



**Report to the Chairman-in-Office of the OSCE
on the country visit to SWITZERLAND**

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Personal Representative of the Chairman-in-Office of the OSCE
on Combating Intolerance and Discrimination against Muslims**

12 – 14 November 2007

Introduction

I conducted a country visit to Switzerland on 12-14 November 2007 upon an official invitation from the Government of Switzerland. It would be recalled that I had touched upon my intended visit to Switzerland in my previous reports to the Permanent Council.

The program for the visit was coordinated by the Ministry of Foreign Affairs and the Federal Service in charge of Combating Racism, and included comprehensive meetings with both federal and cantonal governmental authorities and civil society representatives. I should add that I was able to meet with the highest representatives of the Swiss Federal Government, including the Head of State.

During my visit I was accompanied by Mr. Taskin Soykan, Adviser on Combating Intolerance and Discrimination against Muslims at the OSCE-ODIHR's Tolerance and Non-Discrimination Department.

Given that my mandate as the Personal Representative of the OSCE Chairman-in-Office includes promoting better co-ordination of participating States' efforts to effectively implement relevant OSCE Decisions on tolerance and non-discrimination, and to cooperate with the Chairmanship in such efforts, the purpose of the visit was to:

- a) Learn about the situation of Muslims in Switzerland, including the extent of the negative public discourse related to Muslims and Islam, and to make observations and report findings to the OSCE Chairman-in-Office;
- b) Identify good practices to promote tolerance and respect towards Muslims and to combat discrimination and intolerance against Muslims in Switzerland;
- c) Raise awareness about programs available to support the Swiss authorities and civil society in their efforts to combat intolerance and discrimination against Muslims.

I would like to thank Swiss authorities for their efforts to develop a comprehensive and well-rounded program for my visit. In general the program was well coordinated and also balanced in terms of representation from high level federal and cantonal authorities, politicians, Muslim communities and experts from non-governmental organizations. Given the intense debate in the country during the pre-election campaign in relation to Muslims and also Islam, my visit generated quite some interest on the part of the media.

February 2008

1. Background Information on the Purpose of the Visit

The purpose of the visit was to gain a better understanding of the situation and expectations of Muslim communities living in Switzerland, including current trends and patterns, and to identify areas of concern and good practices for follow-up. Three developments made this country visit particularly necessary:

1) The Report of the UN Special Rapporteur on Racism and Xenophobia, which criticized the Swiss authorities of lack of any “coherent and resolute political and legal strategy against racism and xenophobia”,

2) A recent initiative to change the constitution in order to allow prohibition of minarets in Switzerland, and

3) The increasing biased and discriminatory portrayal of Muslims in public discourse, in particular during the election campaigns, and the reaction of impartial observers to these developments. (An analysis on media reporting during the 2007 general elections concerning foreigners and ethnic minorities, done by the University of Zurich, which was commissioned by the Federal Commission against Racism, can be found at Annex III. This analysis clearly shows the extent of stereotyping of Muslims especially by right wing politicians.)

The country visit, organized by Swiss authorities, had a considerably high political profile, which included meetings with the President and Vice President of the Swiss Confederation, the Federal Minister of Justice and Police, the Deputy State Secretary of the Federal Ministry of Foreign Affairs and Federal Parliamentarians from the Green Party, the People’s Party and Christian Democratic Party. We had also the opportunity to meet with various high-ranking officials at federal, cantonal and municipal levels. For instance, we met the representatives of the State Secretariats for Education and Research, Professional Education and Technology, and Economic Affairs, as well as representatives of the Federal Office of Police, Committee on Security, Directorate of Public International Law, and Federal Statistical Office. On the other hand, we held meetings with the Mayor of Zurich and Head of Education Office of the Zurich Canton. Our agenda also covered meetings with specialized bodies, such as Federal Commission against Racism, Federal Commission for Foreigners and Swiss Foundation for Education and Development. Last but not least, we had the pleasure of attending several roundtable discussions of various religious communities and Muslim civil society organizations in Switzerland. In this regard, we can conclude that the program and the ensuing agenda were comprehensive and balanced in scope.

I sincerely appreciate the openness and frankness of the Swiss authorities during our discussions on the situation, concerns and expectations of Muslims communities in the country. Both the organizers and participants of meetings also provided us with valuable documents and material, which has been useful in the preparation of this report.

2. Summary of Findings

On the basis of the consultations made throughout the meetings, the information gathered can be classified into three groups: organizational and demographic situation of Muslims, areas of concerns and good practices.

2.1. Organizational and Demographic Situation of Muslims:

According to FCR's 2006 Report on the Muslim minority in Switzerland, it is estimated that today 340,000 Muslims live in the country. (In the 2000 census, this figure was 310,807.) The actual number could even be higher. This means that Muslims represent at least 4.3 per cent of the total population of Switzerland. Muslim population is concentrated in major cities, such as Zurich, Geneva, Neuchâtel and Bern. For instance, 6-7 per cent of Zurich population is Muslim, says the Mayor of Zurich. Of the overall number of Muslims, the majority originates from ex-Yugoslavia and Albania, followed by Turkey and Arab countries. Although the biggest sub-religious Muslim group is Sunni, there are also other groups, such as Shi'ites and Alawites. The portion of Muslims who have Swiss nationality seems to be one of the lowest in Europe: only approximately 12 per cent of Muslims are Swiss citizens. This is because access to Swiss nationality is subject to a very high threshold, which requires to be met in respect of residence in the country. In general, foreigners must have lived a total of 12 years in Switzerland before they can apply for Swiss nationality. Nonetheless, the statistics indicate that today Muslims living in Switzerland are quite established. Almost half of their population is women and this population has been consistently rejuvenating.

At the federal level, there are two umbrella Muslim organizations, "Musulmans et Musulmanes de Suisse" (MMS) and "La Ligue des Musulmans de Suisse" (LMS), but their representative character was questioned by many Muslim community leaders that we met during the country visit. It appears that in contrast to other European countries, such as United Kingdom, Spain, Norway and Austria, there is no official representation of Muslims at the national level. One of the explanations of this situation might be that in Switzerland, rather than federal structures cantons play a leading role in determining the relationship between State and religion. The federal constitution guarantees only freedom of religion to all citizens and leaves to cantons how to establish their relationship with the Churches and other religions' institutions. As a result, in most cantons associations are said to have organized themselves under unions in order to be able to discuss issues of common interest (e.g. cemeteries and construction of mosques) with public authorities and the mainstream population. Needless to say, Muslim grass root organizations are also highly fragmented along ethnic, political and sectarian lines.

2.2. Areas of Concern:

a) Recognition and Equality of Religions:

The Federal Constitution of Switzerland does not include a clause concerning official recognition of religions. Instead, it only recognizes freedom of religion and belief to all citizens and leaves it to cantons how to establish their relationship with the Churches and other religions' institutions. In general, French-speaking cantons follow the French tradition of strict separation of State and religion and recognize no official religion. However, other cantons recognize Protestant and/or Catholic Churches as official religions, and some cantons also recognize the Jewish community as a community of public interest. During our consultations, I underlined that in the cantons where other religions are officially recognized, the same should be done for Islam also, because this would not only make them feel that they are an integral part of the

society but also would allow them to benefit from public funds for religious and/or cultural needs on a more equal basis. However, it appears that the federal authorities are reluctant to encourage cantons to go in that direction on the grounds that this issue is exclusively within the competencies of cantons. Similarly, the Swiss Council of Religions gives the impression that they do not consider recognition of Islam as a priority; they prefer to focus on supporting Muslim communities to establish their own umbrella organization at the national level. It must also be noted that the attempt to officially recognize Islam in Canton Zurich has failed. At this stage, the federal and cantonal authorities can at least follow the recommendation of the FCR to recognize Muslims as a national religious minority.

b) Climate of Tolerance and Public Discourse:

A very serious challenge in Switzerland is the deteriorating general climate of tolerance and mutual respect, with some politicians and parts of the media constantly projecting a negative image of minority groups in general and Muslims in particular. It is alarming that many politicians from different political spectrums find the increasing negative public debate about Muslims “understandable” owing to the high criminality rate among young immigrants, who are mostly Muslims. Some far right-wing parties also continue to exploit the fears of majority that their country would lose its identity at the expense of the increasing population of adherents of Islam. The media reinforce these fears by representing Muslims as a single group of people which has a culture totally alien to the Swiss culture. This leads to the use of anti-Muslim language even by some mainstream politicians hoping to get more vote and support from voters. The posters and slogans used during the 2007 federal elections and the initiative to ban minarets are the most recent examples of this worrying situation. On the other hand, some politicians still argue that an open discussion -which may include xenophobic speech, if not racist- on the fears of the majority concerning Muslims and Islam would allow them to address the problem more effectively. However, as the recent report of the FCR indicates, in spite of the correcting statements of other political parties and some journalists, the negative portrayal of foreigners by xenophobic political circles during the 2007 federal elections was extremely successful to the extent that during the election campaign other political actors took this subject on board without these circles having to continue their discourse in a loud manner. In addition, one should note that xenophobic, anti-immigrant, racist and anti-Muslims discourse repeatedly used during elections and exaggerated by certain sections of the media not only gives legitimacy to identity-related hostilities, but also to discriminatory and arbitrary treatment of some segments of the society by public institutions.

c) Hate Crimes:

The increasing biased and prejudiced portrayal of Muslims in public discourse leads many observers and Muslims to worry that violent attacks against Muslim individuals and their property may significantly escalate in the near future, although such incidents have been rather rare up till now especially as compared to some other European countries. The Muslims that we interviewed during the country visit indicated that there is already an increase in physical attacks or harassments motivated by intolerance or reaction against the visibility of Muslims. For instance, anonymous letters are reported to be sent to many people, threatening that if Muslims would build a mosque, they would put a bomb. Another example indicated is that according to the survey made by the Turkish Islamic Foundation of Switzerland, a praying house in Reinach was two times vandalized in 2004 and 2005 respectively. Moreover, several Muslim women mentioned that Muslims with headscarf are frequently subject to verbal or physical harassment while shopping or traveling on public transport.

According to the Swiss Criminal Code, racism is an aggravating factor. It is generally accepted that the term racism here is illustrative and does not exclude other bias types, including acts against Muslims. Article 261 (bis) of the Criminal Code also criminalizes incitement to racial hatred, without specifically referring to religious hatred. However, although the FCR has launched a database on the Internet listing the decisions handed down under Article 261 (bis), the Federal Office for Statistics has yet to provide statistics or indicators for racism. Another shortcoming of the Swiss hate crime legislation is that it does not allow an association to bring legal proceeding on behalf of victims. Nonetheless, a request may be submitted to a judge, who decides on a case-by-case basis. In fact, besides improving hate crime legislation of Switzerland, building the capacity of Muslim civil society in monitoring hate crimes would be a very positive development in combating intolerance against Muslims in this country.

d) Freedom of Religion: Mosques, Cemeteries and Imams:

Another challenge is the exercise of freedom of religion by Muslims in certain situations, although the federal constitution recognizes this freedom to all citizens and the authorities show respect to its implementation in general. A particular problem is the construction of purpose built mosques. Although the Muslims are the second largest religious group in the country, following the Christians, there are currently only two mosques with minarets: one in Zurich (built in 1963 and belonging to the Ahmediyya movement) and one in Geneva (built in 1978 and financed by Saudi Arabia). The representatives of Muslim organizations complained that when they apply for acquiring zoning permission to build mosques or praying houses, their applications are always rejected arbitrarily and in a discriminatory fashion. The most striking example is the “Anti-Minaret Initiative” which was pioneered by an PM of the Swiss People’s Party. This initiative seeks to ban construction of mosques with minarets throughout the country. During our meeting with the Federal Minister of Justice and Police, who is also from the Swiss People’s Party, he wrongly asserted that minarets are not integral parts of mosques, although many Muslims believe otherwise. Nonetheless, many politicians from the mainstream are reported to be against the “Anti-Minaret Initiative” and the representative of Federal Directorate of Public International Law explained that if they conclude that this initiative is in violation of international standards, they will declare it invalid. However, it must be noted that Muslims consider the general attitude against the construction of mosques arbitrary and discriminatory because when adherents of other religions seek to build their own places of worship, they do not face the same obstacles. For instance, it was allowed to build a Buddhist Temple in Wangen in Canton Solothurn and a Sikh Temple in Langental in Canton Bern, while requests for permission to construct minarets in these towns were immediately denied by the public authorities.

Muslim representatives have also raised some concern in relation to cemeteries. While Muslim cemeteries exist in the country, the two French-speaking cantons, namely Geneva and Neuchâtel require that all individuals from religious communities be buried in state-owned cemeteries only. However, the cantonal authorities in Neuchâtel have yet to prepare separate sections for Muslims. Similarly, the community leaders in Zurich argued that although they now owned their cemetery in Zurich after ten years of struggling, the problems concerning graveyards continue, because people from out side the municipality are not allowed to be buried there.

In addition, restrictions on granting visas to imams may impede the access of Muslims to religious services. For instance, the representatives of the Turkish Islamic Foundation of Switzerland have complained that the Swiss authorities denied giving visas to new imams on the grounds that the number of imams from Turkey is restricted with twenty. They argue that the

number of imams in the country reached this limit in the early 1990s and since then the population of Turkish immigrants has been doubled. Moreover, the Swiss authorities have rejected work permit applications of some imams on the grounds that the relevant religious organizations which filed the applications are accused of spreading extremist views.

Due consideration should be also given to the fact that most of the cantons (with the exception of Geneva and Neuchâtel) financially support at least one the three traditional religious communities, namely Roman Catholic, Old Catholic and Protestant Churches, with the funds collected through taxes. Some cantons grant “church taxation” status to the Jewish community as well. However, Islamic religious organizations are excluded from these benefits. This practice is characterized as discriminatory because although it is possible for individuals to chose not to contribute to church taxes, in some cantons private companies run by Muslims cannot avoid payment of these taxes. In a democratic society respecting religious diversity, if State decides to provide public funds for religious groups, it should do this for all religious groups in the country, in proportion to the number of their adherents.

e) Immigration, Family Unifications, Citizenship and Expulsion of Foreigners:

Some of the immigration and naturalization policies of the Swiss government are arguably discriminatory in their nature. For instance, both the FCF and FCR have criticised the two tiers of the immigration policy of the government, which favours immigrants originating from the EU countries against those from non-EU countries. However, this policy was defended even by mainstream politicians, on the grounds that it is objective and justifiable. On the other hand, it is observed that the increasing intolerance against foreigners in general and against Muslims in particular generates discriminatory attitudes and practices in this area. In many cases the communes, which have the authority to approve the citizenship applications, refused the naturalization of several Muslims, because “the applicants lacked a desire to integrate into the society.” It must also be noted that the Swiss law puts a twelve years old age limitation for the family unification of immigrant children. Moreover, a recent initiative seeks to change the law to allow the refusal of the extension of short term residence permission for the whole family if their child under 18 commits a serious crime. It is obvious that the motivation behind these regulations is the assumption that the young foreigners are more inclined to engage with criminal activities.

f) Education and Muslim Students:

According to the information provided by the State Secretariat for Education and Research, there are no statistics available on the performance of Muslim students in schools and it is difficult to know how many Muslims are attending universities, because not all students reveal their religious affiliations. Nonetheless, the representatives of Muslim organizations are worried that Muslim students’ performance is generally lower than the performance of the majority students. Both the Muslim community leaders and public authorities agree that special classes for immigrant children do not serve their purpose and on the contrary they impede the educational development of minority pupils. The educational authorities explained to us that they were seriously considering the removal of these classes from the curriculum.

At the Swiss primary school level, catechism is often given as a religious class. However, this type of education is evolving towards non-religious and inter-religious classes. In secondary schools, only an introduction to the history of religions is offered and is most often taught as non-dogmatic or non-confessional. Nonetheless, some Muslim community leaders expressed their concerns that at secondary schools teachers focus too much on Christianity. Moreover, it must be noted that non-dogmatic or non-confessional courses about religions were generally well perceived in the French-speaking cantons, but not in Canton Wallis. In this canton, when

some conservative Christian parents learnt that Mohammed was presented as a prophet receiving God's message, they removed their children from the class.

In some cantons, it is also possible to teach about Islam by imams within the premises of schools either on Saturday or after school hours. However, because of lack of sufficient funds, it is very difficult to employ educated imams for these courses. Lack of an institute at universities to train imams is the main reason of this situation.

Nonetheless, it is hoped that the activities of the Foundation for Education and Development would contribute to the promotion of religious diversity and mutual understanding in schools. The mandate of this agency includes identifying useful education materials, developing pedagogic courses and promoting specific projects in thematic areas, such as human rights, children's rights, sustainability, inter-cultural education, religious education, racism and discrimination.

g) Structural Discrimination and Inequality:

The civil society representatives indicated that minority groups and Muslims in particular are persistently disadvantaged in areas pertaining to housing, education, employment and access to social services. For instance, they mentioned that if a person with a Muslim name applies for a position, it is very likely that he or she will not be called for an interview. Young Muslims are also frequently subject to discrimination when they apply for internship. Moreover, Muslim women wearing headscarf are reported to face discrimination in different spheres of public life. It must be noted that the second biggest retailer of the country announced that its dress code did not provide for any headgear and that it would henceforth not allow the wearing of the headscarf by its employees. Some community leaders explained that the intensity of discrimination against Muslims may vary from one State institution to another a lot, but there is a systematic racism by the State. According to them, this particularly increases when the climate of tolerance deteriorates.

2.3. Good Practices:

a) Dialogue:

In spite of all above mentioned challenges, in Switzerland there is a robust inter-faith dialogue which has been developing since the early 2000s. The Swiss Council for Religions established by the leaders of Christian, Jewish and Muslim communities in 2003 promotes inter-religious dialogue and serves as a consultation partner for the federal government. The Council has made it clear that it is against the "Anti-Minaret Initiative" and is in favour of the liberty to build mosques in accordance with Islamic tradition. Moreover, it supported the introduction of a new provision into the Federal Criminal Code, which prohibits incitement to racial hatred. The Council also condemned biased and stereotypical portrayal of Muslims in political discourse and the media. We took note that during the cartoon crisis, it successfully engaged in a public debate in order to calm down a very sensitive situation. This inter-faith dialogue initiative also included several preventive activities, such as Muslim-Christian visits to mosques and churches, mediating disputes concerning the construction of mosques and promotion of teaching about religious diversity. In July 2008, the Council intends to organize a national conference on inter-faith dialogue and mutual understanding.

In addition to the Swiss Council for Religions, there are some inter-religious forums at cantonal level. For instance, Zurich Forum of Religions convenes regularly together with the representatives of all religious groups, in order to discuss outstanding challenges and exchange views on possible solutions. In 2007 this forum gave the Prize of Tolerance to a Muslim.

b) Specialized Bodies:

Two specialized bodies have played a positive role in combating intolerance against Muslims and their integration into the society: the Federal Commission for Foreigners (FCF) and Federal Commission against Racism (FCR). The FCF is the Federal Council's advisory body, which aims to ensure harmonious relations between Swiss nationals and foreign immigrants in Switzerland. It promotes the participation of immigrants in Swiss society, by cultivating awareness among Swiss citizens that Switzerland is in fact a country open to immigration and that mobility has become a central factor in both economic and social terms. The FCR, on the other hand, deals with racism, promotes better understanding between persons of different racial background, colour, national or ethnic origin and religion, combats all forms of direct or indirect racial discrimination and pays particular attention to effective prevention. It also provides advice, recommendation and expertise to the Federal Council, the Departments and other governmental offices at both federal and cantonal levels. Moreover the FCR cooperates with NGOs and international organizations combating racism and discrimination. The FCR has recently prepared a report about discrimination against Muslims in Switzerland. This report will be followed by another report by FCF, which will focus on the integration of Muslims. It is worth to mention that the FCR published reports also on other issues, such as the portrayal of Muslims in the media during the 2007 federal elections and the majority and minority Muslim relations in the country.

c) Zurich Guidelines for Educators Concerning Muslims Students:

An important good practice which can be promoted not only throughout Switzerland, but also across the OSCE region is the Zurich Guidelines for educators concerning Muslim students. These guidelines are in a sense unique in Switzerland because although there are guidelines also in other cantons, these are about religion issue in general and they do not deal with Muslims particularly. The Zurich guidelines do not provide special rights for Muslims; only provide practical tools about how freedom of religion in school is applied to the situation of Muslim pupils. For example, although exemptions are possible for gym classes and school trips, teachers are encouraged to advice all parents that they should allow their children to attend these classes and activities. Moreover, the guide allow students to get time off for Friday praying and attend schools with headscarf, like in other cantons.

3. RECOMMENDATIONS TO THE CHAIRMAN-IN-OFFICE

1. This report should be shared with the Government of Switzerland, who should in turn be further encouraged to circulate it to representatives of the civil society. The report should also be shared with other participating States of the OSCE, Partners for Cooperation, the OSCE Institutions, as well as with the other two Personal Representatives of the Chairman-in-Office.
2. In order to support increased co-operation between the OSCE and other international organizations dealing with the fight against racism and intolerance, it is also recommended that the report be shared with the European Commission against Racism and Intolerance, the European Union Fundamental Rights Agency, the United Nations Office of the High Commissioner for Human Rights, the UN Committee on the Elimination of Racial Discrimination and the OIC's Observatory Body on Islamophobia.
3. The Swiss Government is to be commended for its willingness to respond to acts of discrimination and intolerance against Muslims in cooperation with the representatives of Muslim communities and other non-governmental organizations, as well as for its comprehensive integration policies and programmes. The various good practices noted throughout this report can be disseminated through the OSCE Office for Democratic Institutions and Human Rights to other OSCE participating States in order to demonstrate constructive and effective ways of dealing with intolerance and discrimination against Muslims.
4. The Swiss Government should endeavour to encourage the cantons where other religions are officially recognized to do the same for Islam. If this is not possible, it is advisable that the government follow the recommendation of the FCR to recognize Muslims as a national religious minority.
5. The Government of Switzerland is also encouraged to strengthen the authority and independence of the Federal Commission against Racism and Federal Commission for Foreigners, which are important specialized bodies in combating xenophobia, racism and other forms of intolerance.
6. The Swiss Government should take all necessary measures and develop effective awareness campaigns and tools in relation to the negative impact of the racist and xenophobic speech, including anti-Muslim discourse on the society. The Government is encouraged to address various shortcomings mentioned in this report through a comprehensive strategy. The Government can consider employing certain mechanisms which would prevent racist and discriminatory initiatives for referenda, while respecting freedom of expression.
7. It is also advisable that the government maintain records of hate crimes against Muslims on a regular basis. In this regard, the Government should be in close cooperation with civil society and Muslim community-based organizations.
8. Representatives of Muslim communities and civil society should take note of programmes and mechanisms available through the OSCE Office for Democratic Institutions and Human Rights, including the Programme on Building the Capacity of Civil Society to Monitor Hate Crimes. It is highly advisable that Muslim civil society

organizations establish representative umbrella organizations at the federal level. They are also encouraged to develop their capacities in monitoring and responding to hate crimes. In its turn, the Government should try to assist in building the capacity of Muslim civil society organizations.

9. The Swiss Government should also take note of programmes and mechanisms available through the OSCE Office for Democratic Institutions and Human Rights, including the Legislative Assistance Programme, the Law Enforcement Officer Training Programme for Combating Hate Crimes, and the ODIHR's Panel of Experts on Freedom of Religion or Belief.
10. In particular, it is recommendable that the Government of Switzerland takes into consideration ODIHR's Toledo Guiding Principles on Teaching about Religions and Beliefs during the development of curriculum concerning this subject matter.

Summary Notes of Meetings during Country Visit to Switzerland

Monday 12 November

1.1) Roundtable with *Representatives of Religions*:

Participants:

- Markus SAHLI, Schweiz Evangelischer Kirchenbund (Protestant)
- Thomas WIPF, Chairman of the Council SEK (Protestant)
- Prof. Dr. Alfred DONATH, Chairman of SIG (Jewish)
- Dr. Hisham MAIZAR, Chairman of the Federation of Islamic Organizations of Switzerland (FIDS) (Did not attend)

Inter-faith Dialogue and Religious Peace:

- Swiss Council of Religions is an inter-faith dialogue forum which was established by the representatives of the Catholics, Protestants, Jews and Muslims in Switzerland in 2003 in order to maintain and promote religious peace in the country. Nonetheless, the members of the Council do not consist of only clergymen.
- The Council intends to organize a conference on inter-faith dialogue in July 2008.
- It also seeks to build cooperation with the Federal Government on a more permanent and formal basis, by having meetings with the Minister of Internal Affairs.

The Position of Swiss Council of Religions on Several Issues:

- The Council has taken the position of liberty to build minarets.
- During the cartoon crisis, it intervened in order to calm down the situation.
- It also supported the adoption of the Law against Racism which also prohibits racist speech.
- However, the Council does not deal with the issue of recognition of Islam. Instead, it seeks to support the Muslim communities to organize themselves under a single umbrella organization.
- The members of the Council raised concerns about the political discourse on Muslims during the elections.
- The Council supports possibilities for education about all religions and beliefs, including Islam.
- The Council promotes a multi-cultural and multi-religious environment in Switzerland.
- The Christian members of the Council believe that the Christian identity of the Swiss society is not an obstacle, but constitutes a possibility for a better integration of other religious identities.

1.2) Meeting with the *Federal Commission for Foreigners (FCF)* and the *Federal Commission against Racism (FCR)*:

Brief Background Information about the FCF:

- It is an advisory commission to the Federal Council. The Commission aims to ensure harmonious relations between Swiss nationals and foreign immigrants in Switzerland.

- The FCF promotes the participation of immigrants in Swiss society, by cultivating awareness among Swiss citizens that Switzerland is in fact a country open to immigration and that mobility has become a central factor in both economic and social terms.
- It recently launched a project on combating racial discrimination.
- For more info: <http://www.eka-cfe.ch/e/index.asp>

Brief Background Information about the FCR:

- It deals with racial discrimination; promotes better understanding between persons of different racial and religious background, colour, national or ethnic origin; combats all forms of direct or indirect racial discrimination and pays particular attention to effective prevention.
- The FCR provides advice, recommendations and expertise to the Federal Council, to the Departments and to other governmental offices at both federal and cantonal levels. It also cooperates with NGOs and international organizations combating racism and discrimination.
- For more info: <http://www.ekr-cfr.ch/ekr/index.html?lang=en>

Their position on several issues:

- Both Commissions were very critical about the immigration policy of Switzerland which subjects European citizens and non-European citizens to a differentiated treatment, on the grounds that it is discriminatory.
- The FCR has prepared a comprehensive report about discrimination against Muslims in Switzerland. This report will be followed by another report by FCF, which will focus on the integration of Muslims.
- The report by the FCR establishes that the religious component of the identity of persons with Muslim background has become more and more important. Four years ago these people were considered mainly as Turks, Albanians or Arabs, but now they are primarily referred to as Muslims.
- Nonetheless, this does not mean that Muslims are subject to only religious intolerance or discrimination. There are also some issues related to racism.
- Both Commissions are concerned about the increasing biased portrayal of Muslims in public discourse and by the media, in particular during the election campaigns.
- In their reports they have concluded that Muslims are the most vulnerable group to discrimination and prejudices in the Swiss society.
- They have recommended that the government should recognize Muslims as a national religious minority.
- They also support the requests of Muslims to build purpose-built mosques with minarets and have their own burial places.
- Finally the Commissions promote teaching about religions and beliefs in general.

1.3) Two consequent meetings on some typical situations of conflict:

Participants:

- Mrs. Prodolliet
- Fatih Dursun
- Kais Fguiri
- Hatice Yurutucu
- Tarek Naguib
- Hanspeter Fent

- Nina Hoessli,
- Elie Elkaim
- Elham Manea
- Rifa'at Lenzin
- Saida Keller-Messahli
- Belin Alimi
- Ender Demirtas

Data on Muslims:

- A participant emphasized that there is lack of accurate data on the demographic situation of Muslims in Switzerland.
- Another participant estimated that 120,000 Turkish Muslims live in the country.

Recognition of Islam:

- Currently Islam is not one of the officially recognized religions in Switzerland. At the federal level, the constitution only recognizes freedom of religion and leaves the issue of official recognition of certain religions to each canton.
- Every canton has a different approach to this issue. Generally French-speaking cantons do not have any officially recognized religions, while other cantons recognize Catholic and/or Lutheran churches as official religions. In Vaud, the Jewish community is also recognized as a community of public interest.
- The Federal Government refrains from intervening in the decision making process of the cantons on issues related to the recognition of religions. It is up to cantons to recognize one or two or more religions as official religions, or none at all.

Public Financing of Muslim Religious Organizations:

- Muslim religious organizations cannot benefit from church taxes. This makes them to become completely dependent on external resources. The mosques are mostly financed by funds coming from foreign countries. Similarly since the majority of imams come from abroad, they are not knowledgeable on the culture, society, language(s) and history of Switzerland.

Public Discourse and the Media:

- Political discourse and the media reinforce prejudices against Muslims.
- The Swiss lack accurate information on the life, culture and religion of Muslims.
- There is a tendency among the Swiss of being suspicious about everything related to foreigners.
- In particular, the fear of losing the Swiss identity at the expense of Islam is increasing. Politicians exploit and capitalize on this fear to a great extent.

Hate Incidents:

- There is an increasing intolerance against the visibility of Muslims in Switzerland. The participants also mentioned that recently there are more physical attacks against not only mosques and burial places but also against persons of African origin.
- Extremely negative public discourse and media reporting especially on minarets and Muslim burial places also contributes to this situation.
- For instance, unsigned letters were sent by many people, claiming that if Muslims will build a mosque, they would put a bomb to it.

Building of Minarets:

- Extensive information was provided on the referendum initiative led by a right-wing party to change the constitution to allow prohibition of building of minarets and the public debate related to this issue. All participants underlined their objections to this initiative.
- Several participants also underlined that arguments raised against building of minarets were never raised against building of places of worship of other religions, such as Sikh or Buddhist temples.

Discrimination:

- Participants stressed that discrimination against Muslims is a widespread phenomenon throughout Switzerland.
- For instance, they stated that recently when a person of Egyptian origin applied for permanent resident status, he was refused although he fulfilled all necessary conditions. They said that the reason for this refusal was because he was a Muslim.
- Similarly, in the eastern part of Switzerland a local community refused naturalization of a Muslim, on the grounds of his religion.
- Young Muslims are also frequently subject to discrimination when they apply for internship.
- The intensity of discrimination against Muslims varies a lot from one state institution to another. However, the participants believe that there is systematic racism by the authorities. This particularly increases when the climate of tolerance deteriorates.
- Each canton has different mechanisms and procedures of complaint about discrimination.
- The FCR provides counseling for those who need advice concerning their discrimination complaints.

Education:

- Imams are allowed to teach about Islam in the public schools of some cantons. However, because of the lack of funds, it is very difficult to employ educated imams. There is also no institute at universities where teachers can receive education concerning teaching about Islam.
- The courses about religions and beliefs also provide some information on Islam.
- However, in some cases the majority is not so happy about teaching about Islam in public schools. In March, a local newspaper in Bern reported that an imam was teaching fundamentalism in a school. Parents immediately reacted to this by sending letters which stated that the taxes that they pay should not be used to teach about Islam.

Minority Rights:

- Once participant highlighted that Switzerland lacks the tradition of dealing with non-territorial minorities, although it has long had Jews and the Roma as non-territorial minorities.

Umbrella Organizations:

- Since religious issues are dealt with at the cantonal level, there is no representative Muslim umbrella organization at the federal level.
- However, there are several Muslim umbrella organizations at the cantonal level and Muslims are also trying to establish a single umbrella organization at the federal level.

Dialogue:

- One participant mentioned the ongoing inter-faith dialogue between Christians and Muslims, in which they also conduct visits to mosques and churches.
- The participants also gave some examples about how various disagreements are settled through dialogue.
- In a specific case, when a Muslim community sought to establish a praying place, it faced the opposition of the local majority population which took the dispute to court. The conflict accelerated to even higher levels when the media started to report on the issue and some politicians exploited it. Nonetheless, the authorities managed to successfully mediate the dispute between the Muslims and local majority population by demonstrating that the environment of the neighborhood is already changing.
- The other cases that the participants mentioned were about schools authorities' efforts to establish dialogue with the parents of Muslim pupils concerning their participation in swimming classes, Christmas parties, camping and wearing headscarf. In these cases, school authorities have sought to find practical solutions.

1.4) Meeting with *Muslim Community-based NGOs in Neuchâtel:*

Participants:

- Anatolian Foundation of Neuchâtel
- Cultural Association of Muslims in Neuchâtel
- Future of Young Muslims in Neuchâtel
- League of Muslims in Switzerland
- Association of Muslim Women in Neuchâtel
- Cultural Association of Muslim Women in Switzerland

Background Information:

- The population of the canton is 175,000; of which 5,587 are Muslims.
- There are 12 Muslim community-based NGOs.

Consultation and Cooperation with Muslim Community-based NGOs:

- Cantonal authorities hold regular meetings with all Muslim community-based NGOs, in order to discuss outstanding problems and exchange views on possible solutions.
- In 2007 the Tolerance Prize was given to a Muslim.

Particularity of Secularism in Neuchâtel:

- Although Neuchâtel is a secular canton, its secularism is more flexible than the French model.
 - For instance, students can wear headscarf in schools, but civil servants cannot, because they are supposed to be impartial. This system allows more space to express religious identity in the public sphere.

Political Discourse and Media Reporting:

- One of the participants indicated that for approximately ten years they have been witnessing stigmatization of Muslims during the elections. This situation was at a peak in the last elections where Muslims were humiliated and verbally attacked. The initiative to prohibit minarets is only one aspect of such attacks.

Hate Incidents:

- The participants mentioned that they have witnessed no serious physical attacks against Muslims. However, pushing of Muslim women veiling headscarf on busses or verbal assaults against those who are apparently Muslims are common practices.

Mosques:

- For the time being, there is no purpose-built mosque in Neuchâtel. A historical building which is similar to a minaret is more of a symbolic character.
- According to one participant, Muslims' demand for building a proper mosque is not well perceived by some politicians. For instance, recently a politician went to the place where Muslims want to build a mosque with a pig in order to protest this initiative.

Burial Places:

- In 2003 the cantonal parliament passed a decision requiring the cemeteries to prepare separate sections for Muslims. However, in Neuchâtel there is still no burial place for Muslims.

Discrimination:

- Muslims are subject to discrimination in every sphere of social life, including job market, education and access to housing. In particular, Muslim women wearing headscarf are discriminated when they apply for internship.

Teaching about Islam:

- In Neuchâtel there is a course on teaching about religions and humanistic cultures, but not a course on a specific religion. Also this course is given by teachers, not religious personnel.

Association of the Muslim Community with Security Concerns:

- One participant expressed his uneasiness about the fact that public officials often invite Muslim community leaders only for meetings specifically related to security issues. They feel that this attitude reflects the perception that the presence of Muslims in the West is mainly a security problem and Islam is somehow associated with terrorism/violence.

Tuesday 13 November

1.5) Meeting in Zurich with the Turkish-Islamic Foundation in Switzerland:

Political discourse:

- The participants were particularly concerned about the negative political discourse about Muslims in Switzerland. They stated that the initiative of Peoples Party of Switzerland to prohibit minarets had already received 50,000 signatures. The same party based almost all of its propaganda campaign during the elections on anti-Muslimism. They displayed posters demonstrating that white sheep is kicking out the black sheep; that a minaret is tearing apart the Swiss flag; that Aargau becomes Ankara. All these messages spread fear of Islam among the Swiss population and scare them that their country is losing its identity at the expense of Islam.

Imams:

- They stated that they face serious problems in appointing imams from Turkey. The Swiss authorities have arbitrarily established a ceiling of maximum 20 imams from Turkey. This decision was made in 1990, but since then the number of Turks in Switzerland has grown significantly.
- When the number of imams is not sufficient, there is a risk that some extremists may fill in the vacuum.
- Since Muslim religious organizations cannot benefit from church taxes, their only financial resource is collection of money from their own congregations on a voluntary basis. However, this is not sufficient to pay the salaries of imams. Therefore, Muslims are dependent on their country of origin.

Praying Houses and Mosques:

- When Muslims try to build praying houses or mosques, they face strong opposition of the local population.
- Sometime also municipal authorities create arbitrary and unfair administrative obstacles when Muslims seek to build a praying house.
- They did not even allow Muslims turn the building of the Union of Turkish Muslims into a mosque.
- This is obviously discrimination, because when Hindus or Sikhs want to build their own places of worship, they do not face any obstacles.

Hate Incidents:

- In particular Muslim women wearing headscarf are subject to harassment during shopping or traveling in public transport. However, they do not know where to complain.
- There are no civil society organizations that monitor hate incidents against Muslims. The same goes also for provision of assistance to Muslim victims.

Naturalization and Citizenship:

- The cantonal assemblies approve the naturalization of foreigners. However, since fear of Islam has grown significantly throughout the country, the cantonal assemblies started to refuse to give citizenship to Muslims on merely religious grounds.
- There is also an initiative to expel people younger than 18 together with their families when they commit a serious crime.

1.6) Meeting with Markus TRUNIGER, *Office of Education in Zurich:*

- During the meeting Mr. Truniger presented Guidelines of Zurich concerning religion and Muslims pupils. These guidelines are in a sense unique in Switzerland because although there are guidelines also in other cantons, these are about religion issues in general and they do not deal with Muslims particularly. (As an example of good practice, this guide is reproduced at Annex II.)
- The guidelines do not provide special rights for Muslims; they only provide practical tools about how freedom of religion in school should be applied to Muslims.
- In Zurich students are allowed to go to schools with headscarf.
- Although exemptions are possible for gym and swimming classes and school trips, teachers encourage all parents to allow their children to attend these classes and activities.

- Moreover, students can get time off for Friday prays, but to date no student has applied for this purpose.
- There is a course about social and cultural matters which also covers the question of religion, but this is not a course about the instruction of a specific religion and it is compulsory for all students. There is also a course on religious tolerance.
- On the other hand, religious instruction is not given in schools. It is within the competence of religious communities. However, schools may provide facilities for the instruction of specific religions by their own religious communities.
- Although it is estimated that 5 or 6 % of the Zurich canton population is Muslim, there are no school statistics indicating religious backgrounds of pupils.
- In Zurich there was an initiative to accept Islam as one of the official religions of Zurich, but it failed.
- In Switzerland there are special classes for immigrant children, but educational authorities are of the opinion that these classes do not help the immigrant children to get integrated into the Swiss school system. Therefore, they are considering abolishing such classes.

1.7) Meeting with Dr. Elmar LEDERGERBER, *Mayor of Zurich*:

- There are 370,000 Muslims living in the city of Zurich which means that they constitute 6-7 per cent of the population.
- The Mayor is against the initiative to prohibit mosques. He stated that as long as applications for building mosques fulfil construction standards, the municipality will provide permission. "If there are objections from the local population, then we need to deal with this issue at courts."
- He also believes that the canton of Zurich should recognize Islam as an official religion in the future.
- The Mayor is worried that young immigrants from recently arrived families create negative reactions from the mainstream society because some of them tend to deal with illegal activities.

1.7) Meeting at the *Bosniac Community's Centre in Zurich*:

The imam of Bosniac community, the imam of Somalian community, a representative of the Islamic Foundation (Egyptian) and a representative of the Jamal Islamic Centre (Bosniac) were present.

- During the meeting the participants raised concerns about increasing intolerant political discourse, biased portrayal of Muslims in the media, discrimination against Muslims and growing intolerance against visibility of Islam.
- Muslims demand purpose-built mosques, official recognition of Islam and civil society capacity building.
- Muslims finally owned their own graveyard in Zurich after 10 years of struggle.
- They presented Zurich Forum of Religions as a good practice for interfaith dialogue, where also Muslims take part.
- During the meeting, the need for a representative nation-wide Muslim umbrella organization was also discussed.
- Some participants expressed their concern that in elementary schools the course on religion focuses too much on Christianity.

- People coming from the Balkans feel that they are discriminated not solely on the basis of their religion, but on the grounds of their country of origin.
- One participant stated that although the graveyard that the Muslims have in the city of Zurich is a positive development, there is still a problem. Since burial places are under the competence of municipalities, Muslims from other cities cannot be buried in Zurich city's Muslim graveyard.
- Another positive development was also mentioned: For the first time, Federal Minister of Home Affairs congratulated Ramadan.

1.8) Meeting with Councillor Pascal COUCHEPIN, Vice President of the Swiss Confederation, Federal Minister of Home Affairs:

- In relation to biased portrayal of Muslims in public discourse and the media, the Minister thinks that there should be no state intervention. It is in the interest of public to allow expression of also bad opinions.
- He is in favor of strengthening the FCR.
- There is no need for establishing a Human Rights Commission, the already existing human rights tribunals should be sufficient.
- Media should have their own self-regulatory bodies.
- State should not intervene in the affairs of civil society in order to establish a Muslim umbrella organization. There is the example of France, which did not work well.
- He thinks that his Ramadan Bayram message is well received by the majority population as well. He intends to participate in the opening ceremony of a mosque.
- According to his view, State should not recognize any religion as official, including Islam.

Wednesday 14 November

1.9) Cantonal Conference of Directors, Foundation for Education and Development:

- As a Federal State, in Switzerland there are 26 ministries of education. Therefore, there is a need of coordination, which is done by the Foundation of Education and Development.
- The Foundation was established by the Swiss Development Agency in 1997.
- Its mandate is to identify good education materials, develop pedagogic courses and promote specific projects in thematic areas, such as human rights, children rights, sustainability, inter-cultural education, religious education, racism and discrimination.
- In most of the cantons there is a course about religion which is not only focusing on Christianity.
- The Swiss educational authorities do not directly provide religious education, but they facilitate instruction of different religions by their own religious communities beyond school hours.
- Their education system promotes the territorial languages of Switzerland and allows tutoring of immigrant children in their own mother tongue.
- Teachers also receive multi-cultural pedagogy education.
- There was also a pilot project on a course about Islam and Christianity, which was taught by a Muslim and a Christian teacher.
- They also mentioned that they are reviewing the special classes for immigrants, which they think should be discontinued.

- From their point of view, Islam should not be the primary focus of the programs seeking to better integrate Muslims into Swiss educational system. Instead, they should concentrate on Muslim students' cultural and social background and their ability to speak the majority languages.

1.10) Meeting with the Senior Officials of Federal Offices:

Participants:

- Migration, SECO (State Secretariat for Economic Affairs)
- OPET (Professional Education and Technology)
- Justice, FSO (Federal Statistic Office)
- Gender Equality, Directorate of Public International Law
- SER (State Secretariat for Education and Research)
- FEDPOL (Federal Office of Police)
- Committee on Security

Statistical Data:

- Statistics concerning the demographic and social characteristics of Muslims are far from being complete.
- They have to rely on the administrative data, mostly municipal or federal.
- In relation to Muslims, they do not have statistics on the religion of immigrants, but on their country of origin.
- They estimate that there are 350,000 -370,000 Muslims in Switzerland (incl. citizens and non-citizens).
- In 2010 they plan to conduct a survey on the religious, cultural and linguistic background of immigrants.

Freedom of Religion:

- In Switzerland there is no restriction of wearing headscarf.
- Directorate of Public International Law will examine the legality (or admissibility) of the initiative to prohibit minarets from the point of international human rights law. If they conclude that it is in violation of international human rights law, they can declare the initiative null and void.

Hate Incidents:

- The Swiss Anti-Racism Law also covers religion, but the cases brought by the Muslims on the ground of their religion are not numerous.
- There are institutions at cantonal level providing legal assistance for those who claim that they have been subjected to racism.
- The Swiss Penal Code deals with crimes motivated by racist and religious hatred.
- The Jewish community provides information on the racist attacks against them; the Muslims can also prepare yearly reports on hate crimes against Muslims.

Discrimination:

- Muslims are subject to discrimination particularly in the job market. Unemployment among the Muslims is two times higher than the rest of the society.
- In most cases, the discrimination that the Muslims face is not related directly to their religion, but more so to their color or country of origin.

Education:

- There are no statistics on the performance of Muslim students in schools. It is difficult to know how many Muslims are attending universities. The number of members of Muslim student associations could give an idea, but it must be kept in mind that not all Muslims are members of these associations.

Imams:

- The Swiss government has very good relations with Turkey and Bosnia and Herzegovina in relation to recruitment of imams.
- Nonetheless, there is room for improvement: the imams need to learn the language and culture of the majority; necessary work permissions should be given more easily.

Security:

- They seek to cooperate with Muslims on security related issues. For this purpose, they created a forum where they meet with the representatives of Muslims communities.
- They are aware of the fact that when they invite Muslims for security related meetings, the representatives of Muslims feel uncomfortable about it. But they are trying to explain their purpose and remove the concerns of Muslims.
- From the point of security, they do not think that Islam poses any security problem in Switzerland.

ASurvey Project: New Incoming Diversity and Changing Religious Landscape of Switzerland:

- This research project aims to answer several questions:
 - o Should imams be trained in Switzerland?
 - o Who are Muslim diasporas in Switzerland?
 - o How Bosniacs and Albanians react to Islamic discourse?
 - o How is Islam organized?
 - o Muslims and Islam between recognition and accommodation.

Immigration Policies:

- The government officials do not consider different immigration policies for EU citizens and non-EU citizens as discriminatory, on the grounds that they are objective and justifiable.
- The purpose of putting an age limit for the children benefiting from family reunification is to encourage them to move to Switzerland as soon as possible. This would make their integration easier.

1.11) Meeting with *Federal Parliamentarians:*

Participants:

- Mr. G. MUELLER (the *Green Party*), Future Chairman of the *Committee for Foreign Relations* of the *National Council*
- Mr. C. MIESCH (the *Swiss People's Party*), Chairman of the Delegation to the *OSCE Parliamentary Assembly*
- Mr. P. STAEHELIN (the *Christian Democratic Party*), Chairman of the *Committee for Foreign Relation* of the *Council of States*

Immigrants

- Parliamentarians mostly talked about the so-called security problems created by the immigrants originating from the Balkans. They think that increasing intolerance against Muslims is a reaction to this situation, because most of the people from the Balkans are Muslims. In particular, youngsters with immigrant background cause problems on streets and in schools. The 12 year age limitation for family reunification and expulsion of the whole family if their children younger than 18 commit a serious crime should be understood in this context.
- One of our counterparts claimed that most of the crimes in Switzerland are committed by foreigners. “Especially single male foreigners with low income are inclined to be criminal.”
- Nonetheless, there are good models. For instance, the Christian Democratic Party had a Muslims candidate for the last elections.

1.12) Meeting with Federal Councillor Mme. Micheline CALMY-REY, President of the Swiss Confederation:

The President made it very clear that she is against the initiative to prohibit minarets. However, she argues that this initiative could be in a way useful, because they would have the chance to address the fears of the people about Muslims in an open discussion.

Mme. President stated that the government of Switzerland will continue to support the UN initiative for the Alliance of Civilizations.

On the other hand, she asserted that the EU citizens and non-EU citizens distinction in their immigration policy is merely a political decision and should not be considered as discrimination.

1.13) Meeting with Federal Councillor Christoph BLOCHER, *Federal Minister of Justice and Police*:

- He emphasized the problem of criminality of foreigners, by claiming that 70 % of the people in prisons are foreigners. (Upon my objection, this assertion was withdrawn.)
- There are some foreigners coming to Switzerland only to deal with criminal activities.
- In this regard, the so-called initiative concerning the expulsion of the whole family if their child younger than 18 commits a serious crime is applicable to only very limited situations. In fact, it is not expulsion; it is refusal of the renewal of temporary (1 year) resident permissions.
- He argues that young people who are not employed commit crimes more easily. Therefore, for family reunifications, children should come when they are younger than 12, because it is easier to get integrated when you are younger.
- He admits that the fear of Muslims and Islam has increased significantly since 9/11. But thinks that this is partially because Muslims live in isolation from the rest of the society.
- In relation to minarets, he believes that minarets are not an integral part of mosques. He mentioned that in other countries, such as Saudi Arabia, they also do not allow churches. Nonetheless, he refrains from expressing his opinion on this issue, until it comes to the government.

1.14) Meeting the Press:

At the end of my visit to Switzerland, I conducted a press conference, which generated quite some interest that led to a wide coverage.

The report by Swissinfo, which covers my initial remarks and responses to questions in a fairly accurate manner is quoted here below:

“November 15, 2007

OSCE expert concerned by Swiss Islamophobia

The Swiss Muslim community is better integrated than those in other European countries, but suffers from an "acute perception problem", says an Islamophobia expert.

Turkish diplomat Ömür Orhun, the representative of the Organisation for Security and Cooperation in Europe fighting intolerance and discrimination against Muslims, was speaking at the end of a three-day visit to Switzerland.

Under his OSCE mandate, Orhun was invited by the Swiss authorities to gain a better understanding of the situation and expectations of Muslims living in Switzerland.

Addressing a news conference in Bern on Wednesday, Orhun said the Swiss Muslim community was relatively better off as far as education and financial status were concerned, but there was a major issue regarding perception.

"The mainstream Swiss population has a growing apprehension of Muslims in the country which leads to a sense of fear in the Muslim community of not being welcome, alienated and rejected," he explained.

"The perception problem of mutual fear and anxiety between the non-Muslim and Muslim communities could be easily corrected by small gestures provided there is goodwill on both sides. Otherwise this fault line could further increase in the future," he told swissinfo.

Orhun said one way of building confidence and acceptance might be for the cantons to put Islam on the same footing as for example Christianity and Judaism.

"The Muslim community is asking why we are not being given the same opportunity when a much smaller community is accepted as a religion," he explained.

Other recommendations would be to establish purpose-built places of prayer and places of burial.

"They don't have many wishes but these small gestures could further understanding," he said.

Astonishing Developments

Orhun also criticised political initiatives such as the rightwing Swiss People's Party campaigns to force nationwide votes on banning the construction of minarets and on expelling criminal foreigners, which he said were "creating a very bad atmosphere".

In June 2007 the Turkish diplomat said he was "astonished" that such developments were taking place in a country like Switzerland, which had been "an advocate of protection of human rights elsewhere in the world".

Orhun said his attitude hadn't changed since his visit, but he was glad that the people he spoke to held similar positions to him.

"Now the elections are over I hope there will be more quietness and a responsible attitude to handle this initiative," he declared.

"Minarets are an integral part of mosques, as bell towers are parts of churches. And both of them are humanity's common heritage," he said.

Disproportionate

Orhun added that Muslims moving to Switzerland were disproportionately affected by Swiss immigration laws and regulations.

"There has been international criticism that some Swiss laws are discriminatory, especially the 2006 Aliens or Foreigners Act, creating two tiers of naturalisation and family reunification," he explained.

The OSCE representative has already carried out ten similar visits to other countries in Europe, including Britain, France, Spain, Norway and Denmark, and plans to submit his report on Switzerland early next year.

His "well-rounded" programme included meetings with senior officials at federal and cantonal levels, representatives of the Muslim community and cabinet ministers Pascal Couchepin, Micheline Calmy-Rey and Christoph Blocher.

Earlier this year Switzerland was accused of discriminatory tendencies in a hard-hitting report by the United Nations special rapporteur on racism, Doudou Diène.

He accused the authorities of a lack of any "coherent and resolute political and legal strategy against racism and xenophobia".

In reaction, the government said it agreed that racism was a problem and added that it was aware that more had to be done at the federal, cantonal and communal levels."

Muslim Pupils at State Schools: Recommendations

In 1989 the Department of Education, after consultations with representatives of the Islamic communities, issued guidelines on the integration of Muslim pupils at state schools. Islam has now become a major religion in Switzerland and in the Canton Zurich an increasing number of pupils with a Muslim background are attending state schools. These include Albanophone pupils as well as pupils from Turkey, Bosnia and Arab and African countries.

All pupils attending compulsory schools have the same rights and duties. The same principles therefore apply to pupils from different religious backgrounds. Freedom of religion and of conscience is a right guaranteed by the Federal Constitution and by the Schools Act. As far as possible, schools try to ensure that pupils can carry out their religious obligations.

The recommendations of the year 1989 have now been revised on the basis of feedback and experience provided by Muslim discussion partners, teachers and local education authorities.

The Department of Education issues the following recommendations:

1. Dispensation from classes on high religious holy days

§ 62 of the State School Ordinance states that pupils of all religions may be exempted from attendance at the request of their parents on high religious holy days or for special occasions. The regulations for dispensations on religious grounds of 29 October 1991 cover the possibility of dispensation for Muslim pupils as well.

The high religious holidays for Sunni Islam are:

- The feast of Ramadan: (al id al fitr (Arabic), Seker bayrami (Turkish), bajram i vogel (Albanian); 3 days
- The feast of the Sacrifice: al id al kabir (Arabic), kurban bayrami (Turkish), bajram i madh (Albanian); 4 days.

Muslim pupils are to be exempted from classes on these days at the oral or written request of their parents. In many cases dispensation is requested only for the first days. The dates of these religious holy days are moveable (for the years 2003-2008 see annex).

2. Gymnastics and swimming classes

In principle there are no subjects that Muslim boys and girls cannot attend. The principle of integration for all in the state school common to all must be applied.

It should be noted that the Islamic religion requires the covering of the female body from the age of puberty onwards. In gymnastics and in swimming classes, pupils should be given the opportunity to cover their bodies or to swim in light clothes if their parents make a request to this effect.

In Muslim countries, there is a strong taboo for religious reasons against boys and girls (or adults) appearing completely naked in a group. This also applies to persons of the same sex. If pupils need to take showers, this should be done in cabins that can be locked or which

can be closed off by curtains. Alternatively, children's access to showers and cabins should be staggered.

Exemption from swimming classes requires a written letter of justification by the parents to the local education authority requesting dispensation for their children on that day. The school authorities talk to the parents and discuss the circumstances in which participation in swimming classes would be possible. It should be noted that there is a Federal Court ruling in favour of dispensation from swimming classes for religious reasons which states that a dispensation must be granted (BGE 119 1a 178 18.6.1993). Dispensations are granted for a specific period of time (the basis for dispensation from individual subjects is § 60 of the State School Ordinance).

3. Dispensation from individual lessons in the fast month of Ramadan

In the fast month of Ramadan, practising Muslims refrain from eating and drinking from dawn to dusk and generally also abstain from smoking and the use of perfume. In some Muslim communities, playing music and singing are also banned during this month. Pupils who are observing the Ramadan fast should at the oral or written request of their parents be exempted from gymnastics and cooking classes and should be given other school-related tasks during this time.

4. Dispensation for Friday prayers

The children of strict practising Muslims who observe the duty to pray in the mosque are to be exempted from classes at the request of their parents (in application of § 60 section 2 of the State School Ordinance and the regulations concerning exemption on religious ground). The children concerned must make up for the work missed in class. The religious requirement to take part in these prayers applies to male Muslims from the age of puberty onwards. Prayers last for between half an hour and one hour. As they take place over the midday period, the impact on lessons is only marginal. As Friday prayers take place only in large prayer rooms or in mosques – of which there are only a small number in the Canton Zurich – the question of dispensation is unlikely to affect more than a small number of pupils.

5. No dispensation from individual lessons or from lesson content

Exemption from individual lesson content as defined in the timetable and in the State School Ordinance should not be granted. The only exception is "Biblical History", from which children may be exempted at the request of parents.

In the case of lessons with Christian content (for example Christmas preparations), no special arrangements are to be made for non-Christian pupils. However, teachers should show sensitivity to the religious feelings of children from other backgrounds. The various religions should be integrated into lessons. Knowledge of world religions is a goal for all pupils.

6. Participation in class camps and excursions

The class camp is a school week. Its purpose is to teach social learning and general education (geography, sport) and to promote the integration of all pupils in the class group. Whenever necessary, talks should be held with Muslim parents to find out the conditions that need to be met to enable their children to take part in the class camp without infringing

religious regulations. It should be stressed that at all class camps a female accompanying person is generally present (§ 7 Class Camp Regulations) and that separate dormitories for boys and girls are guaranteed. Food provisions are also to be strictly observed (no pork).

Parents not agreeing with the participation of their child in the class camp do not enlist it. For the purpose of mutual information they give the teacher their reasons for this decision. Pupils not participating in the class camp have to attend lessons in another form of the local school (§ 5 para. 2 Class Camp Regulations).

7. No clothing restrictions

The state schools in the Canton Zurich have no clothing restrictions for children. This is the responsibility of parents.

If you have any questions, please contact the Intercultural Education Sector, Volksschulamt (Tel 043 259 53 61), e-mail ikp@vsa.bid.zh.ch or the Legal Services Sector (Tel 043 259 22 55, e-mail rechtsdienst@vsa.bid.zh.ch).

If the school authorities reject a request for dispensation, they must provide a written justification and the ruling must be accompanied by an explanation of the legal recourse available to the parents (recourse to the district school authorities).

Annex:

Dates of religious holy days

The dates below may vary by a maximum of one day. The precise date will be notified each year shortly before the holy day.

The Muslim religious year is based on the lunar calendar and is therefore shorter than our calendar year. As a result, the dates go back by about ten days every year, which explains why in 2006 the Feast of the Sacrifice occurs twice.

Year	Ramadan	Feast of the Sacrifice
2007	13 October	20 December
2008	2 October	9 December

Foreign nationals & ethnic minorities in election campaign communications – analysis of media reporting on the 2007 federal elections

**Fög: Research Department on Public Opinion and Society, University of Zurich
9 December 2007**

Commissioned by: Federal Commission against Racism
Fög project management: lic. Phil. Linards Udris
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Prof. Dr. Kurt Imhof (Head of fög)

Context and methodology

On behalf of the Federal Commission against Racism, the Fög – the Research Department on Public Opinion and Society analysed the electoral communications relating to the 2007 federal elections as conveyed in the media. Interest focused on the following issues:

1. What kind of typing (generalisations) and rigid semantics of difference (semantics indicating either-or decisions in modern societies) relating to foreign nationals and ethnic minorities can be observed in electoral communications? Do electoral communications use typing that excludes and devalues foreign nationals and ethnic minorities?
2. Which actors use this sort of typing and semantics of difference? To what extent do they thereby acquire the power of definition and to what extent can a response and correction of this typing and semantics of difference be observed?

The basis for the study consisted of all articles and reports from 7 daily newspapers (*Berner Zeitung, Blick, Le Matin, Le Temps, Neue Luzerner Zeitung, Neue Zürcher Zeitung, Tages-Anzeiger*), 4 Sunday newspapers (*Le Matin Dimanche, NZZ am Sonntag, SonntagsBlick, SonntagsZeitung*), 2 weekly newspapers (*Weltwoche, WoZ*) and the main television news programmes (*Tagesschau, 10vor10, Le journal, Telegiornale sera*) in the German, French and Italian speaking parts of Switzerland. In addition, all election campaign advertisements in the print media samples were also examined to see whether typing and rigid semantics of difference were being used.

Main findings

The issue of foreigners became the focus of attention in the 2007 election campaign. The SVP, in particular, used to a great extent forms of typing which generate distance between foreign nationals and ethnic minorities and the rest of the population. Due to the fact that large sections of the media and political actors such as the SP responded to this typing, such labels were in fact corrected, but became a feature of reporting as a result. Furthermore, some of the negative depictions of foreigners were left unrefuted, meaning that the association of foreign nationals and ethnic minorities with certain negative subject contexts was barely corrected. Generally speaking, a highly dichotomous image was produced in which foreign nationals and ethnic minorities were portrayed either as perpetrators or victims.

Detailed findings

The majority of election reports focused on the election process, with portraits of candidates, poll results, election forecasts, information on list combinations, etc., with substantive political debate playing a comparatively marginal role. Of the subjects that did figure in electoral communications and which were therefore addressed primarily from election strategy viewpoints, the “foreigner problem”, ahead even of environment policy, was the key topic of the election campaign. Accordingly, the 2007 election campaign was largely characterised by the negative typecasting of foreigners and ethnic minorities. Of the 3,513 articles on the election campaign in the media samples examined, 477 articles (14%) were found in which typecasting in connection with ethnic minorities (explicit stereotyping) was used or reference was made to such typecasting (redress / reaction to typecasting).

When comparing different types of media, typecasting or the redressing of such typecasts occurs particularly frequently in the ideological style weekly newspapers *Weltwoche* (40%) and *WochenZeitung* (33%). The former itself uses negative typecasting, while the latter mainly responds to negative typecasting on the part of other actors and the media. The second form of media with an above average share of typecasting and responses to typecasting are the Sunday newspapers. These newspapers operate in a highly competitive field and have a reporting style that seeks to capture the attention of media consumers through the portrayal of scandals and conflicts. The forum and quality newspapers contain less type categorisation, the exception here being *Le Temps*. Generally speaking, of all the media formats examined, media products from the French speaking part of Switzerland tend to have comparatively more reporting of the election campaign and greater debate of typecasting. It is abundantly clear here that there was far more discussion of the negative typecasting propagated by the SVP in the French speaking part of Switzerland than elsewhere.

Negative portrayal of foreign nationals

What kind of typing and what reactions to it can be observed in media reporting?¹ The typing used in electoral communications conveyed in the media has the effect of marginalising those concerned, who are largely perceived as “criminal foreigners” and, using even more sweeping generalisations, as “young foreigners” and “the Muslims”. Some 78% of all statements using typecasting create distance, 18% promote elicit empathy and 6% are ambivalent.

In order to record the strategies of the authors of this typecasting and the way in which society deals with these depictions, the statements were divided into those where explicit stereo typing was used, and those where third parties responded to such depictions. This shows that distance-inducing typecasting often resorts to already established stereotypes. In 51% of all statements considered, distance inducing typecasting is only inferred. However, in 27% of all statements considered, negative characteristics are explicitly attributed to foreign nationals and ethnic minorities.

Which actors are particularly subject to typecasting in electoral communications? In 76% of cases, the terms used in explicit typecasting are “foreigners” (51%) or “criminal foreigners” (25%). In a relatively high number of cases such typecasting specifically refers to young people described as “foreign”. In 15% of the cases of

explicit stereotyping, Muslims, often considered as a single indeterminate group, are attributed with specific characteristics. Asylum seekers were seldom typecast during this election campaign (6%), and other groups of foreign nationals and other ethnic or religious minorities (e.g. Jews) were very seldom if ever typecast.

This explicit typecasting which portrays foreign nationals and/or particular foreign national groups as being criminal, violent or unwilling to integrate has a marginalising effect. In particular the depiction of foreign nationals and foreign national groups as criminals, lawbreakers or prone to violence are the most common forms of explicit typecasting (32%).

Depictions explicitly promoting empathy, however, are far rarer (18%). The most common portrayal here is of foreign nationals and ethnic minorities as victims (13% of explicit type portrayals). Empathetic type portrayals, particularly those as a “victim” of discrimination, are mostly responses to distance inducing typecasting, i.e. They relate to perceptions established through negative typecasting. Taken as a whole, media reporting during the electoral campaign portrayed a dichotomous image in which actors subject to type categorisation were either labelled as criminal and violent, or as victims.

Negative image of foreigners propagated by the Swiss People’s Party (SVP)

Explicit, distance-inducing typecasting mostly comes from SVP actors (73%). The SVP made the issue of “foreigners” a key component of their election campaign both through the election advertising that they financed themselves and through the resonance of corresponding reports in the mass media. As time went on, there were intensive phases in the debate surrounding foreign nationals at the end of June 2007 and in mid August related in particular to youth violence. Here the focus was primarily on young people from the Balkans and “criminal foreign nationals”, but also on foreigners in general. A long way behind the SVP, especially measured by the small number of articles, a number of newspapers formed the second largest group of actors using distance-inducing typecasting (7%). These include the *NZZ am Sonntag* (2%) and the *Weltwoche* (1%). Only very occasionally did CVP representatives (3%) and SP representatives (2%) express distance-inducing typecasting vis-à-vis foreign nationals and ethnic minorities.

Not only did the SVP portray foreign nationals and ethnic minorities as a problem in its media communications, but also in its advertising campaign. The SVP, which of all the actors examined places by far the highest number of adverts in the press (29% of all advertisements assessed), labels “foreigners” in the majority of its advertisements as a problem both in the specific form of “criminal foreigners” but also in the form of generalizations about foreigners.

Superficial rejection of the typecasting used by the SVP

In media reports, the SVP's distance inducing typecasting is generally corrected (76%). This is evident from the many articles in which the SVP does not actually express itself, but in which politicians refer to established typecasting portrayals and refute them. A large part of the media, particularly in French speaking Switzerland, responds to distance-inducing typecasting by actively correcting it and making the SVP itself the problem (23% of all actors with corrections). The second group to reject distance-inducing typecasting is the SP, including Federal Councillor Micheline Calmy-Rey (16% of all actors with corrections).

Despite these corrections, the negative typecasting and portrayal of foreigners as a problem by the SVP is extremely successful to the extent that during the election campaign, political actors take up this subject and respond to the issue without the SVP itself having to continue to use such distance-inducing typecasting.

With regard to the form that this correction takes, it can be seen that distance-inducing typecasting is only seldom refuted in a way that portrays those typecast in a favourable light (e.g. as capable of integrating or as law-abiding) (5% of these corrections) or that to a certain extent rebuts these generalizations (8% of these corrections). Far more frequently, distance-inducing typecasting in public communications is rejected insofar as it is mainly the SVP that is accused of electoral campaigning (19% of these corrections, particularly on the part of the media) and that they are pursuing a xenophobic, if not racist policy (41%, often mentioned by foreign media, civil society actors and experts). Here it is primarily the authors of the typecasting that are labelled as the problem with the issue of foreigners and ethnic minorities becoming the object of conflict between the parties. In this debate, which ultimately revolves around Switzerland's self-image, foreign nationals and ethnic minorities have no opportunity to speak for themselves.

In addition to this rather superficial correction of distance inducing typecasting, it is possible to identify two more findings with regard to their impact on society: on the one hand, the SVP's proposals aimed at tightening up legislation on foreign nationals are often rejected as they are considered too xenophobic or simply an election strategy (and therefore exaggerated). The SVP is often accused of having an overly simplistic view of the issue of "foreign nationals" and equally simplistic solutions, for example by suggesting that problems in education policy could only be solved with approaches that take into account the socioeconomic situation of schoolchildren and parents.

On the other hand, however, the problems and the links between them that the SVP repeatedly drops into the debate (violence, foreign nationals, and shortcomings in the education system) are often no longer contested, or are instead, albeit to varying degrees, confirmed. The fact that these associations have been accepted in the months leading up to the elections, without having been questioned, increases the significance of the issue of "foreign nationals" in electoral communications. It also explains why the simplistic (dumbed-down) campaign of the SVP, which has successfully established itself as the "owner" of this issue over the last few years, receives by far the greatest resonance of all the issues put forward by any of the parties.

