

SWITZERLAND 2021 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. In a June national referendum, voters approved a new law parliament had approved in September 2020 that criminalizes recruiting, training, and travel for the purpose of terrorism. Under the new law, individuals above the age of 12 whom authorities have reason to suspect are potential terrorists may be placed under house arrest for up to six months, renewable once. Authorities may also require such individuals to report to a police station regularly, prohibit them from traveling abroad, and confine them to stay within specific geographic areas. Human rights groups and international organizations criticized the law as too broad. They also warned it could impact freedom of religion if movement restrictions applied to “potential terrorists” denied them access to religious sites. In March, voters approved an initiative that would add to the constitution a ban on wearing full facial coverings in public spaces. The ban applied to the burqa and niqab, as well as to masks worn by protesters. Parliament and the Federal Council, the country’s highest executive body, opposed the initiative. Some prominent Muslims and feminists spoke out in favor of the ban, while others opposed it. The Federal Council was tasked with drafting a new related article in the constitution.

The Swiss Federation of Jewish Communities (SIG) and a nongovernmental organization (NGO) cited 532 antisemitic incidents in the German-speaking part of the country in 2020 – compared with 523 in 2019 – of which 485 involved online hate speech. Another NGO reported 147 antisemitic incidents in the French-speaking region in 2020, compared with 114 in 2019. A report prepared by an NGO in collaboration with the Federal Commission against Racism cited 55 incidents against Muslims in 2020. Anti-Muslim incidents were the third most prevalent form of hate crime, following xenophobia and racism, according to the report. In July, the Zurich University of Applied Sciences published a study of 500 Jewish survey respondents in the country wherein 17 percent had experienced antisemitic harassment in recent years.

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 May, embassy staff visited the leadership of the multifaith House of Religions and spoke on religious freedom and tolerance. In October, embassy staff met separately with the leadership of three religious groups: the largest Muslim association, the Federation of Islamic Organizations of Switzerland (FIDS), the Free Churches Association, and the Reformed Alliance Association. In each meeting, they discussed financial and social discrimination, government support for their organizations, and other issues pertaining to religious freedom. In January, the embassy cohosted a Holocaust Remembrance Day ceremony. In remarks, the Charge d’Affaires underscored the importance of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 8.5 million (midyear 2021). The population is predominantly Christian; Catholics are the largest group, followed by various Protestant denominations. 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 the Federal Statistical Office in a report issued in March on the religious affiliation of the population 16 and older between 2017 and 2019, 35.1 percent of the population is Roman Catholic, 23.1 percent is Reformed Protestant, 7.4 percent belongs to other Christian groups, 5.4 percent is Muslim, 27.8 percent have no religious affiliation, and 1.2 percent is unknown.

Of the 7.4 percent of the population older than 15 belonging to other Christian groups, 2.6 percent is Orthodox Christian or Old-Oriental Christian, and 2.8 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 1.1 percent of the population include Buddhists, Hindus, Baha’is, and Sikhs. 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. 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, 10 to 15 percent Alevi, and approximately 10 percent Shia or other Muslim, including Ahmadi. Large communities 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 and defaming adherents of a religion; or “denies, justifies, or plays down genocide or other crimes against humanity.”

On September 13, almost 60 percent of voters approved in a national referendum a law passed by parliament in September 2020 that criminalizes recruiting, training, and travel for the purposes of terrorism. Under the law, individuals 12 years of age and above 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 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 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.

All cantons, with the exception of Geneva, Neuchatel, Ticino, and Vaud, financially support at least one of four religious communities – Roman Catholic, Christian Catholic, Protestant, or Jewish – that the cantons have recognized as public entities. Such public support is with funds collected through a mandatory church tax on registered church members and, in some cantons, businesses. 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 may be required to formally leave the religious institution. 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. All other religious communities fund themselves solely through donations from their members or from abroad.

On March 7, voters approved a constitutional amendment that bans full facial coverings, including the burqa and niqab, in public spaces. The ban did not include facial coverings worn for health, security, or climatic reasons, or at

religious sites. At year's end, The Federal Council was drafting a new article in the criminal code that would implement the constitutional amendment.

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 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 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 European Union (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 cantonally-recognized religious communities.

The law requires immigrant clerics with insufficient language skills or lacking 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 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 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

The Federal Council and parliament opposed an initiative, which was nonetheless approved by voters as a constitutional amendment on March 7, that bans wearing

facial coverings under certain circumstances. Instead, the Federal Council put forward a counterproposal that would require individuals to remove facial coverings for identification purposes upon request by authorities. Those who favored the ban stated it would serve as a deterrent to radical Islam. Some Muslims and feminist organizations supported the ban. Opponents argued it was discriminatory against Muslims. The Islamic Central Council of Switzerland announced that it would cover any fines imposed on women who continued to wear facial coverings.

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 2020, the Constitutional Chamber of the Geneva Court of Justice had approved an appeal submitted by some political parties, labor unions, and feminist and Muslim associations to exempt cantonal employees and communal parliamentarians (local legislators). The ban remained in place for other cantonal officials. The new law also granted religious communities the right to apply for financial support from cantonal authorities.

In a September 13 national referendum, almost 60 percent of voters approved a law passed by parliament in September 2020 that criminalizes recruiting, training, and travel for the purposes of terrorism. Events prior to the referendum and media coverage referenced the two violent attacks in 2020 against persons in the country, one fatal, under the perpetrators' stated pretense of "jihadism," according to media reports. Human rights groups and international organizations raised concerns that the law was too far reaching and warned it could restrict freedom of religion if the movement restrictions that were applicable to "potential terrorism" denied religious groups access to religious sites.

In the canton of Basel-Land, education officials continued to enforce the requirement that students shake hands with teachers at the end of a school day. Since 2016, when two Muslim boys refused to do so, the canton's educational department determined that the rule must be enforced, and it continued to hold that it does not constitute an infringement of religious rights.

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 (\$547,000) 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.

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.

Pursuant to past court decisions, the government did not 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. However, Church of Jesus Christ missionaries from EU and EFTA countries could enter and work without a religious visa.

Since 2020, the army has utilized military chaplains who represent the Free Churches; however, army pastoral care does not include imams or Jewish clergy. The Free Churches and their umbrella organization signed a partnership agreement with the army, and candidates had to go through both an assessment and the army chaplaincy's own course. The chaplains are not allowed to proselytize members of the military. Army officials said they are considering adding Jewish and Muslim chaplains, and talks were ongoing at year's end.

The Federal Service for Combating Racism, which is responsible for matters related to religious discrimination, provided 62,000 francs (\$67,800) to fund six projects focusing on fighting antisemitism. Among the projects were a Holocaust exhibition at the Basel Historical Museum, projects in schools commemorating Holocaust Memorial Day, and a new information portal featuring efforts to combat antisemitism in the country. An additional 31,000 francs (\$33,900) went toward funding two more projects, the first against hate speech and the second a workshop on the role of the internet in hate speech, focused on the prevention of "anti-Muslim racism."

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

the choice to contribute their share of the mandatory church tax to religious organizations or nonreligious NGOs. Attempts to change the cantonal laws in recent years were unsuccessful.

In the canton of Neuenburg, a draft law dealing with religious communities was rejected in a public referendum after 10 years of deliberation. The law would have granted equal rights, including for official recognition, to Free Churches and to the Muslim and Jewish communities. While the majority of the cantonal government favored the draft, 56.2 percent of citizens voted against it in a referendum on September 26. Only the Catholic, Christian Catholic, and Protestant Churches are recognized as religious communities in Neuenburg, as is the case in most cantons. Similar draft laws in other cantons, such as in Bern, were not approved by cantonal parliaments.

The canton of Basel-Stadt added discrimination based on sexual orientation to the list of legal offenses dealing generally with discrimination. The canton published a booklet in several languages for guidance on how religious communities may quote controversial religious texts without infringing on the sexual orientation law. One recommendation was to add a commentary or a source when quoting such passages. Leaders of religious communities felt 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 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.

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 Andreas Aebi, participated in an official Holocaust Remembrance Day ceremony in Bern. In his remarks, Aebi cited the need to maintain values, such as liberty, rule of law, and equality, and to deal with one another with dignity, tolerance, and empathy. Due to the COVID-19 pandemic, the event was held virtually.

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

Section III. Status of Societal Respect for Religious Freedom

The *2020 Anti-Semitism Report* produced jointly by SIG and the NGO Foundation against Racism and Anti-Semitism cited 532 antisemitic incidents in the German-speaking part of the country in 2020, compared with 523 in 2019. Of these, 485 involved antisemitic online hate speech, and 47 involved other types of incidents (none involving physical attacks). Approximately 65 percent of the online incidents occurred on Facebook and Twitter. A new phenomenon in 2020 was group chats on the platform Telegram, a messenger service, which accounted for almost one-third of online incidents. The report stated that 45 percent of antisemitic incidents related to the COVID-19 pandemic. Between May and December of 2020, the report cited 143 incidents registered by “Corona rebels,” who spread conspiracy theories, statements, and images containing antisemitic content about the COVID-19 pandemic. One incident involved a member of the group displaying antisemitic caricatures after joining and interrupting a Zoom event organized by the Juso (Young Social Democrats Party) of the Canton of Zurich that featured a Jewish speaker. In another incident, a travel guide at a tourist resort allegedly complained to her tour group about the difficulties caused by Jewish guests, to include monetary and sanitary issues.

A report by an NGO in collaboration with the Federal Commission against Racism cited 55 cases of “anti-Muslim racism,” the same number as in 2019. Of these cases, 46 represented “hostility” against Muslims, and five incidents resulted in convictions in 2020 compared to two convictions in 2019. Four of the five convictions in 2020 concerned incidents on the Internet.

In the French-speaking region, the Geneva-based NGO Intercommunity Center for Coordination against Anti-Semitism and Defamation (CICAD) recorded a 41 percent overall increase in antisemitic incidents from 2019 to 2020, with a total of 147 in 2020, compared with 114 in 2019. The report noted 36 percent of acts recorded were in connection with antisemitic conspiracy theories, far-right extremist groups, and antivaccine or anarchist movements. SIG also noted a decrease in the French-speaking region. CICAD had similar findings to those of SIG, reporting that the pandemic and confinement likely gave rise to an increase in comments and antisemitic acts on virtual platforms. While the SIG report found no reports of assaults against Jews or damage to Jewish property in the German-speaking part of the country, CICAD identified physical and verbal assaults against

Jews in the French-speaking region, such as the vandalization of synagogues in Lausanne and Geneva.

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).

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 cantons, featured online interfaith events, including film screenings, roundtables, and panel discussions (with most conducted virtually). SIG and the Federation of Islamic Organizations 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 with government officials federal government-supported projects, such as training and workshops, promoting religious freedom and tolerance. In October, embassy staff met separately with the leadership of three religious groups: FIDS, the Free Churches Association, and the Protestant Alliance Association. In each meeting they discussed financial and social discrimination, government support, and other issues concerning religious freedom.

In November, embassy officers met with representatives of the Gamaraal Foundation, which supports Holocaust survivors, to discuss opportunities to deepen collaboration, including plans for the 2022 Holocaust Remembrance Day ceremony.

In July, embassy staff corresponded with members of the Jehovah's Witnesses to discuss the promotion of religious freedom and tolerance.

In May, embassy staff toured the prayer and communal spaces of the seven religions housed in the multifaith House of Religions and discussed religious freedom and tolerance at a meeting with representatives of the House of Religions.

On May 16, the U.S. Special Envoy for Holocaust Issues delivered recorded remarks at the opening of an exhibition hosted by the Jewish Community of Geneva and the Geneva-based Cercle Carl Lutz. The exhibition, “*A Sanctuary in the Storm: The Rescue of the Jews of Budapest*,” focused on the life of Carl Lutz, the former Swiss vice consul in Budapest who was designated by Yad Vashem as “Righteous Among the Nations” for saving tens of thousands of Hungarian Jews fleeing persecution from the Nazis and their collaborators between 1942-45.

On January 27, the embassy cohosted a Holocaust Remembrance Day ceremony at the Universal Postal Union building in Bern with the Israeli and German embassies. In remarks, the Charge d’Affaires underscored the importance of religious freedom, stating that the Remembrance Day is a day to renew our commitment to tolerance and peace and to continue to strive for the safety, security, and protection of human rights for all.