

# **BELGIUM 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution guarantees freedom of religion, and the law prohibits discrimination based on religious orientation. Federal law bans covering one's face 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, Anglicanism, other Protestantism, Orthodox Christianity, Islam, Judaism, and secular humanism. Unrecognized groups do not receive subsidies, but carry out activities freely and openly. Islam received significantly less state funding per practicing believer than Catholicism. Senior government officials made strong public statements against anti-Semitism.

There were anti-Muslim and anti-Semitic incidents, including assaults, harassment, and graffiti on public buildings. Online hate speech against both groups increased. Some employers continued to discriminate against Muslim women. According to members of national and European Jewish organizations, the 2014 conflict in Gaza had a lasting, aggravating effect on anti-Semitic attitudes, especially in public schools. Many Jewish families placed their children in Jewish schools out of concern for anti-Semitism in public schools.

U.S. embassy officers regularly met with government officials at the Ministries of Interior and Foreign Affairs, nongovernment organizations (NGOs), which monitored religious discrimination, and religious groups to raise awareness of challenges to religious freedom, particularly with respect to discrimination faced by Muslims and Jews. Embassy officials remained in close contact with Muslim and Jewish community leaders in order to monitor challenges to the free exercise of their faiths.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 11.3 million (July 2015 estimate).

The government does not collect or publish statistics on religious affiliation. A 2011 report (based on 2009 data) by the King Baudouin Foundation estimates the

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religious affiliation of the population to be 50 percent Roman Catholic, 32 percent without affiliation, 9 percent atheist, 5 percent Muslim, 2.5 percent non-Catholic Christian, 0.4 percent Jewish, and 0.3 percent Buddhist. The Muslim population is highest in Antwerp and Brussels, where some studies estimate it at more than 25 percent of the respective metropolitan areas. According to the report, other religious groups that together constitute less than 5 percent of the population include Hindus, Sikhs, the International Society of Krishna Consciousness (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, provided no crime is committed in the exercise of these freedoms. It stipulates that no individual may be barred from religious ceremonies or from observing religious days of rest and bars the state from interfering in the appointment of religious clergy or blocking the publication of religious documents. The constitution requires that teaching in public schools be neutral with respect to religious belief. . It obligates the state to pay the salaries and pensions of religious clergy. The law prohibits discrimination based on religious or philosophical (e.g., nonconfessional) 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 officially recognizes Catholicism, Protestantism (including evangelicals and Pentecostals), Judaism, Anglicanism (separately from other Protestant groups), Islam, Orthodox (Greek and Russian) Christianity, and secular humanism. Denominations or divisions within the recognized religious groups (Shia Islam, Reform Judaism, or Lutheranism, for example) do not receive distinct support or recognition. Some may qualify for tax-exempt status as nonprofit organizations. Unrecognized groups outside of these recognized religions do not receive government subsidies but may worship freely and openly.

The procedure to obtain official recognition, and the requirements to do so, are not legally defined. A religious group seeking official recognition applies to the Ministry of Justice, which then recommends approval or rejection. The

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government evaluates whether the group meets organizational and reporting requirements and applies criteria based on administrative and legislative 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 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 interface between the government and that religious community. For example, the Muslim Executive functions as the official interlocutor between public authorities and the Muslim community.

The federal government provides financial support for officially recognized religious groups. The subsidies for recognized groups include payment of clergy salaries, maintenance and equipment for facilities and places of worship, and tax exemptions.

Recognized groups also receive subsidies from the linguistic communities and municipalities for the upkeep of religious buildings (e.g. churches, mosques, synagogues).

There is a federal ban on covering one’s face in public. Women who wear the full face veil in public face a maximum fine of 137.50 euros (\$150).

Following an EU directive and a ruling from the Council of State in June, the Wallonia and Flanders regional governments, which have jurisdiction over animal welfare, banned animal slaughter without prior stunning in temporary slaughtering facilities. Certified permanent slaughterhouses could continue to slaughter animals without prior stunning in accordance with kosher and halal practices. In the past, permanent slaughterhouses did not have the capacity to accommodate the demand for halal slaughter during the Eid al-Adha holiday. The Brussels region still permits authorized nonstunned ritual sacrifice in temporary slaughterhouses.

All public schools provide teachers for mandatory religious or “moral” instruction for each of the recognized religious groups, as well as for secular humanism, according to the student’s preference. The public education system requires

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neutrality in the presentation of religious views outside of religion classes. Teachers of religion are permitted to express their religious beliefs and wear religious attire, even if school policy otherwise forbids such attire. 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.

The Interfederal Center for Equal Opportunity (ICEO) is an independent but publicly funded agency responsible for litigating discrimination cases, including those of a religious nature.

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

### Government Practices

In October the government initiated a trial after a 15-year investigation in which it charged the Church of Scientology with illegal practice of medicine, fraud, organized criminal activity, and violation of privacy laws. The trial concluded on December 11, with a verdict expected in 2016.

Although it did not grant Buddhism recognition, the government continued to provide subsidies to Buddhist groups, reportedly to facilitate building the institutional capacity required for formal recognition as a "non-confessional philosophical community."

The Hindu community's request for recognition with the Ministry of Justice (MoJ) remained pending. According to a member of the executive board of the Hindu Forum, the nonprofit organization that submitted the request on behalf of the Hindu community, the forum met every several months with the MoJ to plan the administrative details of Hinduism's eventual recognition. The board member said it had recently submitted a budget to the MoJ that should permit it to receive prerecognition capacity-building funding of the sort that Buddhism had received. An academic report stated the Hindus' initial request did not specify whether they

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sought recognition as a religion or as a nonconfessional philosophical community. The forum later specified it sought recognition as a religion.

The government imposed or permitted restrictions affecting members of minority religious groups, including a ban on Muslim women and girls wearing headscarves in many schools and public sector jobs requiring interaction with the public.

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 public 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. Employers also could justify such restrictions based on a written company policy of "religious neutrality."

The Council of State, ruling in response to an injunction brought by a group of students in 2014, overturned a ban on headscarves by the council of the Flemish Community Education Network for the 2013-2014 school year. Despite the ruling, schools in the network continued to prohibit women and girls from wearing a head covering until reaching a certain age or completing a certain level of education. On October 15, the Council of State overruled a ban in the bylaws of the Royal Athenaeum School of Saint Trond on students wearing headscarves. The decision said there is no reason to "sabotage religious liberty" in school.

On May 30, a school in Brussels barred Muslim female students from entering because their long skirts allegedly constituted an "ostentatious" display of religious affiliation. The girls protested and remained outside the school. The police asked the girls to leave. The school principal attributed the ban to the deputy mayor of Brussels.

In September Antwerp banned the wearing of full-body swimsuits with head coverings (known as "burkinis") in public swimming pools, citing "hygienic concerns." Responding to an official complaint sponsored by the ICEO that the rule discriminated against Muslims and lacked scientific evidence, the Antwerp city council member responsible for diversity said, "Hygienic or not, I simply do not want burkinis in our swimming pools."

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Some city and town administrations continued to withhold approval, or were slow to approve, construction of new mosques and Islamic cultural centers. The city council of Fleron rejected a proposal for the construction of a mosque amid a local series of anti-Muslim incidents including verbal harassment and vandalism.

The Ministry of Justice allocated approximately 100 million euros (\$109 million) for clergy salaries and other financial support for recognized religious groups. Catholicism, the largest denomination in terms of number of clergy, recognized places of worship, and adherents, received the most financial support from the various levels of government. Furthermore, municipalities dedicated more money to the maintenance of local Catholic Church buildings – often for cultural or historical reasons – than to the construction or maintenance of other places of worship. Catholicism received 85 percent of the total available funding for religious groups, followed by secular humanism (8 percent) and Protestantism (2.5 percent). Muslims received 2 percent of the funding. Some Muslim observers stated the distribution of government subsidies did not account for the actual number of practicing believers and, therefore, the actual level of services required for imams and mosques.

In November the Flemish regional government announced it would officially recognize approximately 50 already existing mosques, paving the way for them to receive federal subsidies. Until this action, only 28 mosques had official recognition in Flanders.

In January during a commemoration at the Great Synagogue of Brussels of the 70th anniversary of the liberation of the Nazi death camps, Prime Minister Charles Michel stated that “Shoah has no equivalent in history. It is [sic] an industrial, planned, methodic murder, against the very nature of mankind, that meant to deny part of humanity to be part of it. It was 70 years ago. It was yesterday. I wish to reaffirm here the condemnation of this ever unforgivable crime. I’m also here to express the solidarity of the government to your community, again hit by anti-Semitic hatred ...” Michel added, “A [2013] survey within the EU shows that in Belgium, 40 percent of the Jews consider leaving the country. The fight against anti-Semitism is a failure. I refuse you feeling forced to make that choice. No Belgian can be forced to leave the country. Belgium without Jews would no longer be Belgium. Europe without Jews would no longer be Europe...[W]e must fight anti-Semitism more robustly...When an anti-Semitic act is perpetrated in Belgium, the Belgian society as a whole is under attack.”

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Other senior politicians made several statements condemning anti-Semitism and committing to protect the Jewish community. Antwerp Mayor Bart De Wever denounced Belgian collaboration during WWII, and Prime Minister Michel vowed to commit additional government funds to ensure the security of the Belgian Jewish community. The prime minister also said, “Anti-Semitism is unacceptable. I want a zero tolerance policy on it.” The mayor of Brussels, Yvan Mayeur, condemned the killings of four people at the Jewish Museum in 2014 and said, “Brussels is Jewish because all Jews have their place in Brussels.”

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

### **Section III. Status of Societal Respect for Religious Freedom**

There were increases in anti-Muslim incidents and continued reports of anti-Semitic incidents. According to members of national and European Jewish organizations, the 2014 conflict in Gaza had a lasting, aggravating effect on anti-Semitic attitudes, especially in public schools, which continued into 2015. Because religion and ethnicity are often closely linked, it is difficult to categorize many incidents as being solely based on religious identity.

In 2014, the most recent year for which data were available, the ICEO received 297 complaints of religious discrimination, which did not include anti-Semitic incidents, compared with 286 such complaints in 2013. Ninety percent of the religious discrimination complaints concerned Muslims, a majority of them women. Among these, 55 were identified as criminal offenses or inciting racial hatred, in breach of relevant legislation, the ICEO reported in March. Most involved hate speech on the internet, but many new cases concerned labor or education issues. Forty-three percent of incidents were media-related, 23 percent labor-related, and 10 percent school-related. The ICEO noted that controversy over a proposed mosque in Fleron and the arrival of thousands of Muslim migrants during the year also resulted in increased hate speech. The Collective Against Islamophobia in Belgium, an NGO, observed a dramatic increase in reported anti-Muslim incidents over the previous four years.

Anti-Semitic acts and threats recorded by the ICEO amounted to 130 in 2014, a 50 percent increase compared to 2013. In addition to the official reports made during the year, the Jewish community’s fears of anti-Semitic attacks and sentiments also increased, according to the ICEO. Jewish leaders also reported an increase in anti-

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Semitic incidents and growing concerns in their community. Anti-Semitic incidents included assaults, harassment, graffiti on public buildings and comments on websites and internet forums. According to academic and other observers and press reporting, some elements of the Muslim community were responsible for most anti-Semitic activity. A 2015 study by the Anti-Defamation League stated that anti-Semitic attitudes were more than three times more prevalent among Muslims in the country than among the general population.

On February 9, two men physically assaulted a young Jewish man who was wearing a yarmulke.

In October two women attacked a Muslim woman in Verviers. They reportedly ripped off her veil and verbally abused her for being Muslim.

In June two mosques and the Regional Center for Integration in Verviers received suspicious letters containing a white substance. A suspect was charged but then released; the prosecutor's office stated it was an act by an unknown person.

In June a school suspended a Brussels history teacher after he posted statements on his Facebook page describing Islam as the religion of "illiterate" and "backward" countries.

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

Flemish news sources reported incidents of hate speech and anti-Muslim graffiti grew with the increase in Muslim migrants seeking asylum.

In January Joel Rubinfeld, President of the Belgian League Against Anti-Semitism, said Jewish parents were removing their children from schools because of harassment, and the country's public schools were becoming "Jew-free" zones.

On January 22, a high school teacher directed anti-Semitic comments toward a Jewish student during a lesson on the liberation of Auschwitz.

In July the Union of European Football Associations summoned the owners of the Charleroi soccer team because its fans taunted Beitar Jerusalem fans with Nazi salutes and anti-Semitic chants at a game.

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A Jewish family in a Brussels suburb received an anonymous letter with a swastika calling them “dirty Jews” in May. In another incident, a spokesperson for the Jewish Museum reported to the police that she received a message on her Facebook page telling her to stop speaking for the Jews as it could be dangerous for her.

On August 25, a college professor wrote an op-ed in *Le Soir* blaming “Jewish neoconservatives” for organizing internal conflict in the Middle East in order to protect Israel. He blamed this “Jewish conspiracy” for the current refugee crisis in Europe.

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

U.S. embassy representatives and official visitors frequently discussed anti-Muslim and anti-Semitic discrimination with government officials, including the prime minister’s office, the foreign and interior ministries, and city mayors. The Special Envoy to Monitor and Combat Anti-Semitism met with officials in the Brussels region and federal government in January to discuss anti-Semitism.

The embassy engaged leaders and activists within the Catholic, Muslim, and Jewish communities to promote interreligious understanding and foster religious freedom. Embassy officials met regularly with NGOs which monitor religious freedom to better understand trends and incidents of discrimination. Embassy officials routinely met with religious community leaders to listen to their concerns regarding anti-Muslim and anti-Semitic discrimination, and relayed these sentiments to government officials. When the Flemish government banned halal slaughter in temporary slaughter facilities before Eid al-Adha, embassy officials met with representatives of the Muslim and Jewish communities to convey U.S. government support for their free religious expression and to understand their specific concerns and reactions. Embassy representatives met with legal counsel to the Church of Scientology during the fall trial of the Church.

The embassy hosted several roundtables with Muslim and Jewish community leaders to discuss current trends and brainstorm opportunities for future interfaith engagement. For example, during an embassy-sponsored conference on women leaders in peace and development, the embassy organized an interfaith roundtable to highlight the importance of mutual religious respect. The Ambassador hosted an iftar during Ramadan and a menorah-lighting ceremony for Hanukkah to show

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U.S. support for Muslim and Jewish communities and the public expression of their faith traditions.

The embassy sponsored the visits of 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. The Special Envoy to Monitor and Combat Anti-Semitism met with Belgian Jewish community leaders in Brussels in January to discuss rising anti-Semitism in Europe.