

SWITZERLAND 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of faith and conscience, and it and the penal code prohibit discrimination against any religion or its members. The constitution delegates regulation of the relationship between the government and religious groups to the 26 cantons. In November, the Federal Council, a seven-member executive committee, approved a national referendum to be held in March 2021 on a proposed antiterrorism law that includes a nationwide ban on face-covering headgear in public spaces. This followed the rejection by parliament's lower house, the National Council, of the draft law in June. UN human rights special rapporteurs criticized the draft law, warning it could restrict freedom of religion if movement restrictions to deter terrorism would deny Muslim women access to religious sites. In July, the Federal Office of Police announced the federal government will pay 500,000 Swiss francs (\$568,000) to 11 religious institutions that serve minorities as defined by their way of life, culture, religion, tradition, language, or sexual orientation to assist in their protection. In February, the St. Gallen Cantonal Council approved a new article in the cantonal law prohibiting extremist events that are "not compatible with the basic democratic and constitutional order and which significantly impair the population's sense of security." Media directly linked the ban to a desire to prevent a recurrence of a 2016 concert attended by neo-Nazis from Germany and other countries.

The Swiss Federation of Jewish Communities (SIG) and a nongovernmental organization (NGO) cited 523 anti-Semitic incidents in the German-speaking part of the country in 2019 – a decrease from 577 in 2018 – of which 499 involved online hate speech. Another NGO reported 114 anti-Semitic incidents in the French-speaking region in 2019 – compared with 111 in 2018 – of which 102 involved online hate speech. A report prepared by an NGO in collaboration with the Federal Commission against Racism cited 44 incidents against Muslims in 2019, consisting primarily of derogatory remarks and marginalizing treatment, compared with 44 in 2018. In July, the Zurich University of Applied Sciences published a study of 500 Jews in the country which found that one in two respondents had experienced anti-Semitic harassment in recent years. The most common form of harassment was offensive or threatening comments.

U.S. embassy officials discussed projects, such as training events and workshops, aimed at promoting religious freedom and tolerance with federal and cantonal

government officials. In July, embassy staff toured the prayer and communal spaces of the seven religious groups housed in the multifaith House of Religions and spoke on religious freedom and tolerance at a meeting there with the head of Bern's mosque. In February, embassy staff met with Jehovah's Witnesses to discuss the promotion of religious freedom and tolerance. In January, the embassy cohosted a Holocaust Remembrance Day ceremony. In remarks, the Ambassador underscored the importance of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 8.4 million (midyear 2020 estimate). The population is predominantly Christian; Catholics are the largest denomination, followed by Protestants. According to census data, the number of persons with no religious affiliation has increased in the past decade as has the number of adherents to non-Christian faiths. According to Federal Statistics Office figures compiled in 2016-18 and issued in January, 35.8 percent of the population older than 15 is Roman Catholic, 23.8 percent is Reformed Evangelical, 7.4 percent belongs to other Christian groups, and 5.3 percent is Muslim. According to SIG, there are approximately 18,000 Jews. In October, media reported that the Jewish population had declined 10 percent since 1970, whereas the country's total population had increased by 40 percent in the same time period. According to the gfs.bern polling and research institute, approximately 50 percent of Jewish households are located in Zurich, Geneva, Basel, Lausanne, and Lugano.

According to the Federal Statistics Office, persons identifying with no religious group constitute 26.3 percent of the population and the religious affiliation of 1.4 percent of the population is unknown. Of the population older than 15 belonging to other Christian groups, 2.5 percent is Orthodox Christian or Old-Oriental Christian and 2.2 percent is other Protestant, including evangelical, Pentecostal, and charismatic Christian. The remaining 1.4 percent includes Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Seventh-day Adventists, and members of the Apostolic Church. The Christian Catholic Church estimates the number of Christian Catholics (also known as Old Catholics) at more than 12,000. Religious groups together constituting 1.4 percent of the population include Buddhists, Hindus, Baha'is, and Sikhs.

Approximately 95 percent of Muslims are of foreign origin from more than 30 countries. Media report most come from countries of the former Yugoslavia, predominantly from Kosovo, North Macedonia, Serbia, and Bosnia and

Herzegovina, while others come from Albania, Turkey, North Africa, the Middle East, and sub-Saharan Africa. According to the most recent information available from reports issued in 2018 by local media and the University of Zurich, 75 percent of the Muslim community is Sunni, 15 percent Alevi, and approximately 10 percent Shia or other Muslim, including Ahmadi. According to the gfs.bern polling and research institute, approximately 80 percent of Muslims live in cities, with the largest populations in Zurich, Aarau, Bern, St. Gallen, Solothurn, Lausanne, and Geneva.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

In its preamble, the constitution states it is adopted in the name of “Almighty God.” It guarantees freedom of faith and conscience, states each person has the right to choose his or her religion and to profess it alone or with others, and prohibits religious discrimination. It states the confederation and cantons may, within the scope of their powers, act to preserve peace between members of different religious communities.

The federal penal code prohibits any form of “debasement,” which the code does not specifically define, or discrimination against any religion or religious adherents. Inciting hatred or discrimination, including by electronic means and on the basis of religion, is punishable by up to three years’ imprisonment or a fine. The law also penalizes anyone who refuses to provide a service because of someone’s religion; organizes, promotes, or participates in propaganda aimed at degrading and defaming adherents of a religion; or “denies, justifies, or plays down genocide or other crimes against humanity.”

In September, in response to concerns over radicalization and other potential threats from foreign terrorists, parliament approved a new provision in the criminal law that criminalizes recruiting, training, and travel for terrorism. Under the new provision, individuals who authorities deem may pose a threat but are not subject to criminal proceedings may be obliged to report to a police station at certain times, prohibited from traveling abroad, and confined to specific areas. These measures could be applied to Swiss residents as young as 12. The Federal Office of Police could place persons it deems dangerous under house arrest for up to six months, renewable once.

The constitution delegates regulation of relations between the government and religious groups to the 26 cantons. The cantons offer legal recognition as public entities to religious communities that fulfill a number of prerequisites and whose applications for recognition are approved in a popular referendum. The necessary prerequisites include a statement acknowledging the right of religious freedom, the democratic organization of the religious community, respect for the cantonal and federal constitutions and rule of law, and financial transparency.

The cantons of Basel, Zurich, and Vaud also offer religious communities legal recognition as private entities, which provides them the right to teach their religions in public schools. Procedures for obtaining private legal recognition vary; for example, Basel requires approval of the Grand Council (the cantonal legislature).

There is no law requiring religious groups to register in a cantonal commercial registry. Religious foundations, characterized as institutions with a religious purpose that receive financial donations and maintain connections to a religious community, must register in the commercial registry. To register, the foundation must submit an official letter of application to relevant authorities and include the organization's name, purpose, board members, and head office location as well as a memorandum of association based on local law, a trademark certification, and a copy of the organization's statutes.

Tax-exempt status granted to religious groups varies from canton to canton. Most cantons automatically grant tax-exempt status to religious communities that receive cantonal financial support, while all other religious communities must generally establish they are organized as nonprofit associations and submit an application for tax-exempt status to the cantonal government.

All cantons, with the exception of Geneva, Neuchatel, Ticino, and Vaud, financially support at least one of four religious communities – Roman Catholic, Christian Catholic, Reformed Evangelical, or Jewish – that the cantons have recognized as public entities with funds collected through a mandatory church tax on registered church members and, in some cantons, businesses. Only religious groups recognized as public entities are eligible to receive funds collected through the church tax, and no canton has recognized any other religious groups as public entities. The church tax is voluntary in the cantons of Ticino, Neuchatel, and Geneva, while in all other cantons an individual who chooses not to pay the church tax may have to formally leave the religious institution. The canton of Vaud is the

only canton that does not collect a church tax, although the Reformed Evangelical and Roman Catholic Churches are subsidized directly through the canton's budget.

The canton of St. Gallen continued to enforce a law that came into effect in January 2019 barring the wearing of facial concealments in public if the concealment poses "a threat to public security or religious and/or societal peace." The law determines threats on a case-by-case basis and does not specify penalties for violators. The canton of Ticino also banned face coverings in public.

In February, the St. Gallen Cantonal Council approved an article in the law banning extremist events described as "not compatible with the basic democratic and constitutional order and which significantly impair the population's sense of security." According to media, the law resulted from previous activities, including a 2016 right-wing rock concert that attracted approximately 5,000 neo-Nazis from Germany and other countries.

The constitution prohibits the construction of minarets. The prohibition does not apply to the four existing mosques with minarets established before the constitution was amended to include the ban. The law allows the construction of new mosques without minarets.

A federal animal welfare law prohibits ritual slaughter of animals without prior anesthetization, effectively banning kosher and halal slaughter practices. Importation of traditionally slaughtered kosher and halal meat is legal, and such products remained available.

The constitution sets education policy at the cantonal level, but municipal school authorities have some discretion in implementing cantonal guidelines. Most public cantonal schools offer religious education, with the exception of schools in Geneva and Neuchatel. Public schools normally offer classes in Roman Catholic and/or Protestant doctrines, with the precise details varying from canton to canton and sometimes from school to school; a few schools provide instruction on other religions. The municipality of Ebikon, in Lucerne Canton, and the municipality of Kreuzlingen in Thurgau Canton, among others, offer religious classes in Islamic doctrine. In some cantons, religious classes are voluntary, while in others, such as in Zurich and Fribourg, they form part of the mandatory curriculum at the secondary school level, although schools routinely grant waivers for children whose parents request them. Children from minority religious groups may attend classes of their own faith. Practices vary from canton to canton, but most often these classes are held outside of school premises and hours, and are financed by

minority religious groups. Parents may also send their children to private religious schools at their expense or homeschool their children.

Most cantons require general classes about religion and culture in addition to classes in Christian doctrines. There are no national guidelines for waivers on religious grounds from religion classes not covering doctrine, and practices vary.

The law exempts clerics from mandatory military service. The law defines clerics as members of a religious order living in a communal congregation bound by a religious oath and official duties or officials of a formally organized religious community with more than 2,000 members who are older than 25 and have at least three years of religious education.

Religious groups of foreign origin are free to proselytize, but foreign missionaries from countries that are not members of the EU or the European Free Trade Association (EFTA) must obtain a religious worker visa to work in the country. Visa requirements include proof that the foreigner does not displace a citizen from a job, has completed formal theological training, and will be financially supported by the host organization. Unrecognized religious groups must also demonstrate to cantonal governments that the number of their foreign religious workers is not out of proportion with the size of the community when compared to the relative number of religious workers of cantonally recognized religious communities.

The law requires immigrant clerics with insufficient language skills or knowledge of local culture and customs, regardless of religious affiliation, to attend mandatory courses to facilitate their integration into society. By law, foreign missionaries must also have sufficient knowledge of, respect for, and understanding of national customs and culture; be conversant in at least one of the three main national languages; and hold a degree in theology. In some instances, cantons may approve an applicant lacking this proficiency by devising an “integration agreement” that sets certain goals the applicant must try to meet. The host organization must also “recognize the country’s legal norms” and pledge it will not tolerate abuse of the law by its members. If an applicant is unable to meet these requirements, the government may deny residency and work permits.

The law also allows the government to refuse residency and work permits if a background check reveals an individual has ties to religious groups deemed “radicalized” or that have engaged in “hate preaching,” which is defined as publicly inciting hatred against a religious group, disseminating ideologies intended to defame members of a religious group, organizing defamatory

propaganda campaigns, engaging in public discrimination, denying or trivializing genocide or other crimes against humanity, or refusing to provide service based on religion. The law authorizes immigration authorities to refuse residency permits to clerics the government considers “fundamentalists” if authorities deem internal security or public order is at risk.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In November, the Federal Council approved a national referendum to be held on March 7, 2021, on an initiative calling for a nationwide ban on face-covering headgear in public spaces. Originally submitted in 2017 and rejected by parliament’s upper house, the Council of States, in September 2019, the National Council again rejected it in June. At year’s end, parliament was working on an indirect counterproposal to the initiative that would leave the decision on how to regulate facial coverings in public spaces up to the individual cantons as opposed to a national ban. The counterproposal stipulates that all persons have a legal obligation to show their faces in public to authorities when requested.

The canton of Geneva continued to implement a law approved in February 2019 prohibiting all cantonal government officials from wearing visible religious symbols, such as head scarves, kippahs, or crosses, in the workplace. In November, the Constitutional Chamber of the Geneva Court of Justice granted an appeal submitted by the Green Party to exempt cantonal employees and communal parliamentarians. The ban remained in place for all other cantonal officials. The new law also granted all religious communities the right to apply for financial support from cantonal authorities.

The canton of St. Gallen continued to enforce a law that came into effect in January 2019 barring the wearing of facial concealments in public if the concealment poses “a threat to public security or religious and/or societal peace.” The law determines threats on a case-by-case basis and does not specify penalties for violators. The canton of Ticino also banned face coverings in public.

Following November attacks in Vienna, the Zurich City and Cantonal Police and the Winterthur City Police reviewed and strengthened the existing protective measures for Jewish institutions. In addition, the Zurich Cantonal Police founded the “Vienna” task force to investigate whether the crimes committed in Vienna had any connection to the canton of Zurich. Cantonal police force specialists remained

in close contact with various partners in Bern and Vienna on the investigations into the attack.

In October, the Green Party, Green Liberal Party, and Social Democratic Party called for a national referendum on the new counterterrorism law out of concern it restricts fundamental rights. In May, five UN human rights special rapporteurs criticized the government's draft of the law, warning it could restrict freedom of religion if the movement restrictions applied to "potential terrorists" denied them access to religious sites.

In August, media reported that the government released an internal report stating the development assistance totaling three million francs (\$3.41 million) that it provided to Islamic Relief Switzerland, the Geneva-based chapter of the international organization Islamic Relief Worldwide, did not condone anti-Semitic statements by an individual member of the organization.

The government continued to grant visas primarily to religious workers who intended to replace individuals serving in similar functions in the same religious community. Turkish nationals applying for short- and long-term religious worker visas needed to show they were associated with the Turkish Central Authority for Religious Affairs.

Pursuant to past court decisions, the government continued not to issue religious visas to missionaries of certain denominations, such as members of the Church of Jesus Christ, because they did not possess a theology degree. Church of Jesus Christ missionaries from EU and EFTA countries could work, however, because they did not require visas to enter or work in the country.

The Federal Service for Combating Racism, which is responsible for matters related to religious discrimination, provided 55,000 francs (\$62,400) during the year to fund five projects focusing on religious freedom, including 1,000 francs (\$1,100) to support a seminar to combat anti-Islamic hate speech and 34,000 francs (\$38,600) towards fighting anti-Semitism – including 20,000 francs (\$22,700) for a Holocaust exhibition at the Basel Historical Museum – and 20,000 francs (\$22,700) towards the development of school material on the country's religious diversity.

In July, the Federal Office of Police announced the federal government would pay 500,000 francs (\$568,000) to 11 religious institutions that serve minorities, as defined by their way of life, culture, religion, tradition, language, or sexual

orientation, to assist in their protection. The funding includes 40,000 francs (\$45,400) for the Turkish-Islamic Eyup Sultan Mosque near Lausanne.

The government continued to provide up to 500,000 francs (\$568,000) annually in federal grants for the protection of religious minority institutions, notably of the Jewish and Muslim communities.

Although Holocaust education was not a requirement, most schools included it in their curriculum and participated in the annual Holocaust Day of Remembrance on January 27.

On January 27, members of the federal government and parliament, including President of the Federal Assembly Isabelle Moret, attended an official Holocaust Remembrance Day ceremony at the conservatorium in Bern. In her remarks, Moret cited the need for future generations to understand the Holocaust, its origins, and its consequences.

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

Section III. Status of Societal Respect for Religious Freedom

The *2019 Anti-Semitism Report* produced jointly by SIG and the NGO Foundation against Racism and Anti-Semitism (GRE) cited 523 anti-Semitic incidents in the German-speaking part of the country in 2019, compared with 577 in 2018. Of these, 499 involved anti-Semitic online hate speech and 24 involved other types of incidents. Approximately 90 percent of the online incidents occurred on Facebook and Twitter. SIG and the GRE attributed the slight decrease in the anti-Semitic statements and acts they recorded to fewer events during the year that could trigger such incidents, such as news reports and the release of anti-Semitism reports, as well as efforts by media outlets to moderate their comment columns. SIG and the GRE stated that violent anti-Semitic incidents remained rare. Of the 24 anti-Semitic incidents that did not involve online hate speech, the report documented one in July 2019 in which a landlord told a Jewish family who wanted to rent a vacation home that she no longer rented to Jews. The report also stated that when a Jewish soldier reported anti-Semitic comments among soldiers in recruit school to SIG, the army took the incidents seriously and immediately conducted an investigation.

A report prepared by an NGO in collaboration with the Federal Commission against Racism cited 44 incidents against Muslims in 2019 consisting primarily of derogatory remarks and marginalizing treatment, compared with 44 in 2018.

In the French-speaking region, the Geneva-based NGO Intercommunity Center for Coordination against Anti-Semitism and Defamation (CICAD) reported 114 anti-Semitic incidents in 2019, including 102 cases of online anti-Semitic hate speech, compared with 111 cases in 2018. The report noted a drastic reduction in far-right and far-left extremist groups' postings on Facebook and Twitter. The report also found that media outlets in the French-speaking region made a significant effort to moderate anti-Semitic content. Whereas the SIG report found no reports of assaults against Jews or damage to Jewish property in the German-speaking part of the country, CICAD found physical and verbal assaults against Jews in the French-speaking region increased and several synagogues were vandalized in 2019.

In July, the Zurich University of Applied Sciences published a study of 500 Jews in the country which found that one in two respondents had experienced anti-Semitic harassment in recent years. The most common form of harassment was offensive or threatening comments.

A federal report on racial discrimination released in April found that extreme right-wing incidents, including displaying the Hitler salute, increased in 2019, particularly among young people. The report also highlighted a campaign to pressure Swiss media to boycott coverage of an Israeli music competition to protest Israel's policies. The campaign calling for the boycott included Nazi symbolism, which was removed following media protests.

According to a Committee on the Elimination of Racial Discrimination report released in March, hate crimes and violence against Muslims increased with the rise of populist discourse and the mushrooming of white supremacist theories and groups in Europe. According to the report, the Swiss perception of Muslims was heavily impacted by representations of them in media and public discourse.

In April, the Consulting Network for Racism Victims, a collaboration between the NGO humanrights.ch and the Federal Commission against Racism, whose focus also includes religious discrimination, released its report for 2019. According to the report, Anti-Muslim incidents were the third most prevalent form of hate crime after general xenophobia and racism against persons with dark skins. The report found there was a sharp increase in incidents involving right-wing extremism, which it attributed to a heightened awareness of counseling centers and a greater

willingness on the part of victims to report such incidents. The report also found that while reported incidents of discrimination in public spaces increased, reported cases of workplace discrimination decreased.

In March, the European Commission against Racism and Intolerance published its 2019 report on the country. The report cited a sharp rise in intolerant discourse against Muslims in recent years, understaffed and under-resourced counseling centers, and a need for more training for police.

According to media and NGO reports, the main groups responsible for engaging in anti-Semitic rhetoric were Geneva Noncompliant, European Action, the Party of Nationally Oriented Swiss (PNOS), and the Swiss Nationalist Party (the French-speaking branch of PNOS).

Despite COVID-19 restrictions, many NGOs and representatives of the religious community continued to coordinate interfaith events to promote tolerance locally and nationwide. In November, the Week of Religions, a national event sponsored by religious communities, civil society groups, and the cantons, featured online interfaith events, including film screenings, roundtables, and panel discussions. SIG and the Federation of Islamic Organization in Switzerland continued to support a project to encourage tolerance and address misconceptions between Muslims and Jews. The independent Zurich Institute for Interreligious Dialogue continued to provide a platform to study the religious histories and cultures of Christianity, Judaism, and Islam as well as to discuss contemporary developments related to the religions by organizing educational courses, speeches, panel discussions, and excursions. The institute hosted courses on the history of religions and seminars comparing religious texts from Islam, Christianity, and Judaism as well as a conference on Jewish prayers.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed federal government-supported projects, such as training and workshops, for promoting religious freedom and tolerance, with government officials. Embassy representatives also discussed cantonal recognition of minority religions, especially Islam, with cantonal officials.

In September, embassy officers worked with representatives of the Gamaraal Foundation, which supports Holocaust survivors, to honor the death of a Holocaust survivor on the embassy's social media.

In July, embassy staff toured the prayer and communal spaces of the seven religions housed in the multifaith House of Religions and spoke on religious freedom and tolerance at a meeting with the head of Bern's mosque at the House of Religions.

In February, embassy staff met with Jehovah Witnesses to discuss the promotion of religious freedom and tolerance.

On January 27, the embassy cohosted a Holocaust Remembrance Day ceremony at the conservatorium in Bern with the Israeli and German embassies. In remarks, the Ambassador underscored the importance of religious freedom, stating that the United States is committed to defending the universal human right of freedom of faith.