

# **THE NETHERLANDS 2013 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 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 leaders continued to promote religious freedom. Members of the Jewish community continued to experience 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 U.S. embassy reached out to a variety of interfaith groups to highlight the need for religious freedom, tolerance, and interfaith understanding.

## **Section I. Religious Demography**

The U.S. government estimates the population at 16.8 million (July 2013 estimate). In a 2011 survey of Statistics Netherlands (CBS), 45 percent of the population declared no church affiliation, 28 percent self-identified as Roman Catholic, 18 percent as Protestant, 5 percent as Muslim, and 4 percent as “other,” including Hindu, Jewish, and Buddhist.

A 2009 CBS report estimated 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 a 2008 report of the Scientific Council for Government Policy, 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 a report by 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 generally 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 Netherlands Institute for Human Rights (NIHR), both national-level bodies. The Council of State provides advisory opinions on draft government legislation before submission to parliament. Rulings by the NIHR are not binding, although in practice they are often respected. Antidiscrimination boards under the auspices of the Ministry of Internal Affairs work independently at the local level to mediate disputes involving religious discrimination and recommend solutions, which may include going to court. The NIHR 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 Holocaust in curricula, but allows schools to design their own approach to the subject.

## THE NETHERLANDS

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 government is a member of the International Holocaust Remembrance Alliance, formerly the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

### **Government Practices**

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.”

The NIHR, 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 NETHERLANDS

On February 26, the Hague Appellate Court convicted a man for failing to show identification at the request of a policeman because as an Orthodox Jew he only wore clothing and carried no items on the Sabbath for religious reasons. The Court did not regard the legal obligation to be able to show identification in public at odds with the right to freedom of religion.

In January the majority of secular parties voted to abolish the law on Sunday rest, which they viewed as anachronism. They had criticized this as one of 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.

Local governments continued to maintain antidiscrimination units, which responded to reports of religious discrimination with support and advice, as well as information on how to register and report complaints. The government used newspaper advertisements, internet outreach, and television public service announcements to encourage victims to report religious discrimination. Local authorities also worked with synagogues and mosques to provide additional security if needed.

The Public Prosecutor’s National Discrimination Expertise Center registered 114 new offenses in 2012. Of these, 35 percent were related to religion (28 percent against Jews, 7 percent against Muslims). In 2012, officials resolved 131 newly registered or previously registered offenses, brought 71 indictments, obtained 66 convictions, and settled 17 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.

On March 13, Deputy Prime Minister Asscher described as “shocking” and “reprehensible” statements by Turkish Dutch school boys in a television interview in which they approved of the Holocaust without reservation and stated they hated Jews. He called it “unacceptable when solidarity and strong identification of – often young – Muslims with Muslims elsewhere in the world result in public hostility toward other groups in Dutch society.”

## THE NETHERLANDS

On September 24, a man was convicted for assault and possessing t-shirts with texts and images offensive to the Jewish community, including a picture of a man aiming a gun at a person with a Jewish fedora and *payot* (sidecurls).

The government gave high priority to countering all forms of discrimination, including anti-Semitism and discrimination against Muslims. The government offered the general guidance that proper information should be provided, but left implementation to parents, schools, local authorities, neighborhoods and the communities themselves. It pursued a comprehensive plan of efforts and initiatives, often carried out with partner organizations. These programs attempted to tackle discrimination more effectively through identification of best practices. The government engaged the independent Center for Information and Documentation on Israel (CIDI), and Jewish and Muslim organizations on how best to counter anti-Semitism among youth.

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 their communities to address potential problems. Particular attention was given to combating prejudice and anti-Semitism among youth. 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. The government-sponsored Independent Registration Center for Discrimination on the Internet (MDI) started a “counter-speech” campaign on the internet to repudiate online anti-Semitic allegations and Holocaust denial.

The police continued to investigate anti-Muslim incidents, but had difficulty identifying perpetrators.

### **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 continued to condemn all forms of anti-Semitic and anti-Islamic activity, and continued to work with nongovernmental organizations to combat such abuses.

## THE NETHERLANDS

The CIDI reported 114 anti-Semitic incidents in 2012, the most recent figure available. These included six violent or threatening incidents, including an incident in which a Jewish boy was bullied and harassed by a fellow Muslim student. There were 29 nonviolent incidents involving vandalism, desecration, verbal abuse, or telephone harassment, and 44 instances of offensive e-mails. CIDI reported a significant increase of incidents in the categories of hate mail and soccer-related events, whose perpetrators were mostly native Dutch citizens. CIDI stated that writers of anti-Semitic emails often linked their current views about Jews to the Holocaust, which they tended to deny or minimize.

The MDI received 285 reports of anti-Semitism in 2012, the most recent statistics available, on predominantly Netherlands-based websites, of which it considered 177 in violation of the law, including 100 instances of Holocaust denial. These anti-Semitic complaints constituted the largest (26 percent) number of reports of internet hate. The MDI referred 18 complaints to prosecutors, who brought three court cases resulting in two convictions. Although the websites 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 websites. Anti-Semitic postings were rarely reported in the news, although occasionally the press reported on prosecutions for offensive statements on the internet.

CIDI also reported that during annual war commemorations, a number of Jewish interest groups protested against attempts to commemorate both victims and perpetrators simultaneously for the sake of reconciliation. These protests in turn triggered anti-Semitic hate mail, in which Jews were accused of being “spiteful” and “oversensitive.”

Expressions of anti-Semitism continued 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 had begun to adopt Jewish and Israeli symbolism. Over the years, AJAX’s adopted Jewish identity had prompted fans of opposing teams to employ anti-Semitic taunts. Although the number of incidents has diminished in recent years with the adoption of team policy to discourage such displays, they sometimes occurred.

CIDI conducted programs to counter prejudice against Jews and other minorities in schools, collaborating with Muslim and Jewish groups, the Center for Culture and Leisure, and the Rotterdam Anti-Discrimination Action Council, as founding board

## THE NETHERLANDS

members of the Intercultural Alliance Foundation. The Intercultural Alliance developed programs for use in schools highlighting religious belief and diversity. These 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. CIDI worked closely with the police and organized workshops to help policemen recognize anti-Semitism. The Liberal Jewish Community of Amsterdam continued to reach out to immigrant youth in the Get to Know Your Neighbors project aimed at overcoming prejudice. The program was nominated for a local youth prize during the year. In July approximately 150 teenagers from Arnhem visited Westerbork, a transit camp for Holocaust victims, in a project designed to combat recent expressions of anti-Semitism in the city's schools.

Muslims continued to face societal resentment, along with perceptions that Islam was incompatible with Western values and that Muslim immigrants had not integrated into society. Some populist politicians argued Islam was incompatible with the country's traditions and social values. Geert Wilders, leader of the Freedom Party, 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 Islam preached violence and hatred. "Islam biggest global problem," Wilders tweeted October 9, with a link to his web published article "The Spector of Islam is Haunting the Free World."

Few serious incidents of violence against Muslims took place. However, minor incidents, including intimidation, brawls, vandalism, and graffiti with abusive language, were common. The Ministry of Security and Justice assessed that motivations for such incidents included xenophobia, anti-social behavior, intoxication, or conflicts over parking problems or building projects.

In January, the Protestant Political Reformed Party (SGP), which had objected on religious grounds to women running for public office, changed its statutes to implement a 2012 ruling by the European Court of Human Rights that the SGP had to comply with the UN Convention on the Elimination of all Forms of Discrimination Against Women.

### Section IV. U.S. Government Policy

The U.S. embassy and consulate general pursued public outreach to youth, academics, and women, highlighting the need for religious freedom, tolerance, and interfaith understanding.

## THE NETHERLANDS

The charge d'affaires conducted interfaith outreach through meetings with SPIOR, (Rijnmond Foundation Platform for Islamic Organizations), an umbrella platform for 60 Muslim organizations in Rotterdam, as well as with CIDI. The Consul General in Amsterdam additionally engaged in outreach specifically to Muslim elementary schools. The Consulate General in Amsterdam hosted an interfaith Thanksgiving service that celebrated diversity and the common ground among religious groups. Representatives from the Jewish, Muslim, and Christian faiths read from their respective sacred texts at the event. The embassy and consulate general continued through their websites and social media to highlight the need for religious freedom, tolerance, and interfaith understanding.