

Country Visit: Belgium
Report of the Personal Representatives of the OSCE Chairperson-in-Office
on Tolerance and Non-Discrimination Issues

Ambassador Adil Akhmetov, Rabbi Andrew Baker
and Ambassador Tetiana Izhevskaya

June 10-11, 2013

Center for Equality

The Belgian Center for Equal Opportunities and Opposition to Racism was established twenty years ago by law as a federal public service but operates independent of the government. Its tasks include combating intolerance, preventing discrimination, providing training and awareness raising to victims and employers, and offering recommendations to the government in the area of legislation and policies. It addresses, among other issues, the problem of anti-Semitism in Belgium and also has competence for the problem of Holocaust denial. Most recently it has focused on the activities of the group, *Sharia4Belgium*, which has fomented incitement to violence against non-Muslims in the country. A Belgium court earlier this year handed down a sentence of 18 months in prison to several of the group's leaders.

The Center notes that Belgium has been registering incidents of Islamophobia as such since 2008. The country's Muslims who come mostly from Morocco and Turkey now count for seven percent of the population (800,000--900,000 persons) and often experience discrimination including hate speech and hate crimes. Nearly half the complaints recorded by the Center focus on the media, with 21 percent on discrimination in employment and 10 percent in education, with both largely focused on women wearing headscarves.

The Center's director described anti-Semitism as "an ancient and deep concern" in Belgium. It received 88 complaints in 2012 (an increase from 62 in 2011 and 57 in 2010), which must be taken seriously considering the small size of the Jewish population and the likelihood of underreporting.

The Center notes that anti-Semitism is not the same as "anti-Judaism" since much of it focuses on references to Zionism and the international Jewish lobby. At the same time most attacks in Antwerp target the city's largely Orthodox Jewish community.

View from the Jewish Community

There are today some 35,000-40,000 Jews in Belgium, with about 19,000-20,000 living in Antwerp, 17,000-18,000 in Brussels and another 1,000-1,500 in small communities.

One leader said, “My hope is that students will not have to go to schools with [physical] barriers and police.” In Antwerp which has a large Orthodox Jewish community a very high percentage of students (95%) are enrolled in Jewish schools. Jewish leaders report that the attendance in Jewish schools in Brussels, which has a much smaller Orthodox Jewish community, is also increasing due in significant measure because many Jewish students have faced verbal and physical harassment in the public schools. According to Jewish leaders the source of this harassment in public schools is primarily fellow Muslim students. Police who accompanied Jewish students on a school excursion recommended that on returning to Brussels they remove their *kippot* in public.

Physical security is a serious concern for the Jewish community, and they have had to mobilize volunteers to protect Jewish sites and those attending Jewish events.

Although anti-Israel activities are not per se anti-Semitic, Jewish leaders expressed discomfort at what they perceive as politically-motivated activity intended to appeal to Muslim voters, citing the public burning of an Israeli flag by one Belgian MP.

Jewish leaders also expressed concern about the group *Sharia4 Belgium* and see themselves as its first target. They maintain that a radicalized element of the Muslim community is gaining notoriety and perhaps adherents. Some followers, including Belgian converts to Islam, have traveled to Syria to fight with the rebels, and they fear they will pose a genuine threat when they return home.

The Jewish leaders do acknowledge that they have a good, cooperative relationship with their government, and a special joint committee bringing them together with key officials in the Ministries of Justice and Interior meets every six weeks. At the same time they are pessimistic that government authorities will be successful in reversing the downward trend. “Government and local authorities are with us, but still we have no future,” one said. In fact, a recent survey of Jews in nine EU countries conducted by the EU Agency for Fundamental Rights found that 40 percent of Belgian Jewry has considered emigrating.

Concerns of the Muslim Community

Muslim NGOs note with appreciation the official recognition of Islam in Belgium. However, while there is comprehensive legislation in Belgium to prevent discrimination based on religion, they say that the law is unevenly implemented with regard to Muslims.

Divisions within the Muslim community have precluded the government from designating an official leadership, but Muslim representatives urge that this be done once new elections have been held, and they urge the government to maintain a policy of non-interference. With new leadership elected they hope the current moratorium on the opening of new mosques will be lifted.

These NGOs also report the need for better monitoring of incidents of intolerance and discrimination against Muslims. They cited the 2012 report by the NGO Muslim Rights Belgium, entitled, “The Situation of Islamophobia in French-speaking Belgium”, which raised serious concerns over discrimination of Muslims, especially Muslim women wearing headscarves in places of education and employment as well as the prohibition of religious symbols in schools.

Concern was expressed regarding law enforcement and the judicial system. Examples were cited of long legal battles to secure the release of murdered young men’s bodies for burial and the light sentence imposed on the perpetrator of an arson attack that took the lives of three people. Community representatives are convinced that such treatment occurred because they were Muslim immigrants.

They note that the identification of hate crimes against Muslims is not part of disaggregated data collection. Muslims in Belgium believe that police are disinclined to record hate crimes, and this lack of trust, they say, results in significant underreporting. When investigations are carried out, such as those related to the desecration of mosques in Lodelinsart and Marchienne-au-Pont, they are not informed of the outcome.

At the same time Muslim NGOs also report some positive developments including in-service training on diversity for law enforcement officers and the establishment of a federal network for diversity-related issues.

The importance of education was reflected in discussions with Muslim leaders who emphasize its role in combating discrimination and countering negative stereotypes. Community representatives noted the value of the OSCE published guidelines for educators on this topic. Some also argued that the prohibition of headscarves in schools is a violation of freedom of religion and said the government should adopt policies which will better accommodate the religious needs of students and prevent discrimination based on religion.

Observations Regarding other Minorities

With close to eighty percent of the Belgium population identified with the Catholic Church or major Protestant denominations, there is little to report on discrimination confronting Christians, especially as no official information was provided regarding other, smaller denominations.

There are about 40,000 – 50,000 immigrants of African descent who do face issues particularly with regard to the poor performance in schools.

We note the value of the Belgian Council of Religious Leaders, which several times a year convenes the leaders of all the main religious communities in the country. These include Christians, Muslims, Jews, Sikhs, Buddhists, Hindus, and Jains. The Council plays a lead role in

interreligious dialogue in the country and can offer a broad platform for common action. This includes serving as an intermediary between religious groups and civil and political authorities.

The European Roma Information Office cited “institutionalized discrimination” as a factor in the Belgian government offering money to Roma and Sinti for them to return to their countries of origin. Better, it was argued to devote these funds to improving their living conditions in Belgium.

Representatives of the Sikh community said they faced a number of issues of discrimination, particular a ban on wearing turbans in schools and elsewhere. They maintained that as a result of this essential religious practice they confronted difficulties in employment and also in football clubs, among other places.

A complaint from the Hindu Community was filed by the Secretary General of “The Hindu Forum of Belgium” regarding obstacles the organization faced in seeking official recognition and registration.

In a spirited discussion with various minority representatives among the concerns highlighted were the difficulties for children from diverse backgrounds interacting successfully in the public schools, as well as the need for conducting religious education in a spirit of mutual respect.

Government Authorities

Discussion took place with representatives of the Ministry for Foreign Affairs with an exchange of views on Belgium’s positions and initiatives regarding tolerance and non-discrimination in international and regional forums.

Justice Ministry officials also highlighted the recent successful prosecution of *Sharia4Belgium* members. They emphasized that this group was certainly not representative of Muslims in the country but did acknowledge that they had used the media effectively to spread their message. Interior Ministry officials maintained that to date about 80-90 young individuals (NB: to read 'more than 80-90 young individuals') were recruited to fight in Syria, and they were engaged in efforts including direct appeals to imams to stop this recruitment.

Representatives maintained that the government is well-equipped in legal terms to respond to cases of discrimination, but said it was difficult to assess the seriousness of complaints, blaming the emotionalism that will sometimes accompany them.

Officials shared their frustration in devising an appropriate and efficient means to work with the country’s Muslim community. They noted that in part due to the diverse ethnic origins (primarily 2/3 from Morocco and 1/3 from Turkey) Muslims have been unable to form a united executive. The government is seeking a pared down leadership group of twenty rather than the 120 leaders who currently represent Belgian Muslims.

Government representatives also reported positively on the regular meetings that now occur with leaders of the Jewish community. They believe that the increased government interest is also spurring more people to report anti-Semitic incidents. They admitted that Jews “feel isolated and marginalized” and they had a right to expect strong statements from civil society and political leaders in the country.

Interior Ministry officials reported that the official security level for Jewish institutions has been raised so that it is today the equivalent of that attached to the American and Israeli embassies. As a result Jewish institutions receive a greater degree of police surveillance and protection. (Nevertheless, when one recognizes the degree of security surrounding the embassies, these Jewish institutions are certainly lacking anything similar.)

The Interior Ministry has prepared a national plan intended to combat the radicalization of Muslims in Belgium which has been presented to the Council of Ministers for approval.

With reference to the spread of hatred on the Internet, officials reported that they had worked out an agreement with Belgian newspapers so that the newspaper websites require open identification from anyone who wishes to make blog postings on those sites. They also identified a program aimed at training young people to be “hacktivists” in order to combat cyber-hate by pushing back through the social media.

Belgium maintains separate educational ministries to cover Flemish, French and German-speaking regions. (Unfortunately, no representatives from the French-speaking region attended our meetings.) Within the German speaking schools Holocaust education (as part of World War II history) is mandatory for 16-18 year olds, but the specifics are left to individual teachers.

Flemish schools offer an integrated approach to teaching tolerance, which includes a focus on “remembrance”—which can be the Holocaust or other genocides—and respect for each other. Programs might also include visits to memory sites or education focusing on being a “world citizen.” Flemish education officials were quite aware of a recent survey which found a much higher degree of anti-Semitic feelings among Muslim youth and termed it, “a wake-up call to us.”

Late last year saw the opening of the Kazerne Dossin - Memorial, Museum and Documentation Centre on Holocaust and Human Rights. Located in the town of Mechelen, midway between Antwerp and Brussels, the Museum was built opposite the former Dossin barracks, which served as the deportation site of 25,000 Belgian Jews sent to Auschwitz. The Museum presents a powerful and self-critical account of the Holocaust in Belgium, but through an opening film and accompanying exhibits it links this story to other manifestations of discrimination and genocide. Staff members hope and expect that school curricula will eventually mandate visits to the museums for all students. The Government of Flanders should be commended for building and financing the operating costs of this museum.

Recommendations:

The government should remove the moratorium on opening new mosques in Belgium.

The government should take steps to improve cooperation between law enforcement agencies and the Muslim communities to combat hate crimes. In this regard, it should consider cooperation with ODIHR in the implementation of the TAHCLE program.

In light of its own findings showing this to be a serious concern, the government should increase its support both financially and logistically to the security needs of the Jewish Community.

Noting the special tensions which exist between Jewish and Muslim students and recognizing the anti-Jewish sentiments of Muslim youth identified by recent surveys, education officials should work closely with both communities to develop programs designed to promote tolerance and understanding.

Registration problems for Hindus should be examined, and concerns expressed by Sikhs regarding their religious dress (and by other minorities with similar constraints) should be carefully reviewed.

Government and civil society should avail themselves of ODIHR expertise on monitoring and collecting data on hate crimes.

Meetings:

Representatives of religion and belief, civil society and non-governmental organizations

- Didier Vanderslycke, Spokesperson Kerkwerk Multicult. Samenleven / Netwerk Racisme Keren
- Peter Pavlovic, Study Secretary, Church and Society Commission of the Conference of European Churches
- Joël Le Deroff, Senior Policy & Programmes Officer, ILGA-Europe (LGBT organization)
- Ivan Ivanov, Executive director, European Roma Information Office
- Karima Zahi, Policy Officer/Project Coordinator Migration, asylum and anti-discrimination, European Women's Lobby
- Yolande Iliano, Religions for Peace / Europe, President European Council of Religious Leaders, Co-Moderator, Religions for Peace / Europe, Belgian Council of Religious Leaders
- Ms Robin Sclafani, Director, CEJI – A Jewish Contribution to an Inclusive Europe
- Mejjindarpal Kaur, Director, United Sikhs; Pierre-Arnaud Perrouy, representative, Central Board of philosophical non-confessional communities of Belgium
- Vincent Bonhomme, President, Arc-en-Ciel
- Mohamed Lahlali, Deputy Director, Minderhedenforum
- Ngoc Thong Tommy Bui, Chair, Mouvement contre le racisme, l'antisémitisme et la xénophobie (MRAX)
- Kouky (Ruth) Frohmann-Gartner, President, Forum der Joodse Organisaties
- Julien Klener, President, Consistoire Centrale Israelite de Belgique

- Rabbi Pinchas Kornfeld, Vice-President, Centraal israëlitisch consistorie van België
- Mr Joshua Goodman, Communications Director, American Jewish Committee Transatlantic Institute, Brussels
- Aymany Aly, Secretary General, Federation of Islamic Organizations in Europe
- Mouhammadou Tanko, Vice-President of EMN and Researcher in Philosophy, Free University of Brussels
- Veysel Filiz, Spokesperson, European Muslims Initiative for Social Cohesion
- Mehmet Alparslan Saygin, Secretary General/legal expert and political scientist, Think-tank «Vigilance Musulmane» / NGO Justice and Democracy
- Mohammed Sebbahi, Director, Federation of Moroccan Democratic Organizations
- Halife Keskin, President, Diyanet Foundation in Belgium
- Mohamed Chakkar, Co-ordinator, Federation of Moroccan Associations
- Hajib El Hajjaji, Vice President, Muslim Rights Belgium
- Fatima Zibouh and Taoufik Amzile, representatives, Empowering Belgian Muslims
- Done Tekin and Nerkiz Sahin, representatives of the Muslim community
- Robert Innes, Chairman of the Belgian Council of Religions Leaders, Senior Chaplain and Chancellor, the pro-Cathedral of Holy Trinity, Brussels;
- Steven Fuite, president of synod, Eglise Protestatnt Church in Belgium, member of the Belgian Council of Religions Leaders

Government of Belgium, semi-government organizations

Federal Public Service of Foreign Affairs and Minister's Office

- Jan Deboutte, Ambassador, Special Envoy for Holocaust Remembrance and Genocide Issues
- Christophe Payot, Advisor to the Minister of Foreign Affairs
- Paul Huynen, Ambassador, Director for Security Policy
- Véronique Joosten, Head of Unit in the Human Rights Department
- Ariadne Petridis, Counsellor, Head of the OSCE Desk, Security Policy Directorate

Federal Public Service of Home Affairs, Equal Opportunities and Deputy Prime Minister - Minister's Office

- Véronique Lefrancq, Advisor, Cabinet for Equal Opportunities of Minister
- Emmanuelle de Foy, Diplomatic Advisor, Cabinet of the Deputy Prime Minister
- Ketsia Malengraux, Advisor, Cabinet for Home Affairs of Minister

Ministries of Education of Belgian communities

- Verena Greten, Head of Department, Vocational Training and Organisation of Education, Ministry of the German-speaking Community
- Wouter Janssens, representative of Department for Education and Training, Unit for Strategic Policy Support, Ministry of the Flemish Community
- Martine Vrancken, representative of the Inspection, Ministry of the Flemish Community

Federal Public Service of Justice and Minister's Office

- Mr Hubert Cooreman, Diplomatic Advisor to the Minister of Justice

- Mr Eric Ghyselinckx – Advisor, Head of Service, Directorate General Legislation, Fundamental Freedoms and Rights, Service of Religions and laic Movement
- Mr Philippe Wéry, Advisor, Directorate General Legislation, Fundamental Freedoms and Rights, Service of Fundamental Rights
- Mr Marc Tysebaert, Director (Counsel General), Directorate General Legislation, Fundamental Freedoms and Rights, Direction of Fundamental Rights
- Mrs Nina Galle, Attaché, Directorate General Legislation, Fundamental Freedoms and Rights, Service of Religions and laic Movement

Centre for Equal Opportunities and Opposition to Racism

- Mr Jozef De Witte, Executive Director
- Mr Edouard Delruelle, Deputy Executive Director
- Mr Patrick Charlier, head of the Discrimination Department
- Mrs Ingrid Aendenboom, senior legal officer

Accompanied by OSCE/ODIHR

- Mr Taskin Soykan - Adviser on Combating Racism, Xenophobia and Discrimination Focusing on Intolerance and Discrimination Against Muslims, Tolerance and Non-Discrimination Department
- Mr Dmitry Ivanov - Associate Programme Officer, Tolerance and Non-Discrimination Department