



## Germany

### International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

The Basic Law (Constitution) provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion with some exceptions.

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. The Government made positive efforts to improve the integration of Muslims and other minorities into society, investigated and prosecuted criminal behavior by extremists directed at religious groups, and promoted tolerance education. Nonetheless, important religious freedom concerns remained with regard to the organization of Islamic religious instruction in schools; social and governmental (federal and state) treatment of certain religious minorities, notably Scientologists, Jehovah's Witnesses, and Muslims; and bans in certain states on the wearing of headscarves by female Muslim teachers in public schools.

There were reports of societal abuses and discrimination based on religious affiliation, belief, and practice. Right-wing extremists committed politically motivated crimes against minorities including religious groups, as well as anti-Semitic and anti-Islamic acts. Cemeteries were desecrated, and Muslim communities sometimes suffered societal discrimination when building new mosques and finding allotments of land for cemeteries; however, many members of Government and civil society initiated discussions about Muslim integration and expressed their commitment to addressing the issue. The Roman Catholic and Evangelical churches continued to use "sect commissioners" to warn the public of dangers from some minority religious groups such as the Unification Church, Scientologists, Universal Life (Universelles Leben), and Transcendental Meditation practitioners. Scientologists continue to find "sect filters" used against them in employment as well as discrimination in political party membership.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Government placed particular emphasis on support for direct dialogue between representatives of minority religious groups and relevant government officials.

### Section I. Religious Demography

The country has an area of 137,847 square miles and a population of 82 million. There are no official statistics on religious groups; however, unofficial estimates and figures provided by religious organizations give an approximate breakdown of the membership of the country's denominations. The data below are compiled from various sources and are for 2006, which is the latest available data, unless otherwise noted.

The Roman Catholic Church has a membership of 25.7 million. The Evangelical Church, a confederation of the Lutheran, Uniate, and Reformed Protestant Churches, has 25.3 million members. Together, these two churches account for nearly two-thirds of the population.

Protestant Christian denominations include: New Apostolic Church, 371,305; Ethnic German Baptists from the former Soviet Union (FSU), 85,000; and Baptist, 75,000. Muslims number 3.5 million, including Sunnis, 2.5 million; Alevis, 410,000; and Shi'a, 225,000. Until 2004 the annual number of conversions to Islam was 300, largely Christian women native citizens marrying Muslim men; however, since 2004 the annual numbers of conversions have jumped into the thousands. There are approximately 2,600 Islamic places of worship, including an estimated 150 traditional architecture mosques, with 100 more mosques being planned. One million Muslims are citizens. Orthodox Christians number 1.4 million, including Greek Orthodox/Constantinople

Patriarchate, 450,000; Serbian Orthodox, 250,000; Romanian Orthodox, 300,000; and Russian Orthodox/Moscow Patriarchate, 150,000. Buddhists number 245,000, Jehovah's Witnesses 165,000, and Hindus 97,500. The Church of Scientology operates 18 churches and missions, and according to press reports, it has 30,000 members. However, according to the Offices for the Protection of the Constitution (OPC) in Brandenburg and Hamburg, the Church of Scientology has 5,000-6,000 members.

According to estimates, Jews number more than 200,000, of which 107,330 are registered members of the Jewish community. Of these registered community members, 100,967 are immigrants and 6,363 are originally from the country. From 1990 to 2006, approximately 202,000 Jews and non-Jewish dependents from the countries of the FSU arrived, joining 25,000 to 30,000 Jews already in the country. As a result of a more restrictive immigration policy regarding Jews from the FSU, the number of Jewish immigrants decreased to 1,296 in 2007 from 1,971 in 2006 and 3,124 in 2005. The new policy was designed in cooperation with Jewish organizations in order to better manage the integration of individuals into the Jewish community.

An estimated 21 million persons (one-quarter of the population) either have no religious affiliation or belong to unrecorded religious organizations.

On December 18, 2007, the Bertelsmann Foundation published a survey on religious convictions and practice in the country, which failed to confirm the commonly held belief that the country was becoming more secular. Fully 70 percent of adult respondents said they were religious, and of those, 18 percent said they were "deeply religious" and regularly attend worship services, up from 15 percent in earlier studies. In the 18-29 age group, 41 percent expressed a belief in eternal life and a divine being, more than in any other age bracket. Roman Catholics report that 15 percent of nominal Catholics regularly attend Sunday Mass. Seventeen years after reunification, the country's eastern part remains far more secular than the west. The Bertelsmann Foundation found former easterners self-identified as 36 percent religious and 8 percent deeply religious, in contrast with 78 percent and 21 percent, respectively, for those from the west. Only 5 to 10 percent of eastern citizens belong to a religious organization, but numbers are increasing among non-Lutheran Protestants in the east.

## **Section II. Status of Religious Freedom**

### *Legal/Policy Framework*

The Basic Law (Constitution) provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion with some exceptions. The law at all levels protects this right in full against abuse, either by governmental or private actors; however, discrimination against and unequal treatment of some minority religious groups remained a problem at the local level, in part because of the legal/constitutional structure of church-state relations. The structure for managing church-state relations, established in 1949, has been gradually adapting to the country's increasingly diverse religious composition.

Religious organizations are not required to register with the state, and groups may organize themselves for private religious purposes without constraint. Religious organizations must register in order to qualify as nonprofit associations with tax-exempt status. State-level authorities review registration submissions and routinely grant tax-exempt status. Their decisions are subject to judicial review. Organizations that apply for tax-exempt status must provide evidence, through their own statutes, history, and activities, that they are a religion. Local tax offices occasionally conduct reviews of tax-exempt status.

Religion and state are separate, although a special partnership exists between the state and those religious communities that have the status of a "corporation under public law." Any religious organization may request that it be granted "public law corporation" status, which, among other things, entitles it to name prison, hospital, and military chaplains and to levy a tithe (averaging 9 percent of income tax) on its members that the state collects. Public law corporations pay a fee to the Government for this tax service; not all avail themselves of it. The decision to grant public law corporation status is made at the state level based on certain requirements, including an assurance of permanence, the size of the organization, and an indication that the organization is not hostile to the constitutional order or fundamental rights. An estimated 180 religious groups have been granted public law corporation status, including the Evangelical and Catholic Churches, the Jewish community, the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists, Mennonites, Baptists, Methodists, Christian Scientists, and the Salvation Army. In June 2006, after a ten-year legal effort by the Jehovah's Witnesses organization, the State of Berlin granted the organization public corporation status,

but other states had still not done so.

The Muslim communities remained an exception. In principle, the Federal Government is in favor of the states' granting public law corporation status to Muslim communities but has indicated a desire that Muslims agree upon a single organization with which the states and the federal Government can negotiate. On April 9, 2007, the four largest Muslim religious organizations announced the formation of the "Muslim Coordination Council," which claims to represent Muslims in the country. Whether and when this group would meet legal requirements for registration as a public law corporation was unclear and was to be decided on the state level; however, some observers, including the Federal Interior Minister, were on record that the Muslim Coordination Council only represented those who were traditionally observant, or approximately 10 to 15 percent of the total Muslim population.

Achieving public law corporation status has potential implications for Muslims in the country who wish a traditional Islamic burial, which consists of burial in a shroud facing Mecca, in a cemetery permanently dedicated only to Islamic burial. These conditions conflict with some states' laws or customs, which require a coffin be buried in a cemetery in a rented plot, which will be turned over every 30 or 60 years. The state of North Rhine-Westphalia changed its burial law on September 1, 2003, to authorize local communities to allow shroud burials. Few Islamic cemeteries currently exist nationally.

On March 13, 2008, the third plenary meeting of the Interior Ministry's Islamic Conference took place. On July 12, 2007, the Chancellery's parallel Integration Summit met. These conferences are multiyear efforts that address key areas of debate such as the legal status of Islam and issues related to social and religious practice, particularly in Muslim communities (e.g., headscarves and girls' participation in athletic activities). Both measures attempt to bring together representatives from the wide spectrum of the Muslim community, from the very traditional to the nearly secular. The conference can claim the increased public attention to Muslim integration as a major success. It is also debating the form of representation of the diverse Muslim community in negotiations with the Government about the role of Islam in society. On the core government demand that Muslims accept the social values of the country, there was no consensus among Muslims. Participants, however, remained committed to the process and expected progress in the long run. Working groups of both the Islam Conference and the Integration Summit met frequently during the year.

Paragraph 166 of the criminal code addresses ridicule of faiths, religious societies, and ideological groups, if the incitement aims to disturb the public order, making it punishable up to three years in prison and a fine. Prosecution has not resulted in significant convictions.

The Government provides subsidies to some religious organizations for historical and cultural reasons. In view of the country's culpability for the Holocaust, the states have accepted as a permanent duty the obligation to provide financial support to the Jewish community, including support for reconstruction of old and construction of new synagogues. Repairs to and restoration of some Christian churches and monasteries expropriated by the state in 1803 are financed by the Government. Newer church buildings and mosques do not generally receive subsidies for maintenance or construction. State governments also subsidize various institutions affiliated with public law corporations, such as religious schools and hospitals, which provide public services.

The 2003 "State Agreement on Cooperation" between the Federal Government and the Central Council of Jews agrees to supplement the funding received by the Jewish community from the states. Approximately \$4.65 million (**€3.1 million**) is provided annually to the Central Council to maintain the Jewish cultural heritage, restore the Jewish community, and support integration and social work. The Central Council reports annually to the Government on the use of the funds. The agreement emphasizes that the Central Council of Jews is meant to support all branches of Judaism with the funds provided.

The Government maintains a stated position of neutrality in religious matters since it has no official faith or state church. It does not declare religious holidays as national holidays. Individual states determine which religious holidays are observed and these vary from state to state.

Most public schools offer Protestant and Catholic religious instruction in cooperation with those churches, as well as instruction in Judaism if enough students express interest. The number of Islamic religion classes in public schools continued to grow. In principle, participants of the federal government-sponsored Islam

Conference agreed that Islamic education should be made widely available. Education is a state responsibility and, in part because no nationally recognized Islamic organization exists that could assist in developing a curriculum or providing services, the form and content of Islamic instruction vary from state to state. Organizations providing Islamic instruction do not have public law corporation status.

Depending on the state, a nonreligious ethics course or study hall may be available for students not wishing to participate in religious instruction.

Islamic classes in public schools continued to be a controversial topic but were increasingly common throughout the country, except in areas where the Muslim population was too small to support them. Although no Muslim group had "public law corporation" status that would entitle them to offer Islamic courses, state governments recognized the need and demand and worked with local Muslim organizations to establish such courses. On March 13, 2008, the Interior Minister was quoted in the press indicating that the Federal Government and Muslim community leaders had reached an agreement in principle that schools should offer classes in Islam taught in German alongside the other religions, but he noted that it would take time to implement the agreement.

There are an estimated 900,000 Muslim students in the public school system; Islamic education in schools is offered in some states. At the start of the 2006-07 school year, authorities in Baden-Wuerttemberg established a two-course system: one for Sunni and Shi'a students and another for Alevis. State officials and Muslim groups in Baden-Wuerttemberg agreed upon the system and the initial reactions were positive. Some states offered similar programs while others were working with Muslim leaders to establish a uniform curriculum. Later in the year, universities in Frankfurt, Ludwigsburg, Karlsruhe, and Weingarten began offering training courses in the teaching of Islam.

The legal obligation that children attend school, confirmed by the Constitutional Court and the European Court of Justice in 2006, continued to be a problem for some home-schooling advocates, such as Baptists from the FSU in Eastern Westphalia, due to concerns about sex education and the teaching of evolution. On August 2, 2007, the Stuttgart Administrative Court dismissed the case brought by several Russian-German immigrant families belonging to the Baptist group Gemeinde Gottes who had petitioned in 2004 to send their children to a private religious school run by members of their community. The court ruled that the teaching staff was insufficiently qualified. Other home-schooling cases remain in the court system.

There were no new developments in the Ministry of Defense efforts to develop a Muslim chaplaincy, which have failed because of an inability to reach agreement on a plan with multiple Muslim groups. Independently, the Ministry has developed a code of conduct to facilitate the practice of Islam by an estimated 3,000 Muslim soldiers, which remained in effect.

The General Act on Equal Treatment prohibits discrimination on the basis of sex, ethnic origin, or race, but also goes beyond European Union guidelines to include discrimination based on religion, disability, age, and sexual identity. In 2002 the Federal Constitutional Court defined the Government's "warning" function with respect to nontraditional religions, ruling that the Government could characterize nontraditional religions as "sects," "youth religions," and "youth sects," and is allowed to provide accurate information about them to the public. However, the Government may not defame these religious groups by using terms such as "destructive," "pseudo-religion," or "manipulative."

Over the last decade the Church of Scientology has filed legal challenges against many of the public and private practices used to discriminate against Scientologists in public and private life. These have included suits against the monitoring of the Church by state Offices for the Protection of the Constitution (OPC), against the use in hiring practices of the so-called "sect-filter," and against workplace discrimination. Many of these suits have been resolved at the initial level in favor of the Church; it has lost others. In nearly all cases, the initial decision was appealed by the losing side and final decisions were still pending. Final, nationally binding legal decisions on the many issues before the courts remained years away.

Since 2005, applicants for citizenship in Bavaria have been required to fill out a questionnaire regarding their affiliation with organizations under observation by the state OPC, including Scientology.

### *Restrictions on Religious Freedom*

The Federal Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. Some state governments and federal agencies did not recognize certain belief systems, including Scientology, as religions; however, the absence of recognition did not prevent their adherents from engaging in public and private religious activities.

On December 7, 2007, the federal and state interior ministers decided that the OPCs should collect information to determine whether a federal investigation into a potential ban against Scientology was warranted. The proposal to consider a ban against Scientology was prompted by the Hamburg interior minister, who warned that Scientology should not be considered harmless. To date, no further action has been taken.

On February 12, 2008, the Higher Administrative Court in Muenster rejected the Church of Scientology appeal of a 2004 Cologne court ruling, which stated that OPC monitoring was justified and could continue. The appellate court in Muenster found that there were "concrete indications" that Scientology aimed to establish a social order contrary to constitutional principles such as human dignity and equality before the law. The court ruled that this decision justified the continued surveillance of Scientology by the OPC, including surveillance via intelligence means. Scientology originally appealed this decision, but abandoned its appeal on April 28, 2008. The decision of the Muenster court thus became final and cannot be appealed. The Church of Scientology remained under observation (as it has been since 1997). In recent years, many state OPCs have opted to stop their observations of Scientology, but the federal OPC and the state OPCs in Baden-Wuerttemberg, Bavaria, Berlin, Bremen, Hamburg, and Lower Saxony continue their observations.

Federal and some state authorities continued to classify Scientology as a potential threat to democratic order, resulting in discrimination against Scientologists in both the public and private sectors. Several states publish pamphlets about Scientology (and other religious groups) that detail the Church's ideology and practices. States defend the practice by noting their responsibility to respond to citizens' requests for information about Scientology as well as other subjects. The pamphlets warn of the dangers the Church poses to democracy, the legal system, and human rights.

In response to concerns about Scientology's ideology and practices, government agencies at the federal and state level and private sector entities established rules or procedures that discriminate against Scientology as an organization and/or against individual members of the Church.

Scientologists continued to report instances of societal and official discrimination. For example, several libraries in Hamburg, upon the urging of the Hamburg Interior Ministry's Working Group on Scientology, continue to reject donations of books on Scientology from the publishing house New Era, which distributes the writings of Scientology founder L. Ron Hubbard.

On February 26, 2008, the city of Munich revoked the permit for a kindergarten operated by Scientologists based on the OPC view that children were being indoctrinated in Scientology. The Bavarian State Youth Office also found that the well-being of the children was at risk due to the school's educational methods. At the end of the reporting period, the Scientologists indicated they were preparing a challenge to the closure in court.

In June 2007 the media reported extensively on a statement made by a German Defense Ministry spokesperson that the filming of *Valkyrie* would not be permitted at the Bendlerblock, a military site where the resistance plan against the Nazis was coordinated, if protagonist Colonel Claus von Stauffenberg was portrayed by Tom Cruise, due to the actor's adherence to Scientology. The Ministry of Finance, which oversees government properties and has the final word on matters such as filming, rejected the request for filming but argued that the decision was not linked to Cruise's religious affiliation but to the need to preserve and protect the historical memory of the site. In September 2007, after unfavorable international media reaction and critical comments by prominent countrymen, the Ministry of Finance reversed its position.

A large number of Muslim organizations, including some that profess to be engaged in specifically and solely peaceful religious, social and/or cultural activities, were under observation by state and federal OPCs.

On June 15, 2008, the Central Council of Muslims welcomed the naturalization test that the Federal Interior Ministry announced it would introduce on September 1, 2008. The organization's secretary general applauded the test, commenting that questions on politics, history, and the Constitution were "not only admissible but necessary." Previously, a Turkish organization had criticized the new test as impeding the naturalization process for immigrants, and Muslim organizations in Baden-Wuerttemberg announced plans to challenge the naturalization questionnaire used by Baden-Wuerttemberg authorities at the Federal Constitutional Court. Critics viewed the questionnaire, which included questions on attitudes toward women's and gay rights, terrorism, and other social issues, as discriminating against Muslim immigrants.

By June 30, 2008, eight states had enacted laws banning female Muslim teachers from wearing headscarves at work, after the Federal Constitutional Court cleared the way in 2003 for the state legislation. New legislation generally used language that could be applied to wearing any symbol that could be interpreted as rejecting constitutional values or supporting oppression. Courts upheld headscarf bans in several cases. The Federal Supreme Court ruled in 2003 that banning of head scarves is within state legislative jurisdiction, and subsequently Baden-Wuerttemberg, Bavaria, Berlin, Bremen, Hesse, Lower Saxony, North-Rhine Westphalia, and Saarland passed headscarf bans for civil servants.

In July 2007 a Hesse state court ruled that a legal intern was not allowed to wear a headscarf in court if she is publicly recognized as a representative of the judiciary.

On August 14, 2007, a petition by Maryam Brigitte Weiss, the first deputy chairperson of the Central Council of Muslims in Germany, against the headscarf ban in North Rhine-Westphalia (NRW), was dismissed by the Duesseldorf Administrative Court. Her appeal in this case is still pending with the Higher Administrative Court in Muenster.

On April 10, 2008, in a first confirmation of the NRW headscarf ban by an appellate court, the Higher Labor Court in Duesseldorf upheld a lower court ruling from June 5, 2007, which ruled that a female Muslim teacher at a NRW public school is not allowed to wear a beret covering her hair and ears while teaching. The court ruled that in her case such a beret is considered a "surrogate" Islamic headscarf.

On December 10, 2007, the Hesse State Constitutional Court upheld the state's head scarf ban. The Hesse ban as applied allows state institutions to prevent civil servants, including public school teachers, from wearing headscarves, while making exceptions for Christian religious symbols or clothing.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Improvements and Positive Developments in Respect for Religious Freedom

The Government promoted tolerance by establishing dialogues with representatives of immigrant and Muslim groups at the Chancellor and Interior Minister levels on the integration of minorities and immigrants and on Islamic matters. On July 12, 2007, the Government adopted the National Integration Plan, in which the state and local authorities, representatives of minority groups, and the Government adopted measures and voluntary commitments relating to integration.

The North-Rhine Westphalia OPC created two manga-style comic books ("Andi 1" and "Andi 2") to combat Islamic extremism and to promote democratic values among Muslim youth.

The Government monitored right-wing extremists, conducted investigations into anti-Semitic crimes, and at times banned extremist groups deemed a threat to public order. Authorities sought to address right-wing extremism by conducting a variety of education programs to promote tolerance, many focusing on anti-Semitism and xenophobia. Jewish nongovernmental organizations, such as the Central Council of Jews, provided input and assistance on a variety of government-sponsored tolerance education programs focusing

on anti-Semitism and xenophobia. The country is one of the most active members of the 25-country Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. Its newly established Permanent Secretariat is located in the Topography of Terror in Berlin and supported by an annual contribution of \$234,000 (€156,000).

Authorities strongly condemned all anti-Semitic acts and devoted significant resources to investigating incidents and prosecuting perpetrators. The state also provided 24-hour police protection at synagogues and many other Jewish institutions.

### **Section III. Societal Abuses and Discrimination**

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

In 2007 the federal OPC recorded 17,167 right-wing "politically motivated crimes" (PMCs), which included 980 violent crimes. The Federal Criminal Investigation Office (BKA) defines PMCs as offenses related to the victims' ideology, nationality, ethnicity, race, skin color, religion, worldview, ancestry, sexual orientation, disability status, parents, or social status. The 2007 OPC report included 2,765 left-wing PMCs, 747 PMCs by foreigners, and 121 other types of PMCs. The report listed 180 right-wing extremist organizations and groups (182 in 2006). Authorities estimated membership in these groups, plus right wing extremists who remain unorganized, to be approximately 31,000.

A degree of anti-Semitism based on religious doctrines and historic anti-Jewish prejudice continued to exist. Far-right political organizations claimed that Jews were behind modern social and economic trends, such as globalization, which some Germans find disorienting or dangerous. While most anti-Semitic acts were attributed to neo-Nazi or other right-wing extremist groups or persons, recent anti-Semitic incidents indicated that Muslim youths were increasingly behind attacks on and harassment of Jews.

Preliminary reporting from the first quarter of 2008 by the Interior Ministry indicated that there were a total of 264 anti-Semitic offenses. Preliminary figures provided by the Federal Interior Ministry to the federal parliament reported 951 anti-Semitic offenses (including 34 violent ones) in 2007 compared to 1,024 (21 violent) in 2006. In 2007 authorities identified 504 suspects and made 26 arrests, compared to 622 suspects and 95 arrests in 2006. There were 23 injuries in 2007, an increase of 12 from the previous year.

According to the 2007 OPC report, the total number of registered anti-Semitic crimes dropped from 1,636 in 2006 to 1,541 in 2007 (a 5.8 percent decrease). Among these, the number of violent crimes increased from 43 to 59. Federal authorities generally responded to combat anti-Semitic offenses.

On May 20, 2008, the Frankfurt Regional Court sentenced a 22-year-old citizen of Afghan origin to 3 and 1/2 years in prison for making anti-Semitic remarks and stabbing a rabbi in Frankfurt on September 7, 2007. The rabbi made a full recovery.

On January 17, 2008, men unleashed a dog on a group of Jewish teenagers on their way home from a Jewish high school in the Oranienburger Strasse, in central Berlin, and taunted them with anti-Semitic slurs, chasing one who escaped into a bakery.

On December 28, 2007, in a train station in the center of Berlin, three men attacked a 47-year-old Jordanian, castigating him for being either a Jew or an Arab according to press reports. They punched him and hit him on his head with an empty bottle several times. The man was hospitalized.

On December 12, 2007, two drunken men, approximately 20 years old, harassed two Jews on a bus by spitting, pushing, making the Hitler salute, and shouting anti-Semitic slurs. They were arrested in Spandau, Berlin.

The most widespread anti-Semitic acts were the desecration of Jewish cemeteries or other monuments with graffiti that included the use of swastikas. During the reporting period, Jewish cemeteries, centers, and monuments were desecrated in the following cities: Achim, Berlin (and its suburbs), Cologne, Delitzsch,

Dessau, Eiterfeld, Freudenthal, Heilbronn-Sontheim, Hildburghausen, Ihringen, Koethen, Neuengamme, Neuguetenberg, Neustrelitz, Oranienburg, Paderborn, Pinneberg, Rostock, Soemmerda, and Thallichtenberg. For example, on April 30, 2008, perpetrators destroyed at least 20 graves at the Jewish cemetery in Berlin-Weissensee. During the evening of April 28, 2008, perpetrators knocked down 23 headstones and 10 short pillars at the same Jewish cemetery. On August 12, 2007, more than 70 gravestones were knocked over in the Jewish cemetery in Ihringen. After police arrested four suspected right-wing extremists, three of four, aged between 15 and 28, admitted to committing the vandalism.

Throughout the reporting period, supporters of the right-extremist National Democratic Party of Germany (NPD) distributed newsletters with antforeigner and anti-Semitic content to schools in Berlin, Brandenburg, and Saxony. On July 7, 2007, during a protest march of the NPD in Frankfurt, approximately 100 protesters chanted slogans calling the country a Jewish state. The NPD was involved in many acts that the Jewish community found to be offensive and hurtful, such as boycotting a moment of silence at a state parliament held in honor of Nazi victims, manufacturing a stamp bearing the image of Rudolph Hess, and questioning the number of Holocaust victims. There were also a number of neo-Nazi and right-wing activities that the Jewish community found offensive, such as public chanting of Nazi-era slogans, a celebration of Hitler's birthday, and anti-Semitic propaganda films and music videos on the Internet. Other offensive incidents included the shouting of anti-Semitic slurs and Nazi-era slogans during soccer games against Poland and Portugal, and the use of the word "Jew" as an insult by schoolchildren.

According to research conducted by the Anti-Defamation League (ADL) in May 2007 and released on September 5, 2007, there has been an increase in anti-Semitic attitudes. The ADL found that 44 percent of those surveyed in the country agreed with the statement that "Jews have too much power in international financial markets," while 39 percent believed "Jews have too much power in the business world."

The rise of a substantial Muslim minority at times continued to lead to social conflict with religious, ethnic, and cultural overtones. Commonly, this included local resistance to the construction of mosques, leasing land for Muslim cemeteries, or disagreements over whether Muslims may use loudspeakers in residential neighborhoods to call believers to prayer. Authorities argued that many disputes also appeared to be related to compliance with construction and zoning laws; private groups (with some Interior Ministry financing) sought to better educate Muslim groups about these laws. Muslim groups, however, argued that such rules were often abused or that local opposition was motivated by anti-Muslim bias. Nonreligious (for example, noise and traffic levels) and security concerns were also factors.

At the end of the period covered by this report, controversy over the construction of a new mosque in Cologne, in NRW, continued to receive national and international attention. The proposed new mosque, in addition to being the country's largest, would also house the national headquarters of the Turkish Islamic Union for Religious Affairs. It has the full support of the mainstream local political players, including the city's mayor and the state minister-president, and construction is scheduled to start in late summer 2008.

By contrast, also in NRW, a mosque in Duisburg is nearing completion and has gone up without controversy. The mosque is scheduled to be inaugurated in 2008.

The Berlin-Heinersdorf Ahmadiyya Muslim Mosque is nearing completion and is scheduled to open by the end of 2008. During the construction of the mosque, there were protests by the neighborhood, including a minor arson attack on March 21, 2007, which did not delay the construction plans for the mosque.

Local opposition delayed plans to build a new mosque in Munich, even though the mayor and the Catholic Church across the street from the building site supported its construction. The future of the project remains unclear at the end of the reporting period. On February 13, 2007, the Bavarian Administrative Court upheld the decision by the Government of Upper Bavaria, pending modifications to the design of the mosque. In 2006 the government of Upper Bavaria had revoked the preliminary permit from the city due to complaints from neighbors that the mosque as planned did not fit into the architectural style of the neighborhood.

There also remained areas where the law and Islamic practices conflicted with one another, such as the call to prayer, Islamic ritual slaughtering, and the segregation of older boys and girls during sports classes. In a May 7, 2008 decision, the Duesseldorf Administrative Court ruled that a 12-year-old Muslim girl could not be permanently exempted for religious reasons from having to participate in mandatory coeducational swim

classes at a public school. The court found that there are "various ways" to meet the requirements of Islamic dress rules even in coeducational swim classes. The plaintiff's lawyers announced they would appeal the decision.

The Catholic Church and the Evangelical Church continued to be public opponents of Scientology. Evangelical "Commissioners for Religious and Ideological Issues," also known as "sect commissioners," were particularly active in this regard. Additionally, several public and private organizations continued to issue public warnings about Scientology afterschool study programs. The sect commissioners investigate "sects, cults, and psycho-groups" and publicize what they consider to be the dangers of these groups to the public. Evangelical sect commissioners were especially active in their efforts to warn the public about alleged dangers posed by the Unification Church, Scientology, Bhagwan-Osho, Transcendental Meditation, and Universal Life. The print and internet literature of the sect commissioners portrayed these groups very unfavorably.

The Universal Life group reported that sect commissioner portrayals of the group promoted intolerance and that these portrayals were frequently taken up by the media and municipal authorities, who then denied members of the group access to market stands and sales booths in municipal facilities, lecture halls, and information stands in public places.

Scientologists in Hamburg continued to report discrimination due to the use of "sect filters." For example, the Hamburg Chamber of Commerce posted a "Declaration for the Distancing from Scientology" ("sect filter") on its website, despite the 2006 ruling of the Hamburg Administrative Court finding the use of "sect filters" illegal.

Since the 1990s, four of the major political parties (the Christian Democratic Union, the Christian Social Union, the Social Democratic Party, and the Free Democratic Party) have banned Scientologists from party membership. Scientologists have unsuccessfully challenged these bans in courts.

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

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights and engages in activities that promote a more positive attitude toward the Muslim community. The U.S. Mission has extensive contact with religious groups and meets frequently at multiple levels with representatives of religious groups to discuss their situation and concerns. The Mission also hosted iftar dinners to which government officials were invited, thereby encouraging greater dialogue between the Government and Muslim leaders.

In response to anti-Semitic crimes, members of the U.S. Embassy closely followed the Government's responses and expressed the U.S. Government's opposition to anti-Semitism. Mission officers maintained contact with Jewish groups and continued to monitor closely the incidence of anti-Semitic activity. The U.S. Mission promoted religious tolerance by hosting an interfaith Seder to which government representatives as well as prominent members of the Muslim, Christian, and Jewish communities were invited.

The U.S. Government expressed its concerns over infringement of individual rights because of religious affiliation with respect to Scientology and other minority religious groups and requested that the Government implement or encourage the states to apply immediately all court rulings in favor of minority religious groups.

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