative Muslims.

The U.S. embassy promoted religious freedom in discussions with the government, nongovernmental organizations (NGOs), civil society officials, and religious leaders from the Christian, Muslim, and Jewish communities as well as representatives of other religious minorities. The embassy focused its discussions primarily on access to religious education and religious services and the extent of governmental and societal acceptance of religious groups. The embassy hosted an interfaith Passover dinner, an iftar, and an interfaith lunch, all of which included discussions on religious tolerance and religious diversity.

Section I. Religious Demography

The U.S. government estimates the total population at 8.1 million (July 2015 estimate). According to the Federal Statistics Office, as of 2013, the latest year for which figures are available, 38 percent of the population is Roman Catholic, 26.1 percent Protestant, 5.8 percent other Christian groups, 5.1 percent Muslim, and 0.2

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percent Jewish. Among the other Christian groups, various sources estimate 1.8 percent of the population is Orthodox Christian, 1.5 percent Evangelical Free Christian, 0.15 percent Christian Catholic (also known as Old Catholic, who do not recognize the pope as head of the Catholic Church), and the remaining 2.4 percent other Christian groups, such as Jehovah's Witnesses and The Church of Jesus Christ of Latter-day Saints (Mormons). Religious groups constituting 1.3 percent of the population include Buddhists, Hindus, Bahais, and Sikhs. Persons identifying with no religious group constitute 22.2 percent, and the religious affiliation of 1.3 percent of the population is unknown.

Approximately 95 percent of Muslims are of foreign origin, with over 30 countries represented. Media reports state most come from countries of the former Yugoslavia, including Kosovo, Macedonia, and Bosnia and Herzegovina. Many Muslims also come from Albania, Turkey, North Africa, and Somalia. According to the 2014 *Yearbook of Muslims*, a majority of the Muslim community is Sunni; the minority includes Shia, Alevis, and Ahmadis. Most of the Muslim population lives in cities such as Zurich, Basel, Bern, Aarau, and St. Gallen. More than 75 percent of Jewish households are located in Zurich, Geneva, Lausanne, Basel, and Bern.

Section II. Status of Government Respect for Religious Freedom

Legal/ Framework

The constitution guarantees freedom of faith and conscience and states each person has the right to choose his or her religion. The federal penal code prohibits any form of "debasement," which is not specifically defined, or discrimination against any religion or religious adherents.

Inciting racial hatred or discrimination, including by electronic means and on the basis of religion, is punishable by up to three years' imprisonment or a fine. The law also penalizes anyone who refuses to provide a service because of someone's religion, or who "denies, justifies, or plays down genocide or other crimes against humanity."

A federal animal welfare law prevents ritual slaughter of animals without prior anesthetization for kosher and halal meat. Importation of traditionally slaughtered kosher and halal meat is legal and such products are available.

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There is no official state church; the constitution delegates religious matters to the 26 cantons, which regulate the activities of religious communities, including the issuance of licenses and property permits. The cantons offer legal recognition as public entities to religious communities that fulfill a number of prerequisites, including a statement acknowledging the right of religious freedom; the democratic organization of the community; respect for the cantonal constitution and rule of law; and financial transparency. The cantons of Basel, Zurich, and Vaud also offer religious communities public legal recognition as private entities. This gives them the right to teach their religions in public schools, as well as other rights that vary from canton to canton. Procedures for obtaining private legal recognition vary; for example, in Basel the approval of the canton's Grand Council is required.

The constitution sets education policy at the cantonal level, but municipal school authorities have some discretion in implementing cantonal guidelines. Most public cantonal schools offer religious education, with the exception of schools in Geneva and Neuchatel. Public schools normally offer classes in Catholic and/or Protestant doctrines with the precise details varying from canton to canton and sometimes from school to school; a few schools provide instruction on other religious groups in the country. The municipalities of Ebikon and Kriens in the Canton of Lucerne offer religious classes in Islamic doctrine, as does the municipality of Kreuzlingen in the Canton of Thurgau. In some cantons, religious classes are voluntary, while in others, such as in Zurich and Fribourg, they form part of the mandatory curriculum at the secondary school level; however, waivers are routinely granted for children whose parents request them. Children from minority religious groups may attend classes for their own religious group during the class period. Parents may also send their children to private religious schools to classes offered by religious groups, or they may homeschool their children.

Most cantons either complement or replace traditional classes in Christian doctrines with more general classes about religion and culture. There are no national guidelines for waivers on religious grounds from classes other than religious instruction, and practices vary.

The construction of minarets is banned in accord with a national referendum. The ban does not apply to the four existing mosques with minarets. New mosques may be built without minarets.

All of the cantons, with the exception of Geneva, Neuchatel, Ticino, and Vaud, financially support at least one of four religious communities – Roman Catholic,

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Christian Catholic, Protestant, or Jewish – with funds collected through a mandatory church tax for registered church members and, in some cantons, businesses. The church tax is voluntary in the cantons of Ticino, Neuchatel, and Geneva, while in all others an individual who chooses not to pay the church tax may have to leave the religious institution formally. The canton of Vaud is the only canton that does not collect a church tax; however, the Protestant and Roman Catholic denominations are subsidized directly through the cantonal budget. Islamic and other unrecognized religious groups are not eligible to receive funding collected via the church tax.

There is no law requiring the registration of a religious group. The granting of tax-exempt status to a religious group varies from canton to canton. Most cantons automatically grant tax-exempt status to those religious communities that receive cantonal financial support, while all other religious communities must generally submit an application for tax-exempt status to the cantonal government.

Religious groups of foreign origin are free to proselytize, but regulations set specific standards for foreign missionaries to enter the country. Foreign missionaries must obtain a religious worker visa to work in the country. Visa requirements include proof that the foreigner does not displace a citizen from a job; that he/she has completed formal theological training; that he/she will be financially supported by the host organization; that he/she is willing to participate in integration courses; and that the number of the organization's religious workers is not out of proportion to the size of the community when compared to the number of religious workers from the cantonally recognized religious communities.

Foreign missionaries must also 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 law requires immigrant clerics with insufficient language skills and knowledge of local culture and customs, regardless of religious affiliation, to attend mandatory language courses as well as related specialist training to facilitate their integration into society.

In some instances, the cantons may approve an applicant lacking this proficiency by devising an "integration agreement" that contains certain goals the applicant must try to meet. The host organization must also "recognize the country's legal norms" and pledge it will not tolerate abuse by members. If an applicant is unable

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to meet these requirements, the government may deny the residency and work permits.

The law also allows the government to refuse residency and work permits if a background check reveals an individual has ties to religious groups deemed “radicalized” or has engaged in “hate preaching,” defined as publicly inciting hatred against a religious group, disseminating ideologies intended to defame members of a religious group, organizing defamatory propaganda campaigns, public discrimination, denying or trivializing genocide and other crimes against humanity, or refusing to provide service based on religion. The law authorizes immigration authorities to refuse residency permits to clerics considered “fundamentalists” by the government if the authorities deem internal security or public order is at risk.

Government Practices

In March both federal houses of parliament approved the canton of Ticino’s 2013 referendum to ban on head coverings (defined as facial coverings for religious reasons or facial coverings aimed at maintaining anonymity while perpetrating violent acts in public). Although the referendum language did not explicitly mention Islam, referendum supporters stated the legislation targeted Muslim women wearing burkas as well as the individuals forcing them to do so. The effective date of the ban is January 1, 2016.

In January the social services agency of the city of Fribourg reduced the social aid payment of a Turkish Muslim couple by 15 percent following the wife’s refusal to accept a job as a cleaning assistant in a preschool center that would have required her to remove her headscarf while working. According to local media, the couple intended to appeal the decision.

In December the Federal Court rejected an appeal submitted by the school council of St. Margrethen regarding the St. Gallen cantonal administrative court’s November 2014 decision to approve a Muslim couple’s right to allow their daughter to go to school wearing a headscarf. The Federal Court said the St. Margrethen school council’s arguments for wanting to ban headscarves, such as to maintain religious peace and equality between girls and boys, were not convincing enough to approve the appeal. The Federal Court further stated that the right to religious freedom could only be interfered with if there was a legal basis to do so,

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if it was in the public interest, and if there was a need to protect other persons' basic rights.

In mid-August the directorship of the Laenggasse secondary school in Thun in the Canton of Bern revised its decision to forbid a Muslim girl from coming to class with a headscarf after her father confirmed it was his daughter's own free will to wear it. The school consequently allowed the daughter an individual exemption and said it would evaluate future requests by other students on a case-by-case basis.

An appeal filed in 2014 to the European Court of Human Rights by the parents of two Muslim girls who lost a 2012 Supreme Court case requiring their daughters to participate in mandatory swimming lessons at their school remained pending. The parents did not want their daughters to be forced to wear swimsuits in the presence of boys.

In December the Federal Department for Foreign Affairs and the Federal Service for Combating Racism hosted a conference on the situation of the Jewish population in the country. During the conference, Jewish community representatives stated the government had an obligation to protect minorities, and several representatives stated that police protection for at-risk groups was inadequate

Muslim representatives told local media they needed more Islamic burial grounds in municipalities to reduce the financial costs of expatriating deceased family members to their country of origin. The representatives said that burials in non-Islamic gravesites caused psychological distress and that second-generation migrant Muslims increasingly wanted to be buried in Switzerland. During the reporting year, the municipality of Bois-de-Vaux in Lausanne presented plans to establish 350 Muslim gravesites.

In July the Zurich educational authority dismissed the al Huda Islamic Association's complaint that the authority rejected its application to establish a private Islamic nursery school to educate children in Arabic and on the Quran. In August the association submitted an appeal to the Federal Court. The Zurich education authority rejected the application in 2014 due to al Huda's reported connection to the ICCS, saying the objectives of the ICCS could contravene principles of tolerance and openness. The education authority also said it doubted

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whether the nursery school could achieve the goals set by the cantonal school curriculum. The case was pending with the Federal Court at year's end.

Although not a requirement, schools continued to include Holocaust education as part of their curriculum and have participated in the Holocaust Day of Remembrance on January 27 since 2004.

In October the Federal Court ruled in favor of the ICCS after it complained the Saane District wrongly rejected the organization's application to host its yearly conference in Fribourg in November 2014. The Federal Court ruled that the ICCS was not required to obtain a permit as the conference was on private property. Authorities of the Saane District said they rejected the application because a final list of participants had not been included and the speakers could have included Islamic preachers who wished to spread radical messages.

In August the head of the ICCS submitted an appeal to the police and military directory of the Canton of Bern following the cantonal authorities' rejection of his gun license request despite his reportedly clean judicial record and the cantonal police's assessment that he did not pose a threat to himself or others. He said the decision was a form of discrimination against Muslims and authorities were trying to depict him as a dangerous individual to limit the basic rights of Muslims.

In December the Office of the Attorney General opened criminal proceedings against a member of the board of the ICCS after he produced a documentary about Da'esh. The Attorney General classified the documentary as propaganda for Da'esh and accused the individual of violating a federal law prohibiting extremist groups.

Religious civil society representatives said the integration of Muslim migrants into society was sometimes hindered by a lack of information about integration programs despite the recommendation of a 2013 government study that cantonal migrant integration programs improve Muslim integration. A religious civil society representative further said smaller cities and municipalities sometimes lacked sufficient information on these courses and there were often not enough courses to advance truly the integration of foreigners to a satisfactory level. The civil society groups said more resources and better qualified personnel were required for communicating essential integration information to migrants.

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The government granted visas primarily to religious workers who intended to replace individuals serving in similar functions in the same religious community. The decision whether to grant a permit depended on the applicant's ability to prove that he/she had sufficient financial means to stay in the country during the course of his/her assignment. Although there was no fixed number of residence permits allocated to Turkish imams, Turkish nationals applying for short- and long-term religious worker visas needed to show they were associated with the Turkish Central Authority for Religious Affairs.

According to the courts, missionaries of certain denominations such as Mormons were ineligible for religious visas because they did not possess a theology degree. Mormon missionaries from Schengen Area countries were allowed to work, however, because they did not require visas to enter the country.

The Federal Service for Combating Racism provided funding for 62 projects, eight of which focused on religious freedom issues, including religious discrimination, interreligious learning, and the Holocaust. The available subsidies for the eight projects conducted in 2015 stood at 147,000 Swiss francs (\$144,476).

Investigations into an October 2014 incident of vandalism in a mosque and a December 2014 attack on an Islamic Cultural Center were ongoing at the end of the year.

The government is a member of the International Holocaust Remembrance Alliance

Section III. Status of Societal Respect for Religious Freedom

In March the Federal Service for Combating Racism published its second report on racial discrimination in the country. The report stated 11 percent of those surveyed in 2014 had stereotypically negative views of Jews, while 19 percent had stereotypically negative views of Muslims. The report further noted between 2010 and 2014 animosity toward Jews was less pronounced than racist attitudes, xenophobia, and anti-Muslim sentiment, and that anti-Muslim sentiment had significantly decreased.

The Swiss Federation of Jewish Communities (SIG) recorded an increase in anti-Semitic statements and acts during the year, but observed that fewer perpetrators were Muslim than in 2014 and more were right-wing extremists. The SIG noted

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that perpetrators increasingly disclosed their identity, particularly on social media. The 2014 *Anti-Semitism Report*, produced jointly by the SIG and the Foundation against Racism and Anti-Semitism, cited 66 anti-Semitic incidents (excluding anti-Semitic hate speech online) in the German-speaking part of the country in 2014, three times as many as in 2013. Anti-Semitic statements on social media were particularly aggressive, with at least several hundred people in the German-speaking part of the country having posted and/or “liked” anti-Semitic comments. A separate report published by the Geneva-based Intercommunity Center for Coordination against Anti-Semitism and Defamation recorded 270 anti-Semitic incidents in the French-speaking region in 2014, of which it deemed 21 serious, and one of which it deemed grave. This was an increase from 151 anti-Semitic incidents in 2013, 11 of which were deemed serious. Non-physical attacks against persons and property, including letters, insults, and graffiti were considered “serious;” physical attacks were considered grave. The report noted this was the highest number of cases recorded during its 11-year existence and called the escalation of anti-Semitic incidents “very troubling.” The SIG linked the escalation of anti-Semitic incidents in 2014 to the conflict in Gaza. The SIG voiced concern over the safety of Jews following the attacks in Paris and Copenhagen and called on the government to re-examine security measures at Jewish institutions.

In July a group of people attacked an Orthodox Jew in Zurich. One of the main perpetrators, a 27-year-old singer of the Swiss band Amok, which reportedly has ties to the neo-Nazi Blood and Honor group, reportedly spat in the man’s face and yelled “Heil Hitler!” In October the state prosecutor’s office of Zurich-Sihl launched criminal proceedings against several individuals involved in the attack. The accused could face up to three years in prison for violating the country’s anti-racism law.

Islamic organizations reported an increase in anti-Muslim sentiment, which they attributed to the rise of Da’esh and the attacks in Paris and Copenhagen. Muslims who viewed themselves as moderate said they also continued to face hostility from more conservative Muslims. For example, some Muslims reported criticism after they expressed grief on social media after the Paris terrorist attacks. In May vandals desecrated at least 13 Muslim grave sites in the municipality of Bois-de-Vaux in Lausanne.

Muslims told local media that anti-Muslim sentiment had noticeably increased since the rise and growing media presence of Da’esh and the terror attacks in Paris

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and Copenhagen. Two days after the attacks in France in January, a dozen individuals founded the Pegida Switzerland association, an offshoot of Germany's Pegida movement against the Islamization of the West. Many Muslims said they felt pressured into defending Islam and their religious practices. They stated women with headscarves were often verbally harassed and some had strangers try to remove their headscarves. They said Muslims were frequently discriminated against when seeking employment. One Muslim woman told local media that her headscarf made it nearly impossible for her to find a job in Zurich that matched her academic qualifications. While Muslim representatives stated that societal discrimination against Muslims was a reflection of broader intolerance toward foreigners, many Muslims said they suffered discrimination to a greater degree due to their religion.

During the year, the Zurich public prosecutor's office sentenced 10 individuals for anti-Semitic statements on Facebook. In July 2014 the SIG brought charges against 15 individuals for statements made before a pro-Palestinian demonstration in Zurich. Their social media postings included comments such as "We must annihilate the Jews" and "The only good Jew is a dead Jew." According to the SIG, these comments received more than 1,000 "likes" on Facebook. The prosecution suspended three investigations because investigators could not identify the perpetrators.

Some Muslims reportedly criticized other Muslims for expressing grief and mourning the victims on various social media sites. Ahmadi leaders reported many Muslim groups refused to recognize Ahmadi Muslims as followers of Islam and attempted to exclude them from opportunities to engage in joint dialogue with the government.

In May vandals desecrated at least 13 Muslim grave sites in the municipality of Bois-de-Vaux in Lausanne. Vandals covered several headstones in black spray paint, and three had swastikas. Two of the vandalized gravestones carried the acronym PNOS, the Party of Nationally Oriented Swiss. Municipal authorities continued to investigate the incident as a case of disturbance of the peace of the dead as of November.

According to media and NGO reports, during the year the main groups responsible for engaging in anti-Semitic rhetoric were Geneve Non Conforme, Europaeische Aktion, the Lega dei Ticinesi, PNOS, and Parti Nationaliste Suisse, the French-speaking branch of PNOS.

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Many NGOs and representatives of the religious community coordinated interfaith events to promote tolerance locally and nationwide. The Week of Religions in November featured more than 133 interfaith events nationwide, including exhibitions, music and dance concerts, film screenings, roundtables, panel discussions, and communal dinners. The SIG, the Institute of Dialogue and Intercultural Cooperation, and other NGOs continued to support the Respect project to address and eliminate misconceptions between Muslims and Jews. The Dialog Institute also organized interfaith events ranging from lunches and dinners to movie nights, panel discussions, student exchanges, educational seminars, and lectures.

According to media reports, on April 26 hundreds of individuals attended the official opening of the mosque at the House of Religions, which offers prayer rooms for five religious communities, including a Christian church, an Alevi *dergah*, a Hindu temple, and a Buddhist center. Prayer space is also available for Jews, Bahais, and Sikhs.

Section IV. U.S. Government Policy

U.S. embassy officers engaged the government in discussions about access to religious education and services, including the availability of Islamic religion classes in schools and access to Muslim cemeteries. Embassy officers met with NGOs, representatives from civil society, and leaders from the Christian, Muslim, and Jewish communities as well as representatives of other religious minorities, including the Bahai, Alevi Muslim, Sikh, Hindu, and Mormon communities, to discuss potential discrimination against religious groups as well as religious education and services.

U.S. embassy staff participated in events promoting religious tolerance, such as the opening of the mosque at the House of Religions as well as the Noah Fest, an Ashura dinner hosted by the Dialog Institute to support religious tolerance, and the Night of Religions in Bern. U.S. embassy staff organized an interfaith Passover dinner, an iftar, and an interfaith lunch to discuss religious tolerance and diversity.