

SWITZERLAND 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of faith and conscience. Both the constitution 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. The constitution bans full facial coverings, including the burqa and niqab, in public spaces and imposes fines of up to 1,000 Swiss francs (\$1,100) as a penalty, but provides some exceptions, including for religious institutions.

In July, the Canton of Geneva prohibited public baptisms by free churches, and an appeal was pending at year's end. On July 29, in the first case concerning the 2020 amendments to the antidiscrimination law, a district court convicted and fined a man on charges of discrimination and inciting hatred as well as obstruction of an official act when he fled from police. The charges stemmed from an anti-LGBTQI+ speech he delivered in June outside the Zurich train station, which primarily consisted of him quoting Biblical text.

A report by the Swiss Federation of Jewish Communities (SIG) and the Foundation against Racism and Antisemitism (GRE) cited 1,024 antisemitic incidents in the country in 2021, compared with 679 in 2020. Most incidents involved postings online but also included public insults, neo-Nazi graffiti, and property damage. A report by the nongovernmental organization (NGO) European Network against Racism, in collaboration with the Federal Commission against Racism, cited 53 incidents against Muslims in 2021. Anti-Muslim incidents were the third most prevalent form of hate crime, following xenophobia and racism, according to the report. The NGO Observatory on Intolerance and Discrimination against Christians in Europe cited several cases of churches being vandalized and damaged, some of which reportedly was attributable to anti-Christian sentiment. Many of the participants in the annual antiabortion "march for life" in Oerlikon in September represented religious groups. A large police presence deterred violence against participants by counterdemonstrators, as occurred in previous years.

U.S. embassy officials met with government officials and discussed projects, such as training events and workshops, aimed at promoting religious freedom and tolerance. During the year, embassy staff met with the leadership of various religious groups, including the Federation of Islamic Organizations of Switzerland (FIDS), the Free Churches Association, the Protestant Alliance Association, and the Jewish Community of Bern. In each meeting, embassy staff discussed financial and social discrimination, government support for the country's religiously affiliated organizations, and other issues pertaining to religious freedom. In January, at a Holocaust Remembrance Day ceremony, the Chargé d'Affaires underscored the moral importance of remembering the Holocaust, as Jewish communities remain the target of continued attacks.

Section I. Religious Demography

The U.S. government estimates the total population at 8.75 million (midyear 2022). According to the latest report of the Federal Statistical Office cumulated between 2018 and 2022 for persons 15 and older, 34.4 percent of the population are Roman Catholic, 22.5 percent are Reformed Protestant, 5.4 percent are Muslim, 7.2 percent belong to other religious groups, 29.4 percent have no religious affiliation and 1.1 percent is unknown. Census data show the number of persons with no religious affiliation has increased in the past decade, as has the number of adherents to non-Christian faiths.

Of the 7.2 percent of the population older than 15 belonging to other religious groups, the majority belongs to Christian groups: 2.6 percent are Orthodox Christian or Old-Oriental Christian, and 2.7 percent are other Protestant communities, including evangelical, Pentecostal, Apostolical, and Charismatic Christians. Most Protestant communities participate in a free churches association or as part of a Protestant alliance. An additional 0.3 percent belong to other Christian communities. Buddhists comprise 0.5 percent of the population, 0.6 percent are Hindu, 0.2 percent are Jewish, and 0.2 percent belong to other religions. According to the World Jewish Congress, there are approximately 17,500 Jews, and more than 50 percent of Jewish households reside in Zurich, Geneva, and Basel.

Most Reformed Protestants and Catholics inherit their church membership through their parents' affiliation and are baptized as children. Some renounce their membership when they turn 18, also the age when citizens who are church members are required to pay church tax. The Catholic and Reformed Churches have a lower church service attendance rate among their members, in comparison to free church members, who are the second most active group in worship attendance and participation, following only Catholics, despite the free church's lower overall number of members.

According to the most recent statistics available, from 2018 and attributed to University of Zurich polling, 75 percent of the Muslim community are Sunni, 10 to 15 percent Alevi, and approximately 10 percent Shia or other Muslim, including Ahmadi. The largest percentages of Muslims live in the cities of Biel (11 percent of city population), Winterthur (10 percent), Basel (8.6 percent), Lausanne (8.4 percent), St. Gallen (8 percent), and Geneva (7 percent).

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 and/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 or defaming adherents of a religion; or "denies, justifies, or plays down genocide or other crimes against humanity."

A 2021 law enacted by referendum criminalizes recruiting, training, and travel for the purposes of terrorism. Under the law, individuals who are 12 or older, whom authorities believe may pose a threat but who are not subject to criminal proceedings, may be required to report periodically to a police station, prohibited from traveling abroad, and confined to specific areas. The Federal Office of Police may also place persons it deems dangerous under house confinement for up to six months, renewable once.

The constitution delegates the 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 several 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 Canton of Geneva continued to implement a 2019 law prohibiting all cantonal government officials from wearing visible religious symbols in the workplace, such as head scarves, kippahs, or crosses. Following a 2020 court decision, cantonal employees and communal parliamentarians (local legislators) are exempt from the ban. The Canton of Geneva also has a law requiring religious neutrality for the state and that specifically restricts religious activities on public grounds, with a waiver only in exceptional circumstances.

The Cantons of Basel, Zurich, and Vaud also offer religious communities legal recognition as private entities, which provides them the right to conduct religious education classes 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. However, 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 that includes 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 foundation's organizational documents.

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 that they are organized as nonprofit associations and submit an application for tax-exempt status to the cantonal government. The Catholic, Christ-Catholic, and Reformed Churches, which are financially supported by some cantons, do not have the same obligation and all donations are tax deductible.

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, or Jewish – that the cantons have recognized as public religious entities. Such public support is provided with funds collected through a mandatory church tax on registered church members and, in 18 of 26 cantons, a tax on businesses. The church tax on businesses is collected regardless of the religious affiliation of their owners. Only religious groups recognized as state churches or public entities are eligible to receive funds collected through the church tax, and no canton has recognized any religious groups other than these four. Payment of the church tax is voluntary in the Cantons of Ticino, Neuchatel, and Geneva, while in all other cantons any individual who elects not to pay the church tax is required to formally leave the religious institution. Church tax is generally tax deductible. The Canton of Vaud is the only canton that does not collect a church tax, although the Protestant and Roman Catholic Churches are still subsidized directly through the canton's budget. In the Canton of Bern, staff of the recognized churches are funded directly by the canton. All other religious communities fund themselves solely through donations from their members or from abroad, which are in most cases only partially or not at all tax deductible.

In March 2021, voters approved a constitutional amendment that bans full facial coverings, including the burqa and niqab, in public spaces. The Federal Council (the federal cabinet and collective head of state and federal government) drafted the proposed law with provisions implementing the new constitutional article for parliamentary action, which was pending at year's end. The proposed law would impose a fine up to 1,000 francs (\$1,100) for a violation, but with exceptions, including for religious institutions.

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 in 2009 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 remain 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, except in Geneva and Neuchatel. Public schools normally offer classes in Roman Catholic and/or Protestant doctrines, with precise details varying from canton to canton and sometimes from school to school; a few schools provide instruction on other religions. The municipalities of Ebikon and Kriens, in the Canton of Lucerne, and the municipality of Kreuzlingen, in the Canton of Thurgau, 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 classes for minority religious groups are held outside of school premises and hours and are financed by the respective group. Parents may also send their children to private religious schools at their personal expense or homeschool their children.

Most cantons require general classes about religion and culture in addition to classes in Christian doctrine. 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 will 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 with the relative number of religious workers of religious communities recognized by cantons.

Immigrant clerics with insufficient language skills or lacking knowledge of local culture and customs, regardless of religious affiliation, must attend mandatory courses to facilitate their integration into society. 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. Cantons may approve an applicant lacking this proficiency by devising an “integration agreement” that sets certain goals for the applicant 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 government may 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 response to the 2021 constitutional amendment banning the wearing of facial coverings under certain circumstances, the Islamic Central Council of Switzerland continued to state it would cover any fines imposed on women who continued to wear facial coverings. Police said violators of the ban would first receive a warning and that police would impose fines only in cases of further noncompliance. There were no reports of fines for noncompliance.

The Free Churches Association reported that tax-exempt status is increasingly restrictively granted, and only for activities that are strictly non-religious.

Citing the separation of church and state, the cantonal government of Geneva in June forbade continuation of public baptisms in Lake Geneva by the free churches. The government based its decision on a 2020 law allowing only the three officially recognized religious institutions, the Reformed Church, the Roman Catholic Church, and the Christ-Catholic Church, to conduct religious activities in public spaces. The two groups directly affected appealed the decision to an administrative court, which was pending at year's end. The same court ruled in another case in December 2021 that religious freedom includes the right to collectively and publicly exercise one's religion.

Applications for government funds by various groups for the protection of minorities threatened by terrorism or violent extremism continued to exceed availability of funds. A 2019 Federal Council decree authorized a total of 500,000 francs (\$542,000) annually for the protection of minorities threatened by terrorism or violent extremism. The funding was authorized only for technical or building security improvements, not for personnel or other expenses. Cantons and cities with significant Jewish communities, among them Zurich, Winterthur, Basel-Stadt, and Biel, provided additional public funding for protection. The Canton of Geneva, which has the second largest Jewish community after Zurich, did not fund such protection.

A 2021 law enacted by referendum criminalized recruiting, training, and travel for the purposes of terrorism. There were, however, no cases of enforcement of the law involving religious elements or a religious freedom defense by the affected individual(s), a concern expressed by some human rights groups as to the breadth of the law.

The government continued to grant visas primarily to religious workers who would replace individuals serving in similar functions in the same religious community. The government required Turkish nationals applying for short- and long-term religious-worker visas to document their association with the Turkish Directorate of Religious Affairs.

The government did not issue visas to missionaries or religious teachers coming from countries outside the EU/EFTA without a theology degree. This primarily affected The Church of Jesus Christ of Latter-day Saints, most of whose missionaries are young and without theological degrees, serving for two or fewer years. The church's missionaries from EU and EFTA countries, however, entered and worked without a religious visa.

The government reported funding three Islamic counselors to visit centers for asylum seekers as part of a pilot project to increase interreligious collaboration and provide access to counselors for Muslim asylum seekers. A University of Fribourg evaluation found the project successful and recommended its continuation to the Federal Office for Migration.

The army continued to utilize military chaplains who represent the free churches, based on a partnership agreement with the army. The army required candidates to complete both an assessment and the army chaplaincy course. Chaplains were not allowed to proselytize members of the military. Jewish and Muslim chaplains continued offering services. The army also continued training of additional or new chaplains from the three authorized denominations the Reformed Church, the Roman Catholic Church, and the Christ Catholic Church.

The Federal Service for Combating Racism, which is responsible for matters related to religious discrimination, provided 894,600 francs (\$969,000) to projects against racism, which included projects against antisemitism and anti-Muslim racism.

Several cantons, among them Bern and Zurich, launched ongoing initiatives to abolish the mandatory church tax for companies, or at least give them the choice of which organizations to support. In Bern, one proposal suggested that persons

be given the choice to contribute their share of the mandatory church tax to religious organizations or nonreligious NGOs.

In February 2020, the antiracism criminal law was extended to cover discrimination and discriminator rhetoric based on sexual orientation. The Cantons of Basel-Stadt and Basel-Land continued to distribute a booklet with guidance on how religious communities might quote controversial religious texts without infringing on the law prohibiting discrimination based on sexual orientation. The booklet recommends adding a commentary when quoting such passages. Leaders of religious communities expressed that quoting such a passage without commentary could be perceived or interpreted as discriminatory and could therefore be considered a criminal offense. They expressed concern that following this guidance could lead to self-censorship in order to avoid a criminal charge; and even if a court dismissed such a charge, the charge alone could damage the reputation of the accused and their religious organization. Officials with the Free Churches Association confirmed that since passage of amendments to the antiracism criminal law in 2020, extending liability for discrimination based on sexual orientation, topics covered under the amendments are rarely addressed in their public sermons, in part to avoid civil or criminal liability.

On July 29, a Zurich district court convicted a 63-year-old man on charges of discrimination and inciting hatred, as well as obstruction of an official act, when he fled from police. The charges stemmed from his public comments on LGBTQI+ sexual orientations delivered in June outside the Zurich train station during the annual pride march. The case was the first in the country in which a court convicted a public speaker for quoting Biblical text and for publicly voicing his interpretation of Christian doctrine on same-sex practices as being sinful. The court ordered the man to cover the costs of the trial and issued a conditional fine of 15,200 francs (\$16,500), payable only upon conviction for another crime within a probationary period of two years.

Although Holocaust education was not a requirement, most schools included it in the 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 Ignazio Cassis and National Council (lower house of parliament) President Irène Kälin, participated in an official Holocaust Remembrance Day ceremony in Bern. In his remarks, Cassis spoke about artwork by Holocaust survivors as a means of remembrance, the importance of never forgetting the Holocaust, and the collective responsibility of the government and the public to prevent such atrocities in the future.

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

Section III. Status of Societal Respect for Religious Freedom

The *2021 Antisemitism Report* produced jointly by the SIG and the GRE, and published in 2022, cited 1,024 antisemitic incidents for all language regions in the country in 2021, compared with 679 incidents in 2020. All except 74 incidents (an increase from the 2020 figure of six) were from postings online. An estimated 439 involved antisemitic conspiracy theories. The report stated the 74 incidents involved public insults, neo-Nazi graffiti, and property damage. There were no reports of physical violence against persons. The report stated that 45 percent of antisemitic incidents were related to the COVID-19 pandemic, largely perpetrated by “Corona rebels,” who spread conspiracy theories, statements, and images containing antisemitic content about the COVID-19 pandemic. Comparing the measures taken against the COVID-19 pandemic with the Holocaust was also a common occurrence, but the comparison was not categorized as antisemitism by the SIG and GRE. The report found 38 instances of Holocaust denials, up from 25 in 2020.

The Geneva-based NGO Intercommunity Center for Coordination against Antisemitism and Defamation (CICAD) reported 165 antisemitic cases in 2021 in the French-speaking region, an increase from 147 cases in 2020. The report noted 36 percent of acts recorded were in connection with antisemitic conspiracy theories. The SIG report found no reports of assaults against Jews anywhere in the country and only one case affecting Jewish property in the German-speaking region. In the French-speaking region, CICAD identified acts of damage to property and verbal insults against Jews, such as the continued vandalization of synagogues. In one example from the report, in February 2021, vandals smeared two synagogues with pork in an act of desecration. In another case, authorities

apprehended the vandal, and a court found her guilty of infringing upon freedom of belief. The court issued a suspended fine and required her to cover cleaning costs. CICAD reported that antisemitism was often connected to reactions to the Israeli-Palestinian conflict and contributed to an increase of antisemitic incidents in 2021.

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

A 2022 report prepared by the Network against Racism, in collaboration with the Federal Commission against Racism, cited 53 incidents against Muslims in 2021. According to the report, a Muslim woman wearing a headscarf reported that a passerby verbally harassed her; the woman stated she was a victim of repression. A Muslim family reported the janitor of their apartment complex harassed them and said they were not welcome in Switzerland. Anti-Muslim incidents were the third most-prevalent form of hate crime, following xenophobia and racism, according to the report.

The NGO Observatory on Intolerance and Discrimination against Christians in Europe and media outlets reported increases in cases of churches being vandalized and damaged, some of which were religiously motivated. The Catholic Church of our Lady in Zurich was, for example, vandalized with anarchist symbols and the inscriptions that read, “Burn in Hell,” and, “Punch Fundamentalists on the mouth.”

Along with the members of the Catholic Church, several free churches organized the yearly “march for life” calling for restrictions on abortion. The march historically faced strong opposition by prochoice groups. Authorities in Oerlikon again permitted the antiabortion march to proceed. The march was cancelled in 2019 and 2020 due to past violence during counterdemonstrations. Media reported a large police presence deterred and prevented any repeat of previous years’ violence during the march. Police, however, were forced to use tear gas and rubber bullets against counter demonstrators trying to break through police lines. Leading up to the march, offices of several participating Christian organizations were defaced and vandalized with graffiti.

The free churches expressed political activism in part through the political party EDU, represented in the National Council and in several cantons.

Many NGOs and representatives of religious communities 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 cantons, featured both online and in-person interfaith events, including film screenings, roundtables, and panel discussions. SIG and FIDS 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 continued to host courses on the history of religions and seminars, comparing religious texts from Islam, Christianity, and Judaism, as well as sponsor a conference on Jewish prayers.

Media outlets reported that on March 5, in a service described as an ecumenical celebration of Christian unity, the Catholic Church, for the first time in 486 years, conducted Mass in Geneva's historic St-Pierre Protestant Cathedral, which was filled to capacity with 1,500 worshippers. In 1536, the cathedral was converted from Catholic to Protestant.

Section IV. U.S. Government Policy and Engagement

Embassy representatives discussed with government officials federal government-supported projects, such as training and workshops, promoting religious freedom and tolerance.

In October, embassy staff met with the leadership of various religious groups, including the Free Churches Association, the Protestant Alliance Association, FIDS, and the Jewish Community of Bern. They discussed financial and social discrimination, government support for the country's religiously affiliated organizations, and other issues concerning religious freedom. In November, an embassy official attended a ceremony commemorating the Polish Ambassador's

residence in Bern as a “house of life” for the work he performed there during World War II issuing passports to Jews fleeing the Holocaust.

On January 27, the embassy participated in a Holocaust Remembrance Day ceremony at the Universal Postal Union building in Bern with the International Holocaust Remembrance Alliance. In remarks, the Chargé d’Affaires underscored the importance of remembering the Holocaust to be able to counter modern forms of antisemitism.