



Switzerland

International Religious Freedom Report 2008

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

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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.

There were isolated reports of societal abuses or discrimination based on religious affiliation, belief, or practice, particularly against Islamic and Jewish minorities.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 15,942 square miles and a population of 7.5 million.

Three-quarters of the population nominally belong to either the Roman Catholic or the Protestant churches, and although actual church attendance rates are much lower, 80 percent say they are religious. Of this group, 22 percent acknowledged being "very religious," according to a July-August 2007 Religion Monitor survey sponsored by the Bertelsmann Foundation.

The arrival of immigrants has contributed to the noticeable growth of religious communities that had little presence in the country in the past. The 2000 census notes membership in religious denominations as follows: 41.8 percent Roman Catholic; 35.3 percent Protestant; 4.3 percent Muslim; 1.8 percent Christian Orthodox; and 11.1 percent professed no formal creed. Groups that constitute less than 1 percent of the population include: Old Catholic, other Christian groups, Buddhist, Hindu, and Jewish. Authorities had no indication of religious affiliation for 4.3 percent of residents.

The majority of Muslims originate from Bosnia and Herzegovina, Kosovo, and Albania, followed by Turkey as well as Arab and North African countries. Muslim immigrants from the Balkans and Southeastern Europe typically settle in the German-speaking eastern and central regions, whereas those arriving from Arab and North African countries commonly relocate to the French-speaking western region. The majority are Sunni Muslims, while other groups include Shi'a, Alawites, and others. Approximately 10 to 15 percent of these are estimated to be practicing believers. The country has two large mosques, in Geneva and Zurich, and approximately 120 official prayer rooms. It is believed that another 100 prayer rooms exist, many of them belonging to Albanian, Turkish, or Arab communities.

Approximately 75 percent of Jewish households are located in Zurich, Geneva, Basel, and Bern.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free

practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors.

Article 15 of the Constitution provides for freedom of creed and conscience, and the Federal Penal Code prohibits any form of debasement of or discrimination against any religion or any religious adherents.

On February 27, 2008, the Federal Tribunal (Supreme Court) ruled that it was unconstitutional to deny a citizenship application on the grounds that a Muslim woman wears the Islamic headscarf. In two unanimous decisions, the highest court granted the appeals of a Turkish woman and a Bosnian man whose wife wears the headscarf, both of whom had their citizenship applications turned down in 2007. Local authorities had argued that the wearing of the headscarf was a visible sign of the submission of women that betrayed an attitude incompatible with the constitutional equality of the sexes. The Federal Tribunal in turn held that for Muslim women the wearing of the headscarf was a profession of their faith protected under the religious freedom clause of the Constitution and that denying a citizenship application solely on this basis is discriminatory and thus unconstitutional. However, the Federal Tribunal upheld the nonnaturalization of the Bosnian wife on the grounds of her limited German language skills and insufficient understanding of the constitutional nature of the Swiss polity.

The law penalizes public incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity, and there have been convictions under this legislation for anti-Semitism and historical revisionism, including Holocaust denial.

There is no official state church; religious matters are handled by the cantons (states) according to Article 72 of the Constitution. Most of the 26 cantons (with the exception of Geneva and Neuchatel, where church and state are separate) financially support at least one of the three traditional religious communities--Roman Catholic, Old Catholic, or Protestant--with funds collected through taxation. Each canton observes its own regulations regarding the relationship between church and state. In some cantons the church tax is voluntary, but in others an individual who chooses not to contribute to the church tax may have to formally leave the church. In some cantons private companies are unable to avoid payment of the church tax. Some cantons grant "church taxation" status, which the traditional three Christian communities enjoy, to the Jewish community. Islamic and other nonofficial religious groups are excluded from these benefits.

On November 16, 2007, the Federal Tribunal (Supreme Court) ruled that a woman in the Canton of Lucerne may leave the local chapter of the Catholic Church without formally abandoning her Catholic confession. The highest court thus overturned an earlier ruling from 2003 that backed the Church's statutes requiring those wishing to leave the local chapter also to renounce their Catholic confession.

The Government observes Good Friday, Easter, Easter Monday, Ascension, Whit Sunday, Whit Monday, Christmas Day, and St. Stephen's Day as national holidays. Sunday is a public holiday; shops remain closed and Sunday work is generally not allowed.

A religious organization must register with the Government in order to receive tax-exempt status.

Groups of foreign origin are free to proselytize. Foreign missionaries must obtain a "religious worker" visa to work in the country. Visa requirements include proof that the foreigner would not displace a citizen from doing the job, has formally completed theological training, and would be supported financially by the host organization. The host organization must acknowledge the country's legal order and must not tolerate its abuse by members, either in theory or in practice. Between November 2006 and October 2007, a total of 63 ordained clergymen and 130 nonordained religious employees were working on short-term permits in the country.

On January 1, 2008, a new Federal Law on Foreigners entered into force, establishing mandatory training for immigrant clerics in order to facilitate their integration into society. Among other provisions, the training program is meant to ensure that immigrant clerics can speak at least one of the three main national languages.

Education policy is set at the cantonal level, but school authorities at the county level wield some discretionary

power in their implementation. Religious education is taught in most public cantonal schools, with the exception of Geneva and Neuchatel. Classes in Catholic and Protestant doctrines are normally offered; some schools also cover other religious groups living in the country. In the Canton of Lucerne, two municipalities have offered religious classes in Islamic doctrine since 2002. In some cantons religious classes are entirely voluntary, while in others they form part of the curriculum; however, waivers are routinely granted for children whose parents request them. Those of different religious groups are free to attend classes for their own creeds during the class period. Parents may also send their children to private religious schools and to classes offered by their church, or they may teach their children at home.

A number of cantons have reformed religious education in public schools to either complement or entirely supplant traditional classes in Christian doctrine with nonconfessional teachings about religion and culture. In virtually all cantons contemplating or implementing reform, authorities planned to make the nonconfessional teachings about religion and culture a nonelective part of the curriculum for all pupils.

Regarding waivers on religious grounds from classes other than confessional instruction, there are no national guidelines, and practices vary. Some cantons have issued guidelines not to excuse pupils from swimming or physical education classes despite a contrary ruling of the Federal Tribunal from 1993 holding that such exemptions on religious grounds are constitutional.

The Government's Federal Service for the Combating of Racism continued to support anti-racism activities with money from the regular federal budget. For 2008 Parliament earmarked \$640,000 (800,000 Swiss francs) to fund projects.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom. There were, however, some restrictions at the local level.

Immigration authorities request immigrant clerics to respect the public order and refuse to grant residency permits to imams considered "fundamentalists." Between November 2005 and October 2007, federal authorities issued a total of 15 working permits for imams from Turkey, Macedonia, and Bosnia and Herzegovina. One imam was turned down on grounds of his insufficient readiness to integrate into society.

Resident Islamic organizations have complained that authorities in many cantons and municipalities discriminated against them by refusing zoning approval to build mosques or Islamic cemeteries. On June 23, 2008, the Zurich cantonal parliament rejected by a wide margin a parliamentary motion to amend the cantonal building regulations to ban the construction of minarets. In the Canton of Bern, the legislature on September 5, 2007, rejected a parliamentary motion aiming to ban the construction of minarets across the canton. However, in the city of Langenthal, the project of an Islamic association to build a minaret on top of its prayer room remained stalled after the Bern cantonal building department cancelled the city-issued 2006 building permit on April 16, 2007, on the grounds that the original request was incomplete. Langenthal city authorities, who had sent the dossier back to the Islamic association for review, were reexamining the updated building request at the end of the reporting period.

In January 2008 the Geneva cantonal government reached an agreement with Hani Ramadan to end the legal dispute over his dismissal as public school teacher. The cantonal government fired Ramadan in 2003 following his publication of an op-ed article in the French newspaper *Le Monde* in which he indicated support for the stoning of adulterers on the basis of Islamic law (Shari'a). Ramadan appealed his dismissal and subsequently obtained a court order forcing the cantonal government to recognize his status as a public servant and resume paying his salary. Under the agreement, which puts an end to his employment contract, the cantonal government was to pay Ramadan \$204,000 (255,000 Swiss francs) in compensation, equivalent to 2 years' worth of wages, plus an additional \$72,000 (90,000 Swiss francs) to cover legal costs.

The 2005 Law on the Protection of Animals prevents local ritual slaughter for kosher and halal meat; however, importation of such meat remains legal and available for Orthodox Jewish and Muslim communities at comparable prices.

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

On February 27, 2008, the Federal Tribunal held that for Muslim women the wearing of the headscarf was a profession of their faith protected under the religious freedom clause of the constitution and that denying a citizenship application solely on this basis is discriminatory and thus unconstitutional. (See Legal/Policy Framework section above for details.)

On July 4, 2007, the Federal Tribunal dismissed a complaint by a group of neighbors opposing plans of a local Turkish cultural association to add a minaret to its house of worship in Wangen in the Canton of Solothurn. The neighbors had filed an appeal with the highest court in January 2007 against a 2006 cantonal administrative court ruling, which found that the planned 18-foot-high minaret was in compliance with zoning regulations. In September 2007 board members of the Turkish cultural association publicly reaffirmed their plans to build the minaret. However, on November 21, 2007, the Wangen Building and Planning Commission rejected demands of the Turkish cultural association to extend the building permit for another 12 months, arguing that the request for extension had been filed only after the original building permit had expired in September 2007. On November 30, 2007, the Turkish cultural association filed an appeal with the Solothurn Building and Justice Department, which remained pending at the end of the reporting period.

On January 28, 2008, on the occasion of Holocaust Remembrance Day, the Intercommunity Center for Coordination against Anti-Semitism and Defamation (CICAD) hosted a memorial ceremony in Geneva to honor 60 citizens who had helped to save Jewish lives during the Holocaust. These individuals had received the "Righteous Among the Nations" title awarded by the Yad Vashem Holocaust memorial in Israel. Addressing the more than 600 guests at the memorial ceremony, President Pascal Couchepin praised the individuals being honored who "during the time of the Shoah chose help and compassion over indifference or oppression," and in the name of the Government expressed his deepest respect for such courage and self-sacrifice.

The federal Government joined with national youth associations to support the Council of Europe's "All Different—All Equal" youth campaign to promote diversity, human rights, and political participation. The campaign, which ran from June 2006 to September 2007, aimed to involve as many youths as possible in local and regional projects.

Section III. Societal Abuses and Discrimination

There were isolated reports of societal abuse and discrimination, but whether these instances were based on religious belief and practice or ethnicity and culture is difficult to determine. Some observers remained concerned about the climate for members of religious, particularly Jewish and Muslim, minorities.

In the run-up to the October 21, 2007, federal elections, exponents of the Swiss People's Party (SVP) ran billboard advertisements that appeared intended to capitalize on fears of radical Islam among the electorate. In the city of Aarau in the Canton of Aargau, a SVP-candidate ran billboard ads depicting a Muslim woman clad in a black burqa covering all but her eyes with the inscription "Aarau or Ankara?" In part of the Canton of Valais, the local chapter of the SVP ran billboard ads showing Muslim men praying in front of the Federal House of Parliament covered with the slogan "Use your brain!"

According to statistics gathered by the Foundation Against Racism and Anti-Semitism, the total number of reported incidents against foreigners or minorities was 118 in 2007, up from the 93 incidents recorded in 2006. These figures included instances of verbal and written attacks, which were much more frequent than physical assaults.

During 2007 the CICAD recorded 38 anti-Semitic incidents in the western, French-speaking part of the country, ranging from verbal and written assaults to offensive graffiti and acts of vandalism against Jewish property. For the year 2006 CICAD noted 67 anti-Semitic incidents in the same part of the country.

The campaign Children of the Holocaust, a local association against anti-Semitism, racism, and political extremism, recorded 37 anti-Semitic incidents in the German-speaking part of the country in its annual report for 2007.

On February 12, 2008, a 60-year-old Jewish man walking on a street in Zurich around noon was attacked by an unknown assailant with a knife. The victim was injured slightly, but was able to fend off the attacker, who punched him and uttered anti-Semitic slurs.

On November 12, 2007, a 23-year-old man entered the Islamic center in Crissier near Lausanne and fired several shots, seriously injuring a 43-year-old worshiper, before being overwhelmed by other worshippers. The motive for the attack remained unclear. The attacker reportedly was a practicing Muslim. Police opened an investigation that was incomplete at the end of the reporting period.

Between November 12-14, 2007, Ambassador Omur Orhun, Personal Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe on Combating Intolerance and Discrimination against Muslims, visited the country and met with federal, cantonal, and local authorities as well as representatives of Muslim communities. Speaking at the end of a three-day visit, Orhun said the Muslim community was comparatively better off as far as education and financial status were concerned. However, he also said the population was increasingly apprehensive of the growing Muslim community, which made the latter feel marginalized and unwelcome. Moreover, Muslims were disproportionately affected by immigration laws, which they often perceived as discriminatory. Orhun also expressed deep concern about the petition that aims to ban the construction of minarets across the country.

The minaret building projects in Wangen (in the Canton of Solothurn), Langenthal (in the Canton of Bern), and Wil (in the Canton of Sankt Gallen) provoked fierce political debates beyond the communities concerned. The sponsors of a popular initiative to ban the construction of minarets across the country announced in late June 2008 that they had gathered the 100,000 signatures necessary to force a national vote but had not officially submitted the petition to federal authorities by the end of the reporting period. In response to an official query from the Organization of the Islamic Conference, in January 2008 the Government responded that several cabinet ministers as well as a significant number of parties, associations, and legal experts publicly criticized the petition. Local Islamic umbrella organizations deplored the petition as threatening peaceful coexistence and hampering the integration of Muslims. However, the SVP, which won 29 percent of the vote in national elections on October 21, 2007, supported the banning of minarets. (At the end of the reporting period, there were only two minarets in the country, at the Geneva and Zurich mosques.)

Some employers prohibited the wearing of headscarves in the workplace. For example, the second largest retailer announced that its dress code did not provide for any headgear and that it would not allow the wearing of the Islamic headscarf or hijab.

The Swiss Council of Religions (SCR) continued to hold biannual meetings with Interior Minister Pascal Couchepin (currently the country's President) to discuss religious policy. The SCR, which is comprised of senior representatives from the Roman Catholic Church, Old Catholics, the Swiss Protestant Church, and the Muslim and Jewish communities, was founded in 2006 to foster interreligious dialogue. The SCR held its first such meeting with the Interior Minister in May 2007.

Many nongovernmental organizations coordinated interfaith events to promote tolerance throughout the country.

Between December 28, 2007, and January 1, 2008, more than 38,000 young persons from over 50 different countries flocked to Geneva for the 30th international meeting of the ecumenical Taizé-Community. Every evening the head of the community, Brother Alois, held a mediation session at Geneva's exposition center with prayers being translated into 20 languages and 1 session being broadcast on television. On New Year's Eve participants held a "Celebration of the Nations" at 150 localities between Bellegarde in France and Montreux.

From November 4 to 11, 2007, religious communities in approximately 40 cities across the country joined together to celebrate a "Week of Religions" under the motto "Getting to Know Each Other." For a week, Catholics, Protestants, Muslims, Jews, Hindus, Buddhists, and Baha'is invited each other to attend their religious services and held a series of special events such as music concerts, panel discussions, round table meetings, and open discussion forums. The first "Week of Religions" was instigated by the interreligious working group Interreligiöse Arbeitsgemeinschaft in der Schweiz, an association founded in 1992 representing different religious communities, interreligious outfits, and charities in the country.

Jewish leaders reported that they organized an annual awareness-raising trip to Auschwitz for teachers that had a positive multiplier effect in classrooms.

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.

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