

# **BELGIUM 2018 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. Jewish and Muslim groups launched legal challenges against laws, scheduled to take effect in 2019 in Wallonia and Flanders, banning the slaughter of animals without prior stunning. The government maintained its policy of attempting to curb what it described as radical Islam. The federal government terminated Saudi Arabia's lease on the Great Mosque in Brussels. The Brussels regional government recognized two mosques in July, increasing the number of recognized mosques in the country to 85. Most public schools continued to ban headscarves, and the government maintained its ban on wearing religious symbols in public-sector jobs.

There were reports of incidents of religiously motivated violence, threats, harassment, discrimination, and hate speech against Jews and Muslims. The Center for Equal Opportunities, Unia, preliminarily reported 101 anti-Semitic incidents (56 in 2017), and 319 incidents in 2017 (390 in 2016) against other religious groups, primarily Muslims.

U.S. embassy officials continued to meet regularly with senior government officials in the Office of the Prime Minister and at the Ministries of Interior and Foreign Affairs to discuss anti-Muslim and anti-Semitic incidents and discrimination. Embassy officials met with nongovernmental organizations (NGOs) and religious leaders to address anti-Muslim and anti-Semitic incidents and sentiment, and to promote religious tolerance. The embassy sponsored the visit of a U.S.-based imam to discuss interfaith tolerance and cooperation in meetings with religious groups, civil society, and police. It also sponsored visits of two young Muslim leaders to the United States on programs that included a focus on religious pluralism and tolerance. Through small grants, the embassy supported programs that promoted interfaith dialogue and tolerance and raised awareness of religious minorities.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 11.5 million (July 2018 estimate). 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, 33 percent without affiliation (a figure that includes secular humanists), 9 percent atheist, 5 percent Muslim, 2.5 percent non-Catholic Christian, and 0.4 percent Jewish. According to the report, other religious groups that together constitute less than 5 percent of the population include Buddhists, Hindus, Sikhs, the International Society of Krishna Consciousness, Scientologists, and The Church of Jesus Christ of Latter-day Saints. A 2015 study by the Catholic University of Louvain updates the estimate of the Muslim portion of the population to approximately 7 percent, with no significant changes for other affiliations. The Muslim population is highest in Antwerp and Brussels, where some studies estimate it at more than 25 percent of the respective metropolitan areas.

## **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 states no individual may be required to participate in any religious group's acts or ceremonies or to observe the group's religious days of rest and bars the state from interfering in the appointment of religious clergy or blocking the publication of religious documents. It obligates the state to pay the salaries and pensions of religious clergy (according to law, to qualify these clergy must work in recognized houses of worship and be certified by those religious groups), as well as those of representatives of organizations recognized by the law as providing moral assistance based on a nonconfessional philosophy.

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.

The requirements to obtain official recognition are not legally defined. The legal basis for official recognition is the constitution and other laws and interpretations, some of which predate the constitution itself. A religious group seeking official recognition applies to the Ministry of Justice, which then recommends approval or

rejection. The 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 the federal parliament; however, parliament generally accepts the ministry’s recommendation.

The law requires each officially recognized religion to have an official interlocutor, such as an office composed of one or more representatives of the religion plus administrative staff, to support the government in its constitutional duty of providing the material conditions for the free exercise of religion. The functions performed by the interlocutor include certification of clergy and teachers of the religion, assistance in the development of religious curriculum, and oversight of the management of houses of worship.

The federal government provides financial support for officially recognized religious groups. The subsidies for recognized groups include payment of clergy salaries and for maintenance and equipment for facilities and places of worship, as well as tax exemptions. Denominations or divisions within the recognized religious groups (Shia Islam, Reform Judaism, or Lutheranism, for example) do not receive support or recognition separate from their parent religious group. Parent religious groups distribute subsidies according to their statutes, which may also include salaries to ministers and public funding for renovation or facility maintenance. Unrecognized groups outside of these recognized religions do not receive government subsidies but may worship freely and openly.

There are procedures for individual houses of worship of recognized religious groups to obtain recognition and state subsidies. To do so, a house of worship must meet requirements set by the region in which it is located and by the federal Ministry of Justice. These requirements include transparency and legality of accounting practices, renunciation of foreign sources of income for ministers of religion working in the facility, compliance with building and fire safety codes, certification of the minister of religion by the relevant interlocutor body, and a security check. Recognized houses of worship also receive subsidies from the linguistic communities and municipalities for the upkeep of religious buildings. Houses of worship or other religious groups that are unable or choose not to meet

these requirements may organize as nonprofit associations and benefit from lower taxes but not government subsidies. Houses of worship in this situation (i.e., not completing the recognition process) may still be affiliated with an officially recognized religious group.

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 (\$160).

The constitution requires teaching in public schools to be neutral with respect to religious belief. All public schools outside of Flanders offer mandatory religious or "moral" instruction (which is oriented towards citizenship and moral values); parents in schools in Flanders may have their children opt out of such courses. Francophone schools offer "philosophy and citizenship" courses alongside courses on the recognized religions, based on a constitutional court ruling.

Schools provide teachers, clerical or secular, for each of the recognized religious groups, as well as for secular humanism, according to the student's preference. The public education system requires 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, known as "free" schools, follow the same curriculum as public schools but may place greater emphasis on specific religious classes. Teachers at these religious schools are civil servants, and their salaries, as well as subsidies for the schools' operating expenses, are paid for by the respective linguistic community, municipality, or province.

Unia is a publicly funded but independent agency responsible for reviewing discrimination complaints, including those of a religious nature, and attempting to resolve them by such means as mediation or arbitration. The agency lacks legal powers to enforce resolution of cases.

The justice minister appoints a magistrate in each judicial district to monitor discrimination cases and oversee their prosecution, including those involving religion, as a criminal act.

Bans on the slaughter of animals without prior stunning enacted by the Walloon and Flanders regional governments in 2017 are scheduled to take effect in 2019,

ending the long-standing authorization certified permanent slaughterhouses in those regions have had to slaughter animals without prior stunning.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

The government maintained its efforts, initiated after 2016 terrorist attacks, to curb what it termed radical Islam in the country's mosques and highlighted Salafism in particular as a possible driver of violent extremism. The federal and regional governments stated they remained committed to their previously announced plans to encourage mosques to seek official recognition as a means of increasing government oversight. According to government officials, including Minister of Justice Koen Geens and Brussels Minister-President Rudy Vervoort, government funding for imams and infrastructure at officially recognized mosques would reduce the mosques' reliance on foreign sources of funding, such as those from Saudi Arabia, and afford the government greater oversight of how those mosques vetted imams.

Although the federal government recommended several mosques for recognition by the regional governments, the number of recognized mosques increased by only two, to 85, during the year. Some observers, such as a sociologist at the Free University of Brussels, stated a number of mosques opted not to seek official recognition because they received sufficient foreign funding and preferred to do without government oversight.

Long-standing applications for government recognition by Buddhists and Hindus remained pending. Buddhists filed their request for recognition in 2008, and Hindus in 2013. There were no other pending recognition requests by religious groups. Despite the lack of recognition, Buddhists received federal government subsidies of approximately 200,000 euros (\$229,000). Hindus did not receive any government subsidies.

In accordance with recommendations in a 2017 report by a parliamentary commission investigating terrorist attacks, the federal government announced in March it would terminate Saudi Arabia's lease on the Great Mosque in Brussels, effective March 31, 2019. Saudi Arabia had signed a 99-year lease for the building in 1969. The government called for the creation of a new, pan-Islamic institution to manage the mosque and said the Muslim Executive, the Muslim community's official interlocutor with the government, would be responsible for creating the

institution and ensuring it began managing the mosque by the lease termination date. The government said it terminated the lease because the Great Mosque was spreading Wahhabi Salafism, which the government stated played a role in spreading violent radicalism. According to media reports, in September the Council of State, the country's highest administrative court, denied an appeal by Saudi Arabia against the lease termination, ruling that the council lacked jurisdiction in the case.

The government maintained its ban on wearing religious symbols in public sector jobs requiring interaction with the public.

On September 18, the European Court of Human Rights ruled the government had violated the EU Convention on Human Rights by excluding a Muslim woman from a courtroom in 2017 for refusing to remove her headscarf. The court ordered the government to pay the woman 1,000 euros (\$1,100).

Most public schools continued to ban headscarves, in accordance with government policy allowing individual schools to decide whether to impose such bans. According to media reports, at least 90 percent of Francophone community public schools and virtually all Flemish public schools maintained such bans.

According to Muslim groups, city and town administrations continued to withhold or delay approval for the construction of new mosques and Islamic cultural centers. In Court-Saint-Etienne in May, city authorities granted an application for the construction of a new mosque after denying it four times during the previous several years. Mosque construction projects in La Louviere, Kortrijk, and Ghent still faced legal obstacles and/or opposition from public authorities or neighbors.

The Jewish and Muslim communities remained opposed to the decisions by the Flanders and Walloon governments to ban slaughter without prior stunning. As in the previous year and unlike in years prior to 2017, the Brussels regional government did not authorize any temporary slaughterhouse to carry out slaughter without prior stunning during Islamic holidays.

Appeals against the Flemish and Walloon laws banning animal slaughter without stunning remained pending at the Constitutional Court at year's end. Members of the Muslim Executive, the Coordination Committee of Jewish Organizations of Belgium (CCOJB), representing Jewish groups in the country, together with the Belgian section of the European Jewish Congress and the World Jewish Congress, Muslim and Jewish NGOs, and Muslim and Jewish individuals, with the assistance

of the U.S.-based NGO Lawfare Project, jointly appealed to the Supreme Court against the Flemish ban in a letter dated January 16. The Jewish Consistoire (the Jewish community's official interlocutor with the government), the Francophone branch of the CCOJB, Jewish NGOs, and Jewish individuals appealed to the Constitutional Court against the Walloon ban in a letter dated November 28, 2017. The Muslim Executive, Muslim NGOs, and Muslim individuals also appealed to the Supreme Court against the Walloon ban in a November 30, 2017 letter. At year's end there were four appeals against the Walloon ban and five against the Flemish ban, all pending before the Constitutional Court.

In May the European Court of Justice upheld the existing Flanders law restricting the nonstun, ritual slaughter of animals by the Jewish and Muslim communities to licensed butchers. Muslims had originally challenged the law, which prohibited temporary slaughter arrangements at times of peak demand, for example, during Islamic holidays such as Eid al-Adha, in Belgian courts in 2016.

The Ministry of Justice increased its annual allocation for clergy salaries and other financial support for recognized religious groups by four million euros to 111 million euros (\$4.59 million to \$127.29 million). Catholic groups once again received approximately 85 percent of the total available funding for religious groups, followed by secular humanists (8 percent) and Protestant groups (2.5 percent). Muslims again received approximately 2.3 percent of the funding, and Jews approximately 0.9 percent. According to the report for 2017 issued in June by the Observatory of Religions and Secularism at the Free University of Brussels, the Muslim community, contrary to other recognized religious groups, received a smaller percentage of the government's allocation than its share of the population, and its representative body faced budget difficulties.

According to a March report by Israeli online news site *Ynet News*, a parent in Bruges reported to the Jerusalem-based NGO International Legal Forum that a geography textbook approved by the education ministry and used throughout the country included an anti-Semitic cartoon. The cartoon stated that, according to Amnesty International, Israel denied Palestinians adequate access to water. It depicted an overweight Jew with payot (sidelocks) asleep in a bathtub overflowing with water juxtaposed with an old Palestinian woman unable to fill an empty water bucket. International Legal Forum Director Ylfa Segal wrote to the education ministry, stating, "It could scarcely be believed that in 2018 Belgian caricatures exist that scream anti-Semitism so bluntly... we demand the caricature be summarily expunged." *Ynet News* reported that in May Flemish Education Minister Julia Crevits wrote to Segal, announcing the cartoon would be removed

from the next edition of the book. The news site quoted Segal as stating, “We welcome the education minister’s understanding of the gravity of the matter and her action to expunge it.”

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

There were reports of violence, threats, harassment, discrimination, and hate speech against Muslims and Jews during the year. Except for anti-Semitic incidents, which it defined as incidents against Jewish persons rather than against the practice of the Jewish religion and tracked separately, Unia reported 319 complaints of religious discrimination or harassment in 2017, the most recent year for which data were available, compared with 390 complaints in 2016.

Approximately 85 percent of incidents targeted Muslims. There were 10 incidents against Christians, five against Jewish religious practice, and three against nonbelievers. According to Unia, 39.5 percent of the complaints in 2017 involved speech in media or on the internet (half of these media/internet complaints involved Facebook), 26 percent concerned discrimination in the workplace, and 11 percent occurred in the education sector (where a plurality of incidents involved restrictions or prohibitions on wearing of the hijab). Unia also preliminarily reported 101 anti-Semitic incidents in 2018, one of the highest totals in recent years, and 80 percent more than the 56 incidents reported in 2017. The report did not cite details of any of the incidents. Jewish groups reported anti-Semitic statements and attitudes in the media and in schools during the year, including ones related to the Holocaust.

On July 3, two persons assaulted a Muslim woman in Anderlues, pulling off her headscarf and some clothes, including her bra, calling her a “dirty Arab,” knocking her to the ground, and then cutting her body, forming the shape of a cross. Police said they were investigating and did not disclose information on the victim’s condition.

In December according to press reports, a man in Anderlecht punched a Muslim woman wearing a hijab on the street. The footage was shared on the internet, and the woman called on the authorities to find her attacker. The Muslim Executive condemned the attack as “Islamophobic.”

In October a man in Marchienne-au-Pont threatened a Jewish couple and their son in front of their home with a gun, saying he would shoot the woman in the head. The man had reportedly threatened the woman the week prior before the incident.

Following the second incident, an unidentified person fired a shot from a vehicle in front of the Jewish couple's home.

In July the same woman stated that she and her family had become the target of harassment after neighbors discovered the family was Jewish. The woman said death threats had been stuffed into their mailbox and anti-Semitic graffiti scrawled on their front door. She reported one letter called her "a dirty whore." The family complained to the police, who had not identified any suspects.

In February according to press reports, police said that an incident earlier that month in which a car nearly ran down an Orthodox Jewish man and his son was not anti-Semitic, contradicting a statement by the Belgian League Against anti-Semitism. Security cameras showed the car jumping the curb and swerving towards the father and son, who were dressed in Hasidic garb. Police reportedly charged the driver with driving while intoxicated.

Also in February police briefly detained a man described as a refugee after security camera footage showed him destroying at least 20 mezuzahs in Antwerp and vandalizing the doorways of several Jewish institutions. Additional footage showed the man placing a Quran near a synagogue and knocking the hat off an Orthodox Jew on the street. Police released the man without charging him.

Unia reported 82 complaints of workplace discrimination based on religion in 2017, compared with 88 in the previous year. The main target of reported discriminations were Muslims.

According to Unia, NGOs, and media, incidents of religious discrimination towards Muslims in both the workplace and educational institutions typically involved actions directed against women wearing headscarves and a failure to make accommodations for prayer, religious holidays, or dietary requirements.

In October the National Secretary for Culture of the ACOD public service trade union, Robrecht Vanderbeeken, wrote an article for online alternative media site De Wereld Morgen accusing Israel of starving and poisoning Gaza and kidnapping and murdering children for their organs. Wilfried Van Hoof, a private citizen, filed a complaint with Unia against Vanderbeeken.

In May, according to press reports, police authorities transferred a Brussels senior police officer from his post while they investigated reports the officer had engaged

in Holocaust denial and insulted Jewish subordinates. At year's end the investigation was ongoing.

In May the League Against Anti-Semitism filed a complaint of anti-Semitism involving testimony from multiple witnesses against the head of the canine police unit in the Midi police zone of the Brussels-Capital Region. One report stated he broadcast Nazi songs and shouted that the Nazi extermination camps and gas chambers were lies.

According to Flemish and Francophone news media, including the news service of public broadcaster VRT and newspaper *De Standaard*, the group Schild & Vrienden (Shield & Friends) was an extreme right-wing movement that portrayed itself as a conservative, family-values, Flemish national group but was secretly seeking to influence social and political circles with an agenda that included anti-Semitic and anti-Muslim messages and Nazi propaganda. Journalists stated young people in the group were driving the movement and organizing training and camps abroad. News articles cited boot camps with close combat and weapons training, as well as political outreach training. Reportedly, the group's leadership instructed members that their activities should remain nonviolent during organization-sponsored events. Media also reported the group circulated anti-Semitic messages and that Ghent University suspended its leader, Dries Van Langenhove.

According to a report in the newspaper *La Libre*, Arabic-language training manuals for imams used in the Islamic and Cultural Center of Belgium, which included the Grand Mosque of Brussels, contained incitements to violence against Druze and Alawite religious minorities and hatred of Jews. One manual referred to the fictitious and anti-Semitic Protocols of the Elders of Zion. The newspaper cited as a source a report for a parliamentary review committee by the government's Coordination Unit for Threat Analysis issued in February and covering 2016-17.

In December the European Union's Agency for Fundamental Rights (EU-FRA) released its second survey of Jewish experiences and perceptions of anti-Semitism. EU-FRA targeted Jewish populations through community organizations, Jewish media, and social networks; 785 individuals who identified themselves as Jewish residents of Belgium responded to the online survey. Twenty-eight percent said they had witnessed other Jews being physically attacked, insulted, or harassed in the previous 12 months, and 39 percent reported being harassed over the same period. One-quarter of respondents said they had felt discriminated against

because of their religion or belief; 87 percent thought anti-Semitism had increased over the previous five years.

In November on the anniversary of Kristallnacht, a monument commemorating Holocaust victims was vandalized in Ghent.

Anti-Semitic comments appeared on Google Business and “Jews of Antwerp” Facebook pages in November.

In April Prime Minister Charles Michel joined Jewish groups, including the European Jewish Congress, in expressing regret at the Free University of Brussels’s decision to award British filmmaker Ken Loach an honorary doctorate. Speaking about the award at Brussels’ Grand Synagogue, Michel said, “No accommodation with anti-Semitism can be tolerated.” According to press reports, some critics accused Loach, a longtime Palestinian advocate and critic of Israel, of anti-Semitism and Holocaust denial after remarks he made during an interview in 2017. Loach strongly denied he was anti-Semitic, calling the charge “malicious.” The Free University stood by its decision to honor Loach and issued a statement by Loach in which he said the Holocaust was real and “not to be doubted.”

In August the Brussels public transportation authority dismissed an employee after it discovered he had Nazi tattoos on his arm.

In May an Antwerp court sentenced a man to five months in prison and fined him 300 euros (\$340) for Holocaust denial for statements he had made at his workplace in 2016.

In June an Antwerp court sentenced a man to a partially suspended sentence of 18 months in prison and a 1,600 euro (\$1,800) fine for incitement to hatred, harassment, and vandalism with racist intent against Jews and Jewish symbols. Media reports did not provide further details about the case.

#### **Section IV. U.S. Government Policy and Engagement**

U.S. embassy officials discussed continued anti-Muslim and anti-Semitic incidents and sentiment in meetings with representatives from the Office of the Prime Minister; the Ministries of Foreign Affairs, Interior, and Justice; and regional governments. Embassy officials also discussed with government officials the continued efforts of Buddhist and Hindu groups to obtain recognition and the

status of the government's plans to encourage more mosques to apply for official recognition as places of worship.

In October the embassy sponsored the visit of a United States-based imam, who also headed an NGO fostering dialogue, to engage with religious leaders, local police officials, NGOs, and academics on ways to promote interfaith and intercultural understanding and tolerance. Also in October the embassy sponsored a Flemish Muslim community leader who runs a network for young Muslim professionals to participate in an exchange focusing on religious pluralism. In November the embassy sponsored the participation of a Francophone politician and civil society leader in a training program focused on youth empowerment and tolerance.

Additionally, the embassy awarded small grants to fund programs promoting religious tolerance and understanding among youth. The embassy supported the NGO Actions in the Mediterranean, led by a prominent Jewish community leader and politician, which educated high school youth of different religious backgrounds on how to work constructively and bridge divides around the topic of the Israel-Palestinian conflict. The embassy also supported a local NGO that taught negotiation skills to diverse groups of high school students from different religious and cultural backgrounds to promote mutual understanding. The embassy provided a grant to the Jewish Museum of Brussels to highlight the work of a Jewish photographer and invited disadvantaged youth groups of predominantly Muslim background to the Jewish Museum for guided tours to promote religious tolerance.

Embassy officials regularly met with religious leaders to discuss incidents of religious discrimination and ways to counter public manifestations of anti-Muslim and anti-Semitic sentiment. They continued engagement with activists from the Catholic, Muslim, and Jewish communities to promote interreligious understanding.

In March the embassy sponsored the attendance of eight Belgian student leaders from a variety of Muslim NGOs who had participated in the embassy's youth interfaith competition in 2017 at a leadership, intercultural, and interfaith program in the United States. The program focused on developing leadership skills by fostering tolerance and mutual understanding through interfaith dialogue.

In June the embassy cohosted an iftar for disadvantaged Muslim and other youth who used the arts to promote religious tolerance and inclusion during Ramadan. In

July the embassy sponsored the participation of six experts on Islam from academia, NGOs, and the clergy in an interfaith program in the United States that highlighted religious freedom and interfaith relations as pathways to a more tolerant society.