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Swiss ban on minarets

Written question No. 577 to the Committee of Ministers

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Switzerland took over the chairmanship of the Council of Europe's Committee of Ministers on November 18 with an ambition to guarantee, as the first priority, human rights' protection and the rule of law. Switzerland is known for its long history of direct democracy and constitutional right to call for a referendum and has been an active member of the Council of Europe since 1963.

Only 10 days into the Swiss chairmanship, a referendum was held to ban the construction of new minarets in Switzerland. The voting result showed that 57 percent of eligible Swiss voters and 22 out of 26 cantons voted in favour of the ban. The proposal for the referendum had been initiated by the Swiss People's Party with the argument of stopping Islamisation of the country.

The referendum has been well reported by media and widely discussed in the Council of Europe member countries which have a common objective to try to find shared solutions to major problems in our societies.

The Council of Europe, standard-setter and guarantor of human rights in Europe, has reason for deep concern. My question is whether the Swiss ban is compatible with the European Convention on Human Rights and whether it violates the freedom of religion or prohibition of discrimination (Art. 9 and 14). Considering the long processing times required for the European Court's judgments, we might have to wait several years for a decision from the European Court concerning the Swiss ban. Does the Council of Europe have other instruments to consider the fairness of the Swiss referendum to ban minarets?

