

BELGIUM 2014 International Religious Freedom Report

Executive Summary

The constitution guarantees freedom of religion and the law prohibits discrimination based on religious orientation. Some government policies and practices, however, placed restrictions on the Muslim community. Police continued to enforce a federal ban on face covering in public. Muslim women and girls were banned from wearing headscarves in many schools and public sector jobs. Some city and town administrations continued to withhold approval or were slow to approve construction of new mosques and Islamic cultural centers. The government continued to provide financial support for officially recognized religions and other groups, including Catholicism, Protestantism, Islam, Judaism, and secular humanism. Unrecognized groups did not receive subsidies, but carried out activities freely and openly.

In May four people were fatally shot at the Brussels Jewish Museum, an act deplored by leading government officials who spoke out against anti-Semitism in Belgian society. There were reports of increased anti-Semitic incidents during the summer in the wake of the conflict in Gaza. There were also reports of discrimination against Muslims in the labor and housing markets.

U.S. embassy officers regularly met with government officials at the Ministries of Interior and Foreign Affairs, NGOs which monitor religious discrimination, and religious groups to raise awareness about religious freedom issues, particularly with respect to discrimination faced by Muslims in employment and housing and the recent increase of public expressions of anti-Semitism. Embassy officials remained in close contact with Muslim and Jewish community leaders to listen to their concerns regarding societal discrimination and increased challenges both groups are facing. The embassy held several roundtable discussions with religious community leaders to discuss ramifications for Muslims and Jews caused by the conflict in Gaza, and relayed expressed concerns to government officials.

Section I. Religious Demography

The U.S. government estimates the total population at 10.4 million (July 2014 estimate). The Belgian government does not collect or publish statistics on religious affiliation.

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A 2011 report (based on 2009 data) by the King Baudouin Foundation estimates the religious affiliation of the population to be 50 percent Roman Catholic, 32 percent without affiliation, 9 percent atheist, 5 percent Muslim, 2.5 percent other Christian, 0.4 percent Jewish, and 0.3 percent Buddhist. Other religious groups that together constitute less than 5 percent of the population include Hindus, Sikhs, Hare Krishnas, and Scientologists.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of worship (including its public practice) and freedom of expression. The law prohibits discrimination based on religious or philosophical (e.g., non-confessional) orientation.

Federal law prohibits public statements inciting religious hatred, including Holocaust denial. The maximum sentence for Holocaust denial is one year in prison.

The government provides financial support for certain officially recognized religious groups. The procedure to obtain official recognition, and the requirements to do so, are not legally defined. Recognized groups receive subsidies such as payment of clergy salaries, maintenance and equipment for facilities and places of worship, and tax exemptions.

The government officially recognizes Catholicism, Protestantism (including evangelicals and Pentecostals), Judaism, Anglicanism (separately from other Protestant groups), Islam, Orthodox (Greek and Russian) Christianity, and secular humanism. Unrecognized groups do not receive government subsidies, but may worship freely and openly. Some may qualify for tax-exempt status as nonprofit organizations.

A religious group seeking official recognition applies to the Ministry of Justice, which then recommends approval or rejection. In determining which religious groups to recognize officially, the government evaluates whether the group meets specific organizational and reporting requirements, and forwards the decision to parliament. The government applies criteria based on administrative precedents in deciding whether to recommend that parliament grant recognition to a religious group. The religious group must have a structure or hierarchy, a “sufficient

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number” of members, and a “long period” of existence in the country. It must offer “social value” to the public, abide by the laws of the state, and respect public order. The government does not formally define “sufficient number,” “long period of time,” or “social value.” Final approval is the sole responsibility of parliament; however, parliament generally accepts the ministry’s recommendation.

The law requires each officially recognized religion to have an official religious interface between the government and the religious community. For example, the Muslim Executive functions as the official interlocutor between public authorities and the Muslim community. The constitution requires the government to fund clergy salaries and pensions for recognized religious groups. All these groups receive government subsidies in varying amounts for infrastructure and renovation costs. Historically, Catholicism has been the largest religious denomination and therefore has received the most subsidies.

The Center for Equal Opportunity and Opposition to Racism (CEOOR) is an independent but publicly funded agency responsible for litigating discrimination cases, including those of a religious nature. During the year, the CEOOR was divided into two governing bodies. One is an interfederal institution combating all forms of discrimination, which means that the center is now responsible for both regional and federal discrimination cases.

The justice minister appoints a magistrate in each judicial district to monitor discrimination cases and facilitate prosecution of discrimination as a criminal act.

Religious or “moral” instruction is mandatory in public schools and is provided according to the student’s preference. The public education system requires neutrality in the presentation of religious views outside of religion classes. Religion teachers are permitted to express their views in religion classes. All public schools provide teachers for each of the seven recognized religious groups, as well as for secular humanism if a sufficient number of pupils wish to attend. Public school religion teachers are nominated by a committee from their religious group and appointed by the linguistic community government’s education minister. Private, authorized religious schools following the same curriculum as public schools are known as “free” schools. They receive government subsidies for operating expenses, including building maintenance and utilities. Teachers in these schools, like other civil servants, are paid by their respective linguistic community governments.

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Government Practices

The government imposed restrictions affecting members of minority religious groups and denying them full exercise of their religious beliefs, including a ban on Muslim women and girls wearing a headscarf in many schools and public sector jobs.

Individual public schools had the right to decide whether to impose a ban on religious attire or symbols such as headscarves. Many public schools had policies restricting headscarves. At least 90 percent of public schools sponsored by the francophone community continued to ban headscarves. Virtually all Flemish public schools continued to ban headscarves, and only four Brussels schools allowed the headscarf. Private employers were able to ban religious attire such as headscarves if they believed such attire would interfere with the performance of an employee's duties.

A group of students filed an injunction with the Supreme Court to overturn a ban on headscarves implemented by the council of the Flemish Community Education Network for the 2013-2014 school year. Many political parties favored at least a partial ban on headscarves that would prohibit women and girls from wearing a head covering until reaching a certain age or completing a certain level of education. Legal experts questioned this policy's compatibility with the constitution and the European Convention of Human Rights. The case was still pending at year's end.

Police continued to enforce a 2011 federal ban on covering one's face in public. In 2013, the last period for which statistics were available, police filed 16 reports on violations of the burqa ban law. Women who wore the full face veil in public faced a maximum fine of 137.50 euros (\$167).

A verdict was still outstanding at year's end in a case brought before the European Court of Human Rights in 2013 appealing a decision by the Constitutional Court of Belgium concluding the burqa ban did not violate religious freedom.

Muslim women working in the public sector continued to face restrictions on the wearing of headscarves in positions requiring interaction with the public.

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A Flemish government ban on temporary slaughterhouses set up for ritual slaughter was scheduled to begin in 2015. Only permanent, officially recognized slaughterhouses will be allowed to perform religious slaughter.

Some city and town administrations continued to withhold approval, or were slow to approve construction, of new mosques and Islamic cultural centers. A project in Charleroi continued to face administrative obstacles and public opposition. Lack of support by the regional government led organizers for a mosque in Namur to abandon the construction project. Construction of a mosque began in Liege, and mosque construction progressed in Malmedy.

In 2013, the latest year for which data is available, the Ministry of Justice obligated approximately 107 million euros (\$130 million) for clergy salaries and some subsidies for the different recognized religions. Despite the recognition of numerous religions and a decline in the number of self-identified Catholics to 50 percent of the population, Catholicism still received the largest proportion of government subsidies at 85 percent of the total available funding, followed by secular humanism (8 percent) and Protestantism (2.5 percent). Muslims made up 5 percent of the population, but received 2 percent of the funding. Non-Catholics and public financing experts continued to urge the government to disburse public funds in a manner more accurately reflecting the population distribution of religious groups.

The Hindu community's request for recognition with the Ministry of Justice remained pending.

The government provided subsidies to Buddhist groups, reportedly to facilitate the institutional capacity building needed for formal recognition as a "non-confessional philosophical community," continuing a practice begun in 2008. The government had not granted recognition to the Buddhists at year's end.

On April 3, before the annual Coordination Committee of the Jewish Organization of Belgium (CCOJB) dinner that included major politicians from across the political spectrum, Prime Minister Elio Di Rupo condemned anti-Semitism as unacceptable intolerance.

On August 1, Antwerp Mayor and New Flemish Alliance (N-VA) President Bart De Wever released a press statement condemning the increase of anti-Semitic incidents. Referencing the conflict in Gaza, De Wever asked everyone to make a

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distinction between the situation in the Middle East and Belgium, stating the Belgian Jewish community should not be blamed for events taking place elsewhere. Some members of the Jewish community were concerned that other government figures did not speak out against anti-Semitism during the conflict. In December, however, in his keynote speech at the European Union menorah-lighting ceremony, Foreign Minister Didier Reynders strongly condemned anti-Semitism in Belgium and across Europe.

On November 4, the prime minister, minister of foreign affairs, and minister of interior announced the imposition of a travel ban against Kuwaiti cleric Tareq al-Suwaidan. According to government officials, the travel ban was instituted in reaction to anti-Semitic statements al-Suwaidan made in July surrounding the conflict in Gaza. Al-Suwaidan had been scheduled to speak at the third annual Muslim Fair in Brussels, a four-day conference designed to celebrate cultural and commercial components of Muslim society in Belgium.

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

Section III. Status of Societal Respect for Religious Freedom

On May 24, an individual shot and killed four individuals at the Brussels Jewish Museum. Mehdi Nemmouche, a French-Algerian dual national, was arrested a few days later near Marseille as the key suspect in the shooting. He was extradited to Belgium July 30 and remained in prison awaiting trial. Prime Minister Di Rupo spoke out against the shooting, saying anti-Semitism had no place in Belgian society. Deputy Prime Minister and Minister of Foreign Affairs Didier Reynders and Minister of Interior Joelle Milquet, both of whom were in the vicinity of the museum at the time of the shooting, issued statements condemning the attack and offered condolences to the victims' families.

There were increased reports of anti-Semitic incidents, particularly following the start of the conflict in Gaza in July, as well as increases in anti-Muslim incidents. Because religion and ethnicity are often closely linked, it is difficult to categorize many incidents as being solely based on religious identity.

In 2013, the most recent year for which data were available, the CEOOR received 286 complaints of religious discrimination, which did not include anti-Semitism, representing an 8 percent increase compared to 2012. Ninety percent of the

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complaints concerned Muslims. Most involved hate speech on the internet, but many new cases concerned labor or education issues. Forty-seven percent of incidents were media-related, 22 percent labor-related, and 13 percent school-related.

Many incidents of discrimination against Muslims occurred in the workplace. Professional Muslim women wearing headscarves continued to be targets of discrimination.

In October an Antwerp N-VA alderwoman for animal well-being called on the Muslim community to stop ritual slaughter without stunning. She argued ritual slaughter without stunning was inhumane, and could not be justified by the Quran or Muslim traditions.

Anti-Semitic acts and threats recorded by the CEOOR increased from 85 in 2013 to 130 in 2014. In addition to the official reports made during the year, the Belgian Jewish community's fears of anti-Semitic attacks and sentiments also increased, according to the CEOOR. Anti-Semitic incidents included graffiti on Jewish community buildings and stoning a Jewish school bus.

On September 16, there was an arson attack on an apartment above a synagogue located in the Brussels suburb of Anderlecht. The attack remained under investigation; police were investigating it as a criminal act but had not conclusively labeled it as an anti-Semitic act despite the apartment's location above the synagogue. The attack was condemned by many government officials, including the minister of foreign affairs and the Francophone minister for equal opportunity. On September 14, stones were thrown at visitors to the Jewish Martyrs' Memorial, also located in Anderlecht.

Laurent Louis, former member of the Federal Parliament and radical member of the now disbanded political party *Debout les Belges* (Stand up, Belgians) called for a "European congress of dissent" to be held May 4. While the organizers kept the meeting location a secret to prevent authorities from preemptively banning the event, Louis promoted the guest speakers, among whom were French personalities known for their radical, discriminatory, and anti-Semitic positions: Alain Soral, Herve Reyssen, Kemir Seba, and Dieudonne. The Director of the Belgian League Against Anti-Semitism warned all local mayors around Brussels about the meeting, saying it would be anti-Semitic. When Louis announced on May 3 the meeting would take place in Anderlecht, the local mayor forbade it. Approximately 400

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supporters and participants gathered at the meeting point May 4, and Louis filed an injunction at the Council of State asking the event be allowed to take place based on freedom of expression laws. Police used water cannons to attempt to break up the crowd. The Council of State ruled the Anderlecht mayor had rightfully forbidden the meeting, highlighting first that freedom of expression is not absolute and must, in its turn, respect the freedom of third parties. The council also cited security reasons for prohibiting the event, as well as the high risk of counter-demonstrations. The CCOJB called the ruling a victory for democracy and a key precedent for future events of a similar nature.

After the start of the Gaza conflict on July 8, numerous pro-Palestinian demonstrations and marches took place, primarily in Brussels and Antwerp. There were reports of anti-Semitic statements and actions at the demonstrations and elsewhere, for example, refusals by shop and restaurant owners to serve Jews. Police interventions focused on minor incidents committed by small radical groups. The vast majority of arrests were made on an administrative basis (arresting individuals, recording personal information, and later releasing them with no further action taken). Police investigated all allegations of anti-Semitism, but no cases went to trial.

In July an Antwerp-based doctor refused to treat a Jewish woman, reportedly suggesting she travel to Gaza for medical care instead. According to press reports, the local alderman called the doctor, who confirmed he had made those statements to the woman. The woman's family filed a complaint against the doctor with the federal Ministry of Health, and the local board of doctors also looked into the complaint. No action was taken regarding the violation of the anti-discrimination law.

In August an elected official of the Flemish Christian Democratic party posted an anti-Semitic comment on a social media site. He apologized a few hours later, saying he realized his position was not representative of the cooperation and interfaith efforts of different communities. A few days later, his political party rescinded his membership.

Section IV. U.S. Government Policy

In discussions with government officials at the Ministries of Interior and Foreign Affairs, U.S. embassy representatives frequently discussed the discrimination faced by Muslims in employment and housing and the recent increase of anti-Semitic

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sentiments. The embassy engaged Catholic, Muslim, and Jewish communities to promote interreligious understanding and foster religious freedom. Embassy officials met regularly with NGOs who monitor religious freedom to address discrimination issues. Primary issues of concern involved high unemployment rates for Muslim youth, the continued ban on headscarves in schools and public sector employment, and increased anti-Semitic incidents and sentiments in light of the conflict in Gaza. Embassy officials routinely met with religious community leaders to listen to their concerns regarding the latest wave of anti-Muslim and anti-Semitic discrimination, and relayed these sentiments to high-level government officials. The Embassy also hosted several roundtables with Muslim and Jewish community leaders to discuss current trends and brainstorm opportunities for future interfaith engagement. The Ambassador hosted an iftar during Ramadan and a menorah-lighting ceremony for Hanukkah to show support for Muslim and Jewish communities. Embassy officials attended events commemorating the 40th anniversary of the official recognition of Islam in Belgium.

The embassy sponsored the visits of several U.S. academic and legal experts as well as religious figures to engage in interfaith dialogue, explain U.S. perspectives on religious freedom, and build bridges between religious communities to combat intolerance. In September the Special Envoy to Monitor and Combat Anti-Semitism participated in embassy-organized roundtables with Belgian and European Union Jewish leaders, as well as meetings with government officials and the CEOOR to discuss the recent increase in anti-Semitism.