



Switzerland

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2009

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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 reporting period.

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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 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 per group of the population include Old Catholics, other Christian groups, Buddhists, Hindus, and Jews. Authorities had no indication of religious affiliation for 4.3 percent of residents.

The majority of Muslims originate from Bosnia, Herzegovina, Kosovo, and Albania, followed by Turkey as well as North African and other Arab countries. Muslim immigrants from the Balkans and Southeastern Europe typically settle in the German-speaking eastern and central regions, whereas those arriving from North African and other Arab countries commonly relocate to the French-speaking western region. The majority are Sunni Muslims, while other groups include Shi'a and Alawites. Approximately 10 to 15 percent of Muslims 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 Government Respect for 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.

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 to the Jewish community. Islamic and other nonofficial religious groups are excluded from these benefits.

The Government observes the following religious holidays as national holidays: Good Friday, Easter, Easter Monday, Ascension, Whit Sunday, Whit Monday, Christmas Day, and St. Stephen's Day. 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 its 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 in the country. In the Canton of Lucerne, since 2002 two municipalities have offered religious classes in Islamic doctrine. In some cantons, religious classes are voluntary, while in others they form part of the mandatory 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 religious groups, 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 doctrines 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. On October 24, 2008, the Federal Tribunal reviewed its 1993 ruling regarding exemptions for students from swimming or other physical education classes on religious grounds. The Tribunal's October ruling allows individual cantons to determine when exemptions from swimming lessons are permitted on religious grounds.

The Government's Federal Service for Combating Racism continued to support antiracism activities with money from the regular federal budget. In 2008 it supported 61 projects with a total of \$690,000 (790,000 Swiss Francs).

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 requested immigrant clerics to respect the public order and refused to grant residency permits to imams considered "fundamentalists."

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.

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.

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 who had not been allowed to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

In response to a growing number of soldiers of Muslim faith, the army held a meeting in May 2009 of all its chaplains to review the ways in which the army can support the spiritual needs of its Muslim personnel.

On April 20, 2009, the Jewish communities of Geneva and the Intercommunity Center for Coordination against Anti-Semitism and Defamation (CICAD) organized a major ceremony with over three thousand participants on Shoah Remembrance Day.

On February 16, 2009, the cantonal authorities of Ticino rejected a citizen's initiative to ban minarets in that canton.

In February 2009 the city of Thun changed its cemetery regulations to accord Muslim citizens dedicated parts of municipal cemeteries for their graves.

On September 9, 2008, Federal Councilor Pascal Couchepin, who was President of the Confederation in 2008, conveyed a public message of Ramadan greetings to the country's Muslims and attended an iftar at the House of Religions in Bern with members of the Muslim community.

On July 17, 2008, The Directorate of Public Works of the canton of Bern rejected a complaint filed by local residents against the construction of a Turkish-Islamic Center in Ostermundigen. The residents argued that the center would create too much neighborhood noise and would be open beyond the usual hours for commerce and services.

Section III. Status of Societal Respect for Religious Freedom

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

According to statistics gathered by the Foundation against Racism and Anti-Semitism, the number of reported incidents against foreigners or minorities was 92 in 2008, a decrease from 136 in 2007. These figures included instances of spoken and written attacks, which were much more frequent than physical assaults.

During 2008, CICAD recorded 96 anti-Semitic incidents in the western, French-speaking part of the country, ranging from spoken and written attacks to offensive graffiti and acts of vandalism against Jewish property. In 2007, CICAD noted 38 anti-Semitic incidents in the same part of the country. The Swiss Federation of Jewish Communities assessed that this tendency towards increased incidents also was observed in the German-speaking region.

On the night of January 11, 2009, unknown persons destroyed the front window of a Jewish study center in Geneva. According to the Secretary General for CICAD, this was clearly an anti-Semitic act. Police were investigating the incident at the end of the reporting period.

In November and December 2008, an anti-Semitic pamphlet was sent to local Jewish organizations and individuals. CICAD filed complaints against the editor and publisher of the pamphlet in the same months.

On November 28, 2008, unknown persons broke into the Islamic Center in Näfels (Canton of Glarus) and vandalized the Qur'an and prayer rugs, stole some items, and carved a swastika on a cabinet door. Police were investigating the incident at the end of the reporting period.

On November 10, 2008, unknown perpetrators placed anti-Semitic posters on the windows of a grocery store in Basel that sells kosher products.

On November 2, 2008, during a soccer game between two junior teams in Zurich, one of which was from a Jewish soccer club, a player from the other team reportedly shouted anti-Semitic comments and made crude gestures. The referee ejected the offending player from the game. After the game, players and fans reportedly attacked and injured the coach of the Jewish team and insulted the Jewish players with more anti-Semitic statements.

On July 4, 2008, three young skinheads reportedly knocked at the door of a vacation home that was occupied by participants of a summer camp for Jewish youths in the Canton of Valais. One of the skinheads reportedly asked the summer camp participants whether they were Jews and then shouted threats.

At year's end, no additional information was available regarding the status of the police investigation into a November 12, 2007, incident in which a 23-year-old Muslim man entered the Islamic center in Crissier near

Lausanne and fired several shots, seriously injuring a 43-year-old worshiper.

The minaret building projects in Wangen (in the Canton of Solothurn), Langenthal (Canton of Bern), and Wil (Canton of Sankt Gallen) provoked fierce political debates beyond the communities concerned. Despite opposition, the minaret in Wangen was built and inaugurated on June 27, 2009. At the end of the reporting period, there were only four minarets in the country, at the Geneva, Zurich, Winterthur, and Wangen mosques. On March 4, 2009, (National Council) and June 5, 2009, (Council of States) both houses of Parliament overwhelmingly rejected an initiative, introduced by right-wing parties in late June 2008, seeking a ban on the construction of minarets. Proponents of the initiative contend that the construction of minarets symbolizes a religious and political claim to power that calls into question the Swiss legal system. Following the Federal Council's confirmation of the technical validity of the petition to force a national vote, the Council issued a public statement strongly criticizing the initiative as infringing on "guaranteed international rights" and contradicting "core values of the Swiss Federal Constitution." The Federal Council stated, "Such a ban would endanger peace between religions and would not help to prevent the spread of fundamentalist Islamic beliefs." In conclusion, the Federal Council recommended that the Parliament reject the initiative without making a counter proposal, which the Parliament did. According to the law, the initiative was scheduled to be submitted to a national public vote on November 29, 2009.

The Swiss Council of Religions (SCR), which is comprised of senior representatives from the Roman Catholic Church, Old Catholics, the Swiss Protestant Church, and the Muslim and Jewish communities, continued to hold biannual meetings with Interior Minister Pascal Couchepin to discuss religious policy.

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

From November 1 to 9, 2008, religious communities in approximately forty 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.

Jewish leaders reported that they organized an annual awareness-raising trip to Auschwitz, Poland, for teachers and students 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.