

THE NETHERLANDS 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. The government consistently condemned societal anti-Semitism and anti-Muslim discrimination and prosecuted some public expressions of religious hatred. The government encouraged individuals to report religious discrimination.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Prominent societal leaders, however, took positive steps to promote religious freedom. Members of the Jewish community faced several instances of violence, as well as verbal abuse and Internet-based anti-Semitism. There were also incidents of intimidation, vandalism, and verbal abuse directed against the Muslim community.

The embassy reached out to minority religious groups, including Muslims and Jews, and to youth, academics, and women, highlighting the need for religious freedom, tolerance, and interfaith understanding.

Section I. Religious Demography

The population is 16.7 million, according to the 2012 yearbook of Statistics Netherlands (CBS). In a 2008 survey, 42 percent of the population declares no church affiliation, 29 percent self-identifies as Roman Catholic, 19 percent as Protestant, 5.7 percent as Muslim, and 2.3 percent as "other," including Hindu, Jewish, and Buddhist.

A 2009 CBS report estimates the number of Muslims to be 850,000 (5.2 percent of the population). Most Muslims live in urban areas and are of Turkish, Moroccan, or Surinamese background. The Muslim population also includes large numbers of asylum seekers from Iran, Iraq, Somalia, and Bosnia and Herzegovina.

According to the Jewish Social Work organization, there are approximately 45,000 Jews. The Stephen Roth Institute and the Council of Europe estimate the number to be closer to 30,000.

THE NETHERLANDS

According to the Scientific Council for Government Policy in 2008, there are between 100,000 and 215,000 Hindus, of whom approximately 85 percent are Surinamese and 10 percent Indian.

The Buddhist community has approximately 17,000 members, according to the Netherlands Institute for Social Research in 2007.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. The constitution permits the government to restrict the exercise of religious beliefs on specific grounds, such as concern for health hazards, traffic safety, or risk of public disorder.

It is a crime to engage in public speech that incites religious, racial, or ethnic hatred.

The law permits employees to refuse to work on Sundays for religious reasons; however, depending on the work's nature, such as health sector employment, employers may deny employees such an exception.

A number of official institutions review issues involving possible religious discrimination, including the Council of State and the Equal Opportunities Committee, both national level bodies. The Council of State provides advisory opinions on draft government legislation before submission to parliament. Rulings by the Equal Opportunities Committee are not binding, although they are often respected in practice. Antidiscrimination boards under the auspices of the Ministry of Internal Affairs work independently at the local level to address and channel discrimination disputes. They mediate disputes involving religious discrimination and recommend solutions, which may include going to court. The Equal Opportunities Committee and antidiscrimination boards also provide periodic advice to the government on issues involving religious discrimination.

The government provides funding to religious schools, other religious educational institutions, and healthcare facilities with a religious affiliation. To qualify for funding, institutions must meet strict nonreligious criteria for curriculum, minimum class size, and healthcare. The government mandates inclusion of the

THE NETHERLANDS

Holocaust in curricula, but allows schools to design their own approach to the subject.

Religious groups are not required to register with the government; however, the law recognizes the existence of religious groups and grants them certain rights and privileges, including tax exemptions. Under the tax law, institutions must be “of a philosophical or religious nature” to qualify for tax exemptions; the law defines no further criteria.

The government permits the Diyanet, Turkey’s religious affairs directorate, to appoint imams for most of the roughly 200 mosques the Turkish Muslim community uses.

The government subsidizes universities providing training for residents interested in becoming imams. Selected universities cooperate with the principal Muslim groups to design training programs aimed at providing a basic understanding of local social norms and values. The government requires all imams and other spiritual leaders recruited in Islamic countries to complete a year-long integration course before permitting them to practice.

The Netherlands is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research.

The government observes the following religious holidays as national holidays: Good Friday, Easter, Ascension Day, Pentecost, and Christmas.

Government Practices

There were no reports of abuses of religious freedom.

Disputes arose when the exercise of the rights to freedom of religion and speech clashed with the strictly enforced ban on discrimination.

The government prosecuted several cases involving public speech that incited religious, racial, or ethnic hatred. Convictions were rare, however, because courts were reluctant to restrict freedom of expression, especially in the context of public debate when politicians or journalists made statements that were found to “offend, shock, or disturb.” In May the manager of the Holland Hardcore Forum was convicted of publishing anti-Semitic and anti-Muslim texts, and for allowing the

THE NETHERLANDS

offending statements to remain on the forum's website. He was sentenced to 36 hours of community service.

The Equal Opportunities Committee, antidiscrimination boards, and the courts repeatedly addressed wearing headscarves in schools and places of employment, ruling on individual complaints and at times issuing opinions. The rulings generally reflected prevailing jurisprudence, which held that any restriction on wearing headscarves should be limited and based on security or other carefully delineated grounds. In practice, headscarves were permitted almost everywhere, including in schools.

The European Court of Human Rights (ECHR) ruled July 10 that the Protestant Political Reformed Party (SGP), which objected on religious grounds to women running for public office, must comply with the UN Convention on the Elimination of all Forms of Discrimination Against Women by ensuring that the SGP grant women the right to run for office. It rejected the SGP's argument that this would violate its religious beliefs and gave priority to "advancing the equality of the sexes." The government expressed the expectation that the SGP would change its statutes.

Secular political parties criticized what they perceived as the "privileges" of religious groups, such as the student selection policies of religious schools, the practice of religious slaughter, and the right of civil servants to refuse to marry same-sex couples for religious reasons. One member of parliament criticized laws that restricted Sunday shopping.

A number of right-wing politicians argued that Islam was incompatible with the country's traditions and social values. Geert Wilders, leader of the Party of Freedom, advocated an anti-Islam platform with a primary focus on countering "Islamization" of Dutch and Western society. Wilders was the most prominent of several politicians stating that Islam preached violence and hatred. In May Wilders published *Marked for Death*, a book calling for a war to protect Western civilization from a perceived Islamist threat.

Local governments maintained antidiscrimination units, which responded to reports of religious discrimination with support and advice, including providing information on registering and reporting complaints. Through newspaper advertisements, Internet outreach, and television public service announcements, the government encouraged victims to report religious discrimination. Local

THE NETHERLANDS

authorities also worked with synagogues and mosques to provide additional security if needed.

The Public Prosecutor's National Discrimination Expertise Center registered 169 new offenses in 2011, the most recent figures available. Of these, 37 percent were related to religion (32 percent against Jews, 5 percent against Muslims). In 2011, officials resolved 172 newly registered or previously registered offenses, brought 90 indictments, obtained 57 convictions, and settled 14 cases out of court.

Courts convicted several individuals of anti-Semitic speech. On January 12, a court convicted a man in Amsterdam for online statements and harassment through such phrases as "damn the Jews and kick them out of the country." He was convicted of "insult to a category of persons" and sentenced to community service.

In her Christmas address to the nation, Queen Beatrix stated that religion should reflect compassion, tolerance, care for the underprivileged and respect for creation. She stated that "religion can never be a justification for irresponsible behavior."

In its annual policy paper on countering all forms of discrimination, including anti-Semitism and discrimination against Muslims, the government summarized its efforts and initiatives, often carried out with partner organizations. These programs attempted to tackle discrimination more effectively, including through identification of best practices.

Local authorities continued to implement a Ministry of Internal Affairs national action plan aimed at combating discrimination, particularly anti-Semitism. Under the plan, local authorities such as police and school boards engaged Jewish and Muslim organizations to increase cooperation and improve the ability of communities to address potential problems. The government also continued to sponsor the Jewish Moroccan Network Amsterdam, which sought to reduce tensions between Jews and Muslims of Moroccan descent. The government reiterated the importance of Holocaust education.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. Jews and Muslims faced instances of abuse, although the experiences of the two communities differed. Because ethnicity and religion were often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance. The government

THE NETHERLANDS

repeatedly condemned any form of anti-Semitic or anti-Islamic activity, and worked with NGOs to combat such abuses.

The independent Center for Information and Documentation on Israel (CIDI) reported 113 anti-Semitic incidents in 2011, the most recent figure available. These included two incidents where stones were thrown through the windows of private homes, one incident in which three boys beat a boy wearing a yarmulke, and an additional violent incident. There were 61 non-violent incidents involving vandalism, desecration, verbal abuse, or telephone harassment, and 47 instances of offensive e-mails. Most perpetrators were native Dutch citizens. CIDI stated that writers of anti-Semitic e-mails often linked their current views about Jews to the Holocaust, which they tended to deny or minimize.

The government-sponsored independent Registration Center for Discrimination on the Internet (MDI) received 285 reports of anti-Semitism on predominantly Netherlands-based Web sites, of which it considered 177 in violation of the law, including 100 denials of the Holocaust. The MDI referred 18 complaints to prosecutors, who brought three court cases resulting in two convictions. Although the Web sites of right-wing extremists accounted for a substantial amount of the anti-Semitism expressed on the Internet, the MDI found that expressions of anti-Semitism continued to increase on mainstream Web sites. Anti-Semitic Web traffic was rarely reported in the news, although occasionally the press reported on prosecutions for offensive statements on the Internet.

Expressions of anti-Semitism occurred during soccer matches, particularly those played by the Amsterdam-based AJAX soccer team, whose first stadium was located near a pre-war Jewish enclave. By the 1970s, AJAX fans began to adopt Jewish and Israeli symbolism. Over the years, AJAX's adopted Jewish identity prompted fans of opposing teams to employ anti-Semitic taunts. Although the number of incidents diminished considerably in recent years with the adoption of team policy to discourage such displays, they sometimes occurred. For example, in January the CIDI publically criticized a trending topic hash tag saying "Jews have had it" ahead of a match with the Rotterdam Feyenoord team.

CIDI conducted programs to counter prejudice against Jews and others in schools, collaborating with Muslim and Jewish groups, the Center for Culture and Leisure, and the Rotterdam Anti-Discrimination Action Council, to set up the Intercultural Alliance Foundation. Initiatives included the Classroom of Difference program to train teachers in handling discrimination, and the peer training program to train participants to engage students in debates on tolerance. The Liberal Jewish

THE NETHERLANDS

Community of Amsterdam reached out to immigrant youth in the “Get to Know Your Neighbors” project aimed at overcoming prejudice.

Muslims faced societal resentment, attributable in part to perceptions that Islam was incompatible with Western values and that Muslim immigrants had not integrated into society. In May the school board in Lisse fired a teacher at a vocational high school after, among other things, he expressed on Twitter that Islam was not a religion, but "barbaric backwardness." Serious violence against Muslims was rare. However, minor incidents, including intimidation, brawls, vandalism, and graffiti with abusive language, were common. The police consistently investigated such incidents, but had difficulty identifying perpetrators. Speaking generally of such incidents, the Minister of Security and Justice stated that motivations included xenophobia, anti-social behavior, intoxication, or even conflicts over parking problems or building projects.

The Intercultural Alliance, which contained a range of Jewish and Muslim organizations, developed a program for use in schools highlighting religious belief and diversity.

Section IV. U.S. Government Policy

The U.S. embassy pursued public outreach to youth, academics, and women, highlighting the need for religious freedom, tolerance, and interfaith understanding. The embassy sponsored a conference for women on understanding and managing religious diversity. The embassy cooperated with other embassies on a film presentation, tree planting, and symposium focusing on religious tolerance to commemorate the centennial of the birth of Swedish diplomat and Holocaust rescuer Raoul Wallenberg. The events attracted press and ministerial-level participation. The embassy also showed a film to high school students about a talented young person lost in the Holocaust, which led to discussions about religious tolerance.