

2023 Report on International Religious Freedom: Belgium

EXECUTIVE SUMMARY

The constitution provides for freedom of religion, and the law prohibits discrimination based on religious orientation. Federal law bans covering one's face in public.

In June, the Minister of Justice (MOJ) created the Muslim Council of Belgium to replace the Belgian Muslim Executive (BME). The action followed the revocation of the BME's recognition by the MOJ in 2022 despite a ruling by a Brussels court that the MOJ had illegally meddled in the BME's activities. The disbanded Muslim Executive and the Diyanet (Turkish national directorate of religious affairs) denounced the MOJ's creation of the Muslim Council of Belgium as illegitimate. In May, the Flemish Parliament reviewed the implementation of its 2021 recognition decree prohibiting foreign funding for mosques receiving government assistance and found that 12 mosques were in violation of the decree. The mosques were given until November 15 to comply with the decree or lose financial support. In light of an April 2022 ruling by the European Court of Human Rights (ECHR) that the country's taxation of unregistered religious groups was "devoid of the minimum guarantees on fairness and objectivity," media, academics, the international nongovernmental organization (NGO) Human Rights Without Frontiers, as well as Jehovah's Witnesses, who brought the case to the ECHR, highlighted growing calls within society for significant changes in the recognition procedure for religious groups. Brussels remained the only one of the country's three regions where ritual slaughter – animal slaughter following kosher and halal procedures – may take place. Both the Belgian Buddhist Union and the Belgian Hindu Forum received federal subsidies, although neither Buddhism nor Hinduism has received government recognition.

During the year, media and nongovernmental organizations reported incidents of violence, threats, harassment, discrimination, and hate speech against Jews and Muslims. In the first two months following the October Hamas attacks in Israel, the Unia equality and antidiscrimination center recorded 66 reports of antisemitism, compared with an average of four to five reports per month in 2022. Incidents included a Palestinian man pushing Jewish children in front of their parents, an individual throwing an object from a balcony at a Jewish passerby, and the desecration of Jewish graves in Marcinelle. Members of the Jewish community expressed concerns regarding the spread of online hate speech and the difficulty in combating antisemitism in online platforms.

U.S. embassy officials met regularly with senior government officials in the Office of the Prime Minister, the Ministries of Interior, Foreign Affairs, and Justice, and with members of parliament to discuss antisemitic and anti-Muslim incidents and discrimination. Embassy officials regularly met with religious leaders, including representatives of the Catholic, Muslim, and Jewish communities, to discuss incidents of religious discrimination and ways to counter public manifestations of anti-Muslim and antisemitic sentiment. In June, the Ambassador hosted members of the Belgian Jewish community along with visiting members of the multinational Interparliamentary Task Force to Combat Online Antisemitism, which held its second annual summit in Brussels in June. The embassy continued to fund an NGO project to educate high school students from varied backgrounds on the conflict in the Middle East to break down stereotypes and combat antisemitism and anti-Muslim sentiment in the country.

Section I.

Religious Demography

The U.S. government estimates the total population at 11.9 million (midyear 2023). According to the most recent survey (2018) by the GESIS-Leibniz Institute for Social Sciences, 57.1 percent of residents are Roman Catholic, 20.2 percent “nonbeliever/agnostic,” 9.1 percent atheist, 6.8 percent Muslim (mostly Sunni), 2.8 percent other non-Orthodox Christian, 2.3 percent Protestant, 0.6 percent Orthodox Christian, 0.3 percent Jewish, 0.3 percent Buddhist, and 0.5 percent “other.” A 2015 study by the Catholic University of Louvain estimated that 42.2 percent of Muslims reside in Flanders, 35.5 percent in Brussels, and 22.3 percent in Wallonia. According to Catholic University of Louvain sociologist Jan Hertogen, based on 2015 data, 24.2 percent of the Brussels population and 7.5 percent of the Antwerp population are Muslim. The Brussels Muslim population includes concentrations in the Molenbeek and Schaerbeek neighborhoods but is otherwise spread throughout the city.

Section II.

Status of Government Respect for Religious Freedom

LEGAL FRAMEWORK

The constitution provides for 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 it 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 clergy (according to law, to qualify 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. Discrimination based on Jewish descent is distinguished from discrimination against Jewish religious practices. The maximum sentence for Holocaust denial is one year in prison. Courts have interpreted that an antiracism law that prohibits discrimination based on nationality, race, skin color, ancestry, national origin, or ethnicity may be applied to cases of antisemitism.

The government officially recognizes Roman Catholicism, Protestantism (including evangelicals and Pentecostals), Anglicanism (separately from other Protestant groups), Orthodox (Greek and Russian) Christianity, Judaism, Islam, and secular humanism.

The law does not define requirements to obtain official recognition. Instead, the Ministry of Justice, with Parliament’s approval, specifies the legal basis for official recognition. A religious group seeking official recognition applies to the Ministry of Justice, which then recommends approval or rejection to parliament, which votes on the application. 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 granting 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 religious group to have an official interlocutor, such as an office composed of one or more representatives of the group 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 the religious curriculum in schools, and oversight of the management of houses of worship.

The federal and regional governments provide financial support for officially recognized religious groups. Federal government subsidies include direct payment of clergy salaries and pensions, while regions subsidize maintenance and equipment costs for facilities and places of worship, as well as clergy housing, and oversee finances and donations in excess of €1,000 (\$1,100), as required by law. 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 clergy and public funding for renovation or facility maintenance. Unrecognized religious groups have the same religious rights as recognized religious groups; the main difference is unrecognized groups do not receive public subsidies. The Belgian Buddhist Union receives a federal subsidy even though the government has not yet completed the final administrative step to officially recognize Buddhism. It is not illegal for religious organizations to receive foreign funding; however, recognized places of worship will lose recognition and government subsidies if their organization receives foreign funding. Unrecognized places of worship have no funding restrictions, but if they wish to be recognized, they must renounce foreign funding.

There are procedures for individual houses of worship of recognized religious groups to apply to obtain recognition and federal subsidies. To do so, a house of worship must meet requirements set by the region in which it is located and receive final approval 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, and certification of the minister of religion by the relevant interlocutor body. 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. Individual houses of worship in this situation (i.e., not completing the recognition process) may still affiliate with an officially recognized religious group.

The Flemish government imposes enhanced security screening for possible radicalization of imams, other religious leaders, or worshippers and against foreign influence at mosques and other places of worship.

The government requires all religious communities and places of worship to complete a four-year probation period prior to official recognition. This policy applies to all places of worship regardless of religion.

There is a federal ban on covering one's face in public. Individuals wearing face coverings obscuring all or part of the face in public are subject to a maximum fine of €137.50 (\$150). In addition, the penal code stipulates violators may be sentenced to a maximum of seven days' imprisonment.

The Walloon and Flemish regions prohibit the slaughter of animals without prior stunning but permit the importation of halal and kosher meat. The Brussels region continues to permit ritual slaughter, having rejected a draft bill that would have banned the practice in June 2022.

By longstanding practice rather than law, the government bans the wearing of religious symbols by employees in public sector positions requiring interaction with the public. The ban does not apply to teachers of religion in public schools.

The constitution requires teaching in public schools to be neutral with respect to religious belief. The public education system requires neutrality in the presentation of religious views outside of religion classes. All public schools offer religious or philosophical instruction oriented toward citizenship and moral values. Outside of Flanders, these courses are mandatory; parents in schools in Flanders may have their children opt out of such courses. Francophone schools offer a mandatory one-hour per week philosophy and citizenship course plus an additional one-hour mandatory course on either philosophy and citizenship or one of the recognized religious traditions, 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 degree of religious expression varies but must follow a principle of "neutrality." Because neutrality is not defined explicitly in the constitution in the context of religious expression, most state-funded institutions follow one of two principles: "inclusive neutrality," in which individuals must remain neutral in their behavior but may wear religious symbols, or "exclusive neutrality," which entails a total ban on religious attire. In either case, education provided outside of the religious classes must remain neutral.

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 (limited to schools operated by recognized religious groups), known as "free" schools, follow the same curriculum as public schools but may place greater emphasis on specific religious classes. Teachers at these schools are civil servants, and their salaries, as well as subsidies for the schools' operating expenses, are paid by the respective linguistic community, municipality, or province.

Unia is the publicly funded, independent agency in Brussels and Wallonia responsible for reviewing discrimination complaints, including those of a religious nature, and attempting to resolve them through mediation or arbitration. The agency lacks legal powers to enforce resolution of cases but may refer them to the courts. At the regional level, Flanders ended its cooperation with Unia effective March 15 and created its own Flemish Human Rights Institute. Unia continues to cover Flanders for issues at the federal level, which include hate speech and crimes, among other forms of discrimination.

The Federal Justice Minister appoints a magistrate in each judicial district to monitor discrimination cases and oversee criminal prosecutions, including those involving religion.

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

GOVERNMENT PRACTICES

In June, Minister of Justice Vincent Van Quickenborne created the Muslim Council of Belgium to replace the Belgian Muslim Executive (BME). The action came in the wake of the revocation of the BME's recognition by the Ministry of Justice (MOJ) in 2022 following persistent allegations of foreign meddling, lack of transparency, and mismanagement, which rendered the BME ineligible for public subsidies. In September 2022, a Brussels court found the federal government, represented by Van Quickenborne, liable for illegally meddling in the activities of the BME. The court stated that the government had not properly documented accusations that then BME executive chairman Salah Echallaoui was spying for the Moroccan government and that Van Quickenborne's actions violated the neutrality of the state. Van Quickenborne stated that the revocation would incentivize the BME to implement the reforms the government had long been demanding if it wished to regain access to €500,000 (\$552,000) per year of federal funding; those reforms include more transparency, inclusivity (including with respect to women), and elections (not appointments) for the body's leadership. Despite the court's ruling, the BME remained unsubsidized as of year's end, severely limiting its operational capacities and relevance.

The BME, the Diyanet (a Turkish state institution that administers affairs related to the Islamic faith and worship, including drafting weekly sermons delivered to mosques under its directorate

domestically and abroad), including 70 Diyanet mosques in Belgium, and others denounced the move as further meddling from the government and declared that the new Muslim Council of Belgium lacked legitimacy.

Sources continued to report that some mosques opted not to seek official recognition because they received sufficient foreign funding, primarily from Morocco and Turkey, and preferred to operate without government oversight. Others stated the lengthy, bureaucratic process of obtaining recognition also acted as a deterrent.

The Flemish government continued to accept applications for recognition by religious houses of worship that were suspended in 2017. In 2021, the Flemish government enacted a decree aimed at cutting religious communities off from foreign influence and reorganizing the recognition process for local religious organizations. The decree contained several conditions for local religious congregations in Flanders to be recognized by authorities and to receive subsidies. The key conditions include prohibitions from receiving funding from a foreign country and from having clergy paid by a foreign country. Additionally, any request for recognition could only be granted after a four-year “trial period” and a thorough screening. In May 2022, the Diyanet stated it opposed the new recognition decree and initiated a case regarding the Flemish recognition decree in the Constitutional Court.

On May 2, the Flemish Parliament reviewed the implementation of the 2021 recognition decree. It found that, in total, 12 Diyanet-run mosques violated the decree. Flemish Minister for Home Affairs Bart Somers announced the Flemish government would begin suspension procedures against three of these mosques for being under the influence of the Turkish government. The three mosques were initially given until November 15 to comply with the 2021 decree or face losing financial support from the Flemish government and the withdrawal of their imams’ Belgian work and residence permits. On July 20, the Constitutional Court struck down the decree’s provision prohibiting foreign funding and salaries as a disproportionate limitation on freedom of religion. The 2021 decree’s other provisions remained intact, including that all places of worship in Flanders, previously recognized or not, were required to apply again for recognition.

During the year, local media and academics reported that recognition applications by eight mosques remained pending. The mosques filed the applications in 2021 in the Brussels-Capital region. At year’s end, there were 91 recognized mosques: 39 in Wallonia, 26 in Flanders, and 26 in Brussels. The BME estimated there were a total of 300 mosques in the country, both recognized and unrecognized.

A 2013 application by the Belgian Hindu Forum for federal government recognition of Hinduism as a religion remained pending, but the parliament approved an annual subsidy amounting to €83,000 (\$91,700.) According to a press report, the process to obtain recognition could take 10 years to complete. There were no other pending requests by religious groups.

In light of an April 2022 ruling by the ECHR on taxation of unregistered religious groups, media, academics, the international NGO Human Rights Without Frontiers, as well as Jehovah’s Witnesses, who brought the case to the ECHR, called for significant changes in the recognition procedure for religious groups, if not a complete shift in how the central government interacts with them. In the case brought by Jehovah’s Witnesses to the ECHR, the court decided that the Witnesses experienced unfair taxation and that this had a “not insignificant and considerable impact.” The court concluded that the country’s system of recognizing religions did not sufficiently protect against discrimination and lacked objective and reasonable justifications for differing treatment. In bringing the case, Jehovah’s Witnesses had stated that legislation enacted in 2017 in the Brussels Region amending the tax code to limit property tax exemptions was discriminatory and contrary to the articles of the European Convention on Human Rights on discrimination related to thought, conscience, and religion as well as property. Sources stated the government was unlikely to take action before national elections in June 2024.

A large slaughterhouse performing kosher and halal slaughter continued to operate in Brussels, where slaughter without prior stunning remained permitted, but it could not accommodate all

requests, particularly during religious holidays. The Brussels government said it had no policy on animal slaughter without prior stunning. With Wallonia and Flanders both having passed a ban on animal slaughter without stunning, Brussels remained the only one of the country's three regions where ritual slaughter – animal slaughter following kosher and halal procedures – may take place.

Criminal court proceedings in the case of former member of the federal parliament Dries Van Langenhove, who was charged with Holocaust denial and other offenses, remained stalled at year's end pending a decision on a motion questioning the impartiality of the trial judge. In 2018, Flemish television broadcast a report on *Schild & Vrienden* (shield and friend), a Flemish nationalist youth movement founded by Van Langenhove. The report disclosed racist, sexist, and antisemitic conversations, which triggered an investigation. In 2019, Van Langenhove, then a member of the federal parliament, was formally charged and later referred to criminal court with six other suspects for violations of the racism law and arms legislation. In 2021, parliament lifted Van Langenhove's parliamentary immunity, and he resigned in February 2023. Following appeals from those impacted, the prosecutor also charged Van Langenhove with Holocaust denial. The trial was to begin in October but had not resumed by year's end.

On December 8, the head of a commission tasked by the Senate to report on the role of the Belgian national railway in the Holocaust concluded that the company earned 51 million francs (more than one million dollars at the time) transporting Jews, Roma, and political prisoners to concentration camps. According to the report, the national railway sent 28 trains carrying 25,843 Jews and Roma individuals to Auschwitz, of whom only 1,195 survived. Following release of the report, the government established a council to determine possible follow-up measures.

Police continued to offer a voluntary, day-long course, "The Holocaust, the Police, and Human Rights," at the Dossin Barracks in Mechelen, site of a Holocaust museum and memorial.

Section III.

Status of Societal Respect for Religious Freedom

During the year, media and NGOs, including Amnesty International, the Collective for Inclusion and against Islamophobia in Belgium (CIIB), the NGO Antisemitism Belgium, and Unia reported incidents of violence, threats, harassment, discrimination, and hate speech against Muslims and Jews.

Following the October 7 Hamas attack in Israel and through December 7, Unia recorded 66 reports of antisemitism throughout the country, compared to an average of four to five reports per month in 2022, and Jewish community members expressed increased concerns regarding their security. The vast majority of antisemitism reports were related to hate speech and comments. Unia considered six cases criminal (i.e., violence, graffiti, property damage) and was in close contact with prosecutors regarding several cases. Incidents included a Palestinian man pushing Jewish children in front of their parents, persons driving through Antwerp's Jewish neighborhood with Palestinian flags, someone throwing an object from a balcony at a Jewish passerby on the street, and the desecration of Jewish graves in Marcinelle. According to Unia, while hate speech previously tended to occur mostly online, there was an increase in in-person, public incidents of antisemitism since October 7. While demonstrations in Brussels against Israeli military operations in Gaza sometimes included controversial banners and antisemitic chants such as the "from the river to the sea" slogan, organizers of permitted demonstrations discouraged more extreme rhetoric, and protests remained peaceful.

During the period after the October 7 attacks, Unia recorded eight reports of cases targeting individuals of Middle Eastern origin or Islamic religious beliefs, which was similar to numbers pre-October 7.

According to media reports, on September 25, a far-right activist living in Japan, previously convicted in France, orchestrated and encouraged the placement of antisemitic leaflets in mailboxes in Louvain-La-Neuve.

In April, according to the website antisemitisme.be, a man speaking Arabic insulted an Orthodox Jewish woman in Antwerp. Earlier in the year, there were four other incidents reported in Brussels and Antwerp involving antisemitic comments or insults. Also in April, in Anderlecht, unknown persons vandalized the facade of an apartment building with swastikas as well as inscriptions of hatred towards Jews.

On December 18, two passengers on a train between Charleroi and Antwerp directed a barrage of antisemitic insults against a young Jewish couple and their baby, using such epithets as “dirty whore” and “dirty Jew.” When the two individuals approached the couple in a threatening manner, a police officer intervened and forcibly removed them from the train.

In a June 26-27 summit meeting of the multinational Interparliamentary Task Force to Combat Online Antisemitism in Brussels, local Jewish community members expressed their concerns regarding the spread of online hate speech and the difficulty in combating antisemitism in online platforms. At the conclusion of the summit, the task force announced it would press for major social media companies to agree to a global independent review of their platforms.

In May, the U.S.-based NGO Anti-Defamation League (ADL) issued the results of its survey of antisemitic prejudice in Belgium, based on data collected in November and December 2022. The survey asked approximately 500 respondents whether 11 stereotypical statements regarding Jews were “probably true.” Based on responses, ADL estimated 22 percentage of all individuals older than 18 in Belgium agreed that six or more statements were “probably true,” compared with 24 percent in 2019 and 21 percent in 2015. Among the statements were: “Jews are more loyal to Israel than to Belgium” (46 percent); “Jews have too much power in international financial markets” (39 percent); “Jews still talk too much about what happened to them in the Holocaust” (32 percent); “Jews don’t care about what happens to anyone but their own kind” (31 percent); “Jews have too much control over the global media” (18 percent); and “Jews are responsible for most of the world’s wars” (6 percent).

According to CIIB, an average of five anti-Muslim incidents were reported weekly in the country. The CIIB did not provide specific examples, however.

Section IV.

U.S. Government Policy and Engagement

U.S. embassy officials discussed religious freedom and anti-Muslim and antisemitic sentiment in meetings with representatives from the Office of the Prime Minister; the Ministries of Foreign Affairs, Interior, and Justice; regional government officials; and members of the federal and regional parliaments. These engagements ranged from discussions regarding security concerns from religious communities, improving education efforts to promote religious freedom, the evolution of the government’s official recognition of and financial support for religious communities, and the impact of global events on religious communities, in particular the Israel-Hamas conflict and other events in the Middle East.

Embassy officials regularly met with religious leaders to discuss incidents of religious discrimination and ways to counter public manifestations of anti-Muslim and antisemitic sentiment. They continued engagement with representatives of the Catholic, Muslim, and Jewish communities.

The embassy engaged with prominent members of the Belgian Jewish community regarding their security concerns, especially after the October 7 Hamas attack in Israel. Embassy officials engaged the responsible authorities regarding these concerns.

In June, the Ambassador hosted members of the Jewish community in a meeting with visiting members of the multinational Interparliamentary Task Force to Combat Online Antisemitism. Among topics discussed was the spread of online hate speech and the difficulty in combating antisemitism in online platforms.

The embassy continued to work with Actions in the Mediterranean, a Brussels-based NGO focused on educating 40 high school students and teachers from various schools and socioeconomic backgrounds on the complexities of the conflict in the Middle East, tensions in the relationship between religious communities in Belgium that arise from that conflict, as well as antisemitic and anti-Muslim sentiment. The NGO partners with public and private schools to ensure diversity within the group and students are nominated by their teachers for the program based on merit.

The embassy engaged with Muslim communities in October and November to hear opinions and concerns after the October 7 Hamas attack with the goal of maintaining lines of communication. The Ambassador hosted a roundtable with Muslim community youth organizations and joined Belgian officials in visiting a local organization that promotes intercultural dialogue through sport.