

# **AUSTRIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

A combination of historical and modern constitutional and legal documents guarantees the freedom of religious belief and affiliation. The law bans public incitement to hostile acts against religious groups if the incitement threatens public order. The 16 religious groups officially recognized as religious societies have benefits not accorded to other religious groups. Courts in different parts of the country convicted a number of individuals of neo-Nazi activity, mostly handing down suspended sentences and fines. The Federal Office of Sect Issues continued to offer advice about groups it considered to be “sects” and “cults.”

At a meeting with Chancellor Faymann on religious tensions, the head of the Jewish community reported an increase in the number of anti-Semitic incidents committed by Muslims. The head of the Muslim Faith Community reported mounting anti-Islamic sentiment in the wake of the Islamic State in Iraq and the Levant (ISIL) attacks in the Middle East. Islamic centers sponsored by the Turkish-Islamic Cultural Union in Austria (ATIB) began operation in Vienna following years of opposition to their construction.

The U.S. Ambassador and other embassy officers met regularly with political leaders, nongovernmental organizations (NGOs), and religious group representatives to emphasize the importance of religious freedom, tolerance, and dialogue. Embassy staff engaged Muslim and Jewish leaders, met with the Minister for Foreign Affairs and Integration, and promoted Holocaust remembrance and education.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 8.2 million (July 2014 estimate). Religious groups and the Austrian Integration Fund estimate Roman Catholics constitute 65 percent of the population and Muslims 7 percent; 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, respectively); Eastern Orthodox churches (Russian, Greek, Serbian, Romanian, and Bulgarian); Jehovah’s Witnesses; other Christian churches; and the Jewish community and other non-Christian religious groups.

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### Section II. Status of Government Respect for Religious Freedom

#### Legal Framework

A combination of historical and modern constitutional documents guarantees freedom of “conscience and creed.” The law guarantees the freedom of religious belief and the right of all residents to join, participate in, leave, or abstain from any religious community. The law grants registered religious societies the right to public practice and independent administration of their internal affairs.

Several constitutional provisions protect religious freedom. The main pillars are historical laws on fundamental rights and freedoms and treaties and conventions which form part of the constitution. Anti-discrimination legislation prohibits discrimination on religious grounds. 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 the incitement poses a danger to public order. It also prohibits incitement, insult, or contempt against such groups if such action violates human dignity.

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 legal 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 right to participate in the program requiring mandatory church contributions by church members, provide religious instruction in public schools, and bring religious workers into the

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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; their responsibilities include a commitment to sponsor social and cultural tasks which serve the common well-being and to ensure their teachings do not violate the law or ethical standards.

The law establishes criteria for religious groups seeking to achieve religious society status; 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 16,400 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 societies. 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 Arts, Culture, the Constitution, and Media then determines whether the group’s basic beliefs violate public security, order, health or 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 ministry.

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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 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.

There are no restrictions on missionary activities. Unlike workers for religious societies, religious workers for groups recognized 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 on a proportional basis 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 to Holocaust education efforts. Holocaust education is part of history instruction and appears in other subjects such as civics.

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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.

Under the law, prisoners are entitled to pastoral care. This is true for both religious societies and religious groups.

### Government Practices

Government policy continued to ban headwear in official identification documents with an exception for religious purposes as long as the face was sufficiently visible.

The Federal Office of Sect Issues continued to offer advice for persons with questions about groups it considered to be “sects” and “cults.” While independent by law, the head of this office is appointed and supervised by the Minister for Family and Youth. Some members of the public continued to complain the Office of Sect Issues and similar government offices fostered societal discrimination against unrecognized religious groups.

A federally funded counseling center in Lower Austria managed by the Society against Sect and Cult Dangers, an NGO working actively against groups it deemed to be “sects and cults,” continued to distribute information to schools and the general public and operated a counseling center for individuals reportedly negatively affected by such groups. The center also received funding for some of its projects from the provincial governments of Vienna and Lower Austria. Several other provinces funded offices providing information on sects and cults.

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 Ministry for Culture’s 2012 rejection of the group’s application for recognition as a separate Jewish community. The Ministry for Culture instead deferred to the authority of the Israelite Cultural Community as the officially recognized Jewish umbrella group. Although Or Chadash remained unsatisfied with this decision, the group has not publicly raised this issue since 2013.

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

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museums. The protection was provided due to general concerns over the potential for anti-Semitic acts against Jewish institutions, given the country's history with anti-Semitism.

In January the Supreme Court confirmed the 2013 guilty verdict for a leading Austrian neo-Nazi who founded a neo-Nazi website. The court reduced the length of the sentence from nine years to seven years and nine months in prison.

In March a court in the city of Salzburg convicted a former pub owner on charges of neo-Nazi activity, handing down a suspended two-year prison sentence. The man had played neo-Nazi songs in his pub and had decorated it with neo-Nazi paraphernalia.

In April a Klagenfurt court convicted a 21-year-old man on charges of neo-Nazi activity, sentencing him to 16 months in prison, of which 12 were suspended. The man had shouted "*heil Hitler*" and performed the Hitler salute at a local bar and gas station in 2012.

Also in April, a court in Upper Austria convicted two young men on charges of neo-Nazi activity, imposing suspended sentences of eight and six months, respectively. The men had posted anti-Semitic messages and photos on social media.

In June a court in Innsbruck fined a former Freedom Party official for incitement of a hostile act against a religious group. The man had posted statements denouncing Muslims on his website.

In September a court in Lower Austria imposed a one-year suspended prison sentence on a man for "reengagement with National Socialism." He had posted neo-Nazi comments on the internet.

In August Chancellor Faymann convened a meeting with leaders of the 16 officially recognized religion societies to urge an end to religious tensions in the wake of an attack against an Israeli soccer team in Salzburg province. A group of 20-25 pro-Palestinian protesters carrying Turkish and Palestinian flags entered the field and approached the soccer players, yelling slogans. There was a brief scuffle between the soccer players and the protestors, which was broken up by the police. There were no reports of injuries. Authorities filed charges of incitement, bodily injury, and coercion against 10 persons.

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The Ministry for Education and Women conducted teacher training projects with the Anti-Defamation League. Special teacher-training seminars were available on Holocaust education, and Holocaust survivors talked to school classes about National Socialism and the Holocaust.

The government is a member of the International Holocaust Remembrance Alliance.

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

At an August meeting of religious leaders with Chancellor Werner Faymann, the heads of the Jewish and Islamic communities reported increases in anti-Semitic and anti-Islamic incidents. The head of the Jewish community said anti-Semitic incidents committed by Muslims had increased.

The head of the Muslim Faith Community reported, at the August meeting and in subsequent public statements, an increase in anti-Islamic sentiment following attacks in the Middle East by ISIL. He cited an incident in August when a man attacked two elderly Muslim women in Vienna wearing headscarves as well as the modification of street signs surrounding a Vienna mosque in September to read “Shariagasse” (“Sharia Street”) and “IS-recruitment.” Also in August, unknown perpetrators placed swastika graffiti on the minaret of a mosque in the province of Tyrol. The Muslim Faith Community expressed concern these actions might be symptomatic of increasing anti-Islamic sentiment following atrocities committed by ISIL. At the same time, the community said it had received messages of solidarity and outrage from the public.

The NGO Forum Against Anti-Semitism reported 137 anti-Semitic incidents in 2013, the most recent year for which statistics were available, including seven physical assaults, as well as verbal harassment, vandalism, dissemination of anti-Semitic writings, 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, the most recent year for which figures were available. The Equal Treatment Agency oversees discrimination cases on various grounds, including religion and is responsible for enforcing equal treatment under the law.

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The NGO Civil Courage and Anti-Racism Works report for 2013, the latest year for which data are available, identified approximately 17 cases of anti-Islamic graffiti and a number of anti-Islamic statements made on Austria-based websites.

Islamic centers sponsored by the ATIB began operation in the Floridsdorf and Brigittenau neighborhoods of Vienna following years of opposition to their construction from neighborhood and right-wing groups. Construction of an Islamic center in Graz continued.

Relations among the 16 officially recognized religious societies were generally amicable, and interfaith dialogue increased during the year. 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. In the wake of the conflict in Gaza, Muslim and Jewish groups increased dialogue to improve understanding on both sides. Following atrocities committed by ISIL, some Christian and Muslim groups engaged in joint outreach to their respective communities to promote understanding and prevent radicalization.

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

The Ambassador and other embassy officers regularly met with religious leaders throughout the country, as well as political leaders, including the minister for foreign affairs and integration, to reinforce the U.S. government's commitment to religious freedom and tolerance. These meetings provided an opportunity to discuss the concerns of NGOs and religious groups about social attitudes and the government's policies.

Embassy officers had frequent discussions with Jewish and Muslim leaders, as well as with the Catholic Church and other Christian organizations, to discuss the relationship between these groups and the government, discriminatory or inflammatory incidents, and religious education. The challenges and opportunities afforded by the Austrian Integration Project, which sought to integrate new immigrants into Austrian culture with citizenship and language programs, were also discussed. Some religious groups raised concerns about the perceived rise of far-right-wing parties throughout Europe, religious radicalization, and the recruitment of foreign fighters. Embassy officers attended regular meetings of the

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main organization in charge of Holocaust remembrance and participated in Jewish cultural week and education trips to Auschwitz and Mauthausen.

The embassy highlighted religious freedom in outreach and social media programs. The Ambassador presided over the opening of a new exhibition at the Jewish Museum featuring the work of an American artist about survival at Auschwitz. The event underscored the importance of confronting bigotry and of teaching future generations about the Holocaust. The embassy hosted a screening of the documentary “50 Children – The Rescue Mission of Mr. and Mrs. Kraus” as part of its Holocaust remembrance programs to combat anti-Semitism.

The embassy promoted tolerance and understanding within and toward the Muslim community through holiday events with members of the country’s Muslim community and discussions of the experiences of Muslims living in the country. Additionally, the embassy sponsored a series of workshops for Turkish Muslim community leaders in Vorarlberg on empowerment of Muslim immigrants, including entrepreneurship. The goals of these workshops included empowering a traditionally disadvantaged religious community, promoting societal acceptance of the Islamic faith, and raising awareness of the challenges faced by this group. The workshops started in late October 2013 and continued throughout the first half of the year. The embassy sponsored speakers for discussions on the intersection of faith and culture in a multicultural society.

The embassy sponsored visits of prominent members of minority religious groups to the United States.