

QUESTIONNAIRE TO STATES ON ANTI-MUSLIM HATRED AND DISCRIMINATION

1. Muslims within the State

What part of the population within your jurisdiction identify as Muslim? Are there multiple Muslim groups within your State?

The size of the Muslim population in Belgium is unknown, since the religion of citizens is not registered by the State.

However, estimates of the proportion of the Muslim population in Belgium in 2020 converge around 7,5% of the total population, amounting to 800,000 individuals. While Sunni are in the majority, there is also a presence of Shia, Alawites, Ahmadiyya, Sufism and other communities.

But the diversity is much bigger than this. The Muslim population started to grow in earnest in the second half of the 20th Century, with the arrival of migrant workers from Morocco and Turkey, followed by their families. They brought with them a variety of theological, juridical and ideological loyalties that persist over time. In the community of Turkish descent, the Diyanet is dominant, but there is also notable presence of Milli Gorus, Turk-Islam Federasyonu, Suleymanci, Nurcu and Alawites. In the communities of Moroccan descent, the traditional rural Islam is complemented with various movements such as Jama'at-al-Tabligh, Muslim brotherhood, Hizb-al-Tahrir, salafiyya.

The arrival of new migrants from Bosnia, Albania, Kosovo, Macedonia, South Asia and a variety of African countries, further adds to the diversity of Muslim groups in Belgium.

Data from the survey "Living Together in Diversity 2017" show that 95,7% and 92,3% of the inhabitants of respectively Moroccan and Turkish origin in Flanders and Brussels identifies as a Muslim. Of these Muslims of respectively Moroccan and Turkish descent 55,0% and 49,2% identify as Sunni. Among Muslim women, 72,1% and 49,3% of women of respectively Moroccan and Turkish origin always or regularly wears a headscarf.

2. The Right to Freedom of Thought, Conscience and Religion or Belief

- a) **Does the State recognise the right to freedom of thought, conscience and religion or belief of all persons regardless of one's race, ethnicity, gender, language, nationality, religion or belief? What steps does the State take to promote respect for the right of all persons, including Muslims, to the equal enjoyment of freedom of thought, conscience and religion or belief? What are the protections provided in law and practice against coercion in matters of faith and belief, including in the right to have, adopt or change one's religious or non-religious beliefs?**

When Belgium became independent in 1830, the authors of the constitution laid down basic principles for the relations between the various authorities as well as general principles such as the freedom of conscience, freedom of education (art. 24 Const.), freedom of religion (art. 19 Const.) and freedom of association (art. 27 Const.).

Nowadays, the articles of our constitution have to be read in conjunction with the international treaties ratified by Belgium, such as the European Convention on Human Rights and the Charter of fundamental rights of the European Union, as well as the judgements of the European Court on Human Rights and the European Court of Justice

For instance, article 19 of the Constitution guarantees freedom of religion, its public practice and freedom to demonstrate one's opinion on all matters.

As a consequence, every member of society is free to choose one's religion or beliefs and/or to be an adherent of a philosophy, and is also free to manifest this religion or philosophy in public, as long as the laws ruling society in general are respected, and conversely, no one can be forced to participate in any way in acts and ceremonies of worship or to maintain their days of rest (article 20 Const.).

Religion and ethnicity are protected criteria in the federal and federated anti-discrimination legislation. For the overview of this legislation, reference is made to § 178 of the Core document of Belgium.

b) **Does the State restrict the right of Muslims to manifest their freedom of religion or belief?**

i. **worship or assembly in connection with a religion or belief in public or in private, alone or in community with others;**

No, Belgium's Constitution, through article 19, guarantees the freedom of expression and the freedom of religion

Religion and ethnicity are protected criteria in the federal and federated anti-discrimination legislation. For the overview of this legislation, reference is made to § 178 of the Core document of Belgium.

ii. **write, issue and disseminate publications offline and online material related to the rites, customs and teachings of Islam;**

No, freedom of expression is guaranteed by the Constitution of Belgium; this also applies to religious material, in so far as the material does not incite discrimination, hate, violence or segregation against others.

iii. **observe practices related to the religious slaughter of animals; import halal meat or observe dietary requirements mandated by religious beliefs;**

Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing in principle requires stunning, but does not prohibit ritual slaughter. The regulation explicitly provides Member States with the option of adopting stricter rules aimed at ensuring more extensive protection for the animals at the time of killing, also in the context of slaughter prescribed by ritual rites.

Ritual slaughter in Belgium is subject to regulation by the regional entities and is allowed in certified slaughterhouses in certain regions.

In the Flemish region, slaughter of animals is regulated by Articles 15 and 16 of the Law of 4 August 1986 regarding the protection and welfare of animals (hereafter "Animal Welfare Law"), as modified for the Flemish Region by Decree of the Flemish Parliament of 7 July 2017 regarding changes to the law of 14 August 1986 regarding the protection and welfare of animals, as concerns the allowed methods for the slaughter of animals (hereafter Decree of 7 July 2017). The new rules entered into force on 1 January 2019.

Slaughter without stunning is prohibited since 1 January 2019. In case of religious slaughter - when animals are slaughtered according to the special methods required by religious rites - the stunning should be reversible and the death of the animal should not be caused by the stunning (Article 15 Animal Welfare Law, modified for the Flemish Region by Decree of 7 July 2017).

Since 2019, small ruminants (sheep and goats) and small animals for slaughter (for instance poultry) may only be slaughtered after reversible, non-lethal electrical stunning which aims to render the animal unconscious so it will not experience the pain of the actual slaughter. Since 1 January 2020, reversible and non-lethal electrical stunning is also required for the slaughter of calves.

As the technique of electrical stunning has not yet been optimised for the slaughter of adult bovine animals, post-cut stunning has been the required method, since 1 January 2019. When electrical stunning or another reversible stunning technique becomes practically possible, this will be required.

Five appeals, seeking complete or partial annulment of the Flemish Region Decree of 7 July 2017, have been brought to the Constitutional Court and have been joined by the Court. The appeals were brought by the Centraal Israëlitisch Consistorie van België e.a., the vzw Unie Moskeeën Antwerpen, the vzw Islamitisch Offerfeest Antwerpen, JG, KH, the Executief van de Moslims van België e.a. and the vzw Coördinatie Comité van Joodse Organisaties van België e.a. Several parties intervened in the case, namely LI, the Flemish Government, the Walloon Government, the bvba Kosher Poultry e.a., and the vzw Global Action in the Interest of Animals.

In its judgment of 4 April 2019 regarding the Decree, with number 53/2019, the Constitutional Court asked the Court of Justice of the European Union for a preliminary ruling on three questions. The first question was whether the fact that Regulation 1099/2009 allows Member States to take stricter measures, can be interpreted as meaning that they are allowed to introduce a complete prohibition of unstunned slaughter, as is in the Flemish Decree. If so, the Court asks the Court of Justice if the Regulation is in conformity with the freedom of religion, which is enshrined in the Charter of Fundamental Rights of the European Union (second question). At the request of several parties, the Court asks a final question, in case the first question is answered in the affirmative: does the Regulation cause discrimination by allowing Member States to restrict the possibility of religious unstunned slaughter, whereas unstunned killing is allowed in the case of hunting, fishing and cultural or sports events (third question).

According to the Opinion of Advocate-General Hogan of 10 September 2020 in the case, Regulation nr. 1099/2009 which provides for the possibility of stricter measures, must be interpreted as meaning that Member States are not permitted to adopt rules which provide for a prohibition of the slaughter of animals without stunning that also applies to the slaughter carried out in the context of a religious rite.

The government is now waiting for the judgment of the Court of Justice. The court is in no way bound by the opinion of the Advocate-General. After the judgment of the Court of Justice, the Constitutional Court will decide on the appeals for annulment against the Flemish Decree.

As an exception of the general prohibition of slaughter without stunning, the Brussels-Capital Region does not prohibit the slaughter of animals without stunning carried out in the context of a religious rite. Such slaughter is only allowed in certified abattoirs, and not in the private or in the public spaces. (Article 16 of the Law of 4 August 1986 regarding the protection and welfare of animals).

iv. **display religious symbols, forms of dress and other personal representations of religious beliefs;**

Belgium's Constitution, through article 19, guarantees the freedom of expression and the freedom of religion. The principle of neutrality forms the core of the Belgian policy in this regard.

There is legislation (Article 563bis of the Penal Code, introduced by the law of 1 June 2011) which prohibits the wearing of any garment that totally or mainly conceals the face. This legislation is based on the grounds of public safety, legal security and living together. Similar legislation in France has been the subject of proceedings before the European Court of Human Rights (*SAS v. France*) and the Court decided in its Grand Chamber judgment, delivered on 1 July 2014, that a ban on this type of clothing is possible since it can be considered to be detrimental to "living together". Two judgments of the European Court of Human Rights have also validated the Belgian law prohibiting the wearing of any garment that totally or mainly conceals the face and similar communal regulations that had been made before the law came into force.¹

Identity cards and passports also have specific rules. It is allowed to be photographed with a headgear if the headgear is worn for religious or medical reasons or if the face is completely free (forehead, jaws, nose, eye, chin).

In a workplace, the employer can prohibit display of religious, philosophical and political signs if there is a consistent and systematic policy of neutrality in the company. A ban specific to the headscarf alone is not permissible, unless under very strict conditions. This is based on the directive of the Council 2000/78/CE 27 November 2000 and the Belgian Anti-discrimination law of 10 May 2007 and a few cases of women wanting to wear a headscarf at work have been brought to the Belgian courts to challenge the conditions of a company's policy (e.g. *Achbita* case from 2006 to a current case of the Employment Court of Brussels 2020).

There is no general ban on the display of religious symbols in schools. There are constitutional principles on freedom of belief and conviction, and a range of international treaties in this area.

There have been a number of litigations and rulings by the Constitutional Court, the Council of State and local courts.

It is the responsibility of the school authorities to work out a policy on the display of religious symbols. They need to respect everyone's constitutional freedom of belief and conviction and freedom of education when they do so.

The Constitutional Court decided on 9/06/2020 (81/2020) that schools can prohibit the display of religious symbols by pupils as part of their educational project of neutrality. As for staff members, they are expected to carry out the project of the school themselves, as employees. The Council of State has jurisdiction over staff, which leaves more room for restrictive measures. It is therefore generally accepted that a neutral school project also means that the employer can forbid the right to wear ideological signs. Only for teachers of religious or ideological subjects, does the judiciary say that religious freedom takes precedence. Teachers who teach a religious or ideological subject may wear religious or ideological symbols.

In the Flemish community, the majority of the schools prohibits the display of religious symbols, as per their internal school regulations. In addition, there have been a number of litigations and rulings by the Constitutional Court, the Council of State and local courts. In a recent ruling (autumn 2019) the Antwerp Court of Appeal accepted the ban introduced by a school, on the basis of religious and philosophical neutrality of the education on the 'community' level.

¹ *Belkacemi et Oussar c. Belgique et Dakir c. Belgique*, rendus le 11.07.2017

v. **establish and register religious organisations, charities or humanitarian institutions;**

Numerous organisations exist and there is no legal limit.

The Regions are in charge of the parishes and the institutions in charge of the management of the temporals of the recognized local religious communities, with the exception of the recognition of the religion as such and the wages and pensions of the ministers of the recognized religions, which remains the responsibility of the federal government. The competence of the regions includes the recognition of the local religious communities as well as the organisation, operation, supervision and financing of the administrations in charge of the management of the goods and revenues of the local religious communities. It should be emphasized that the Regions only have this authority with respect to the religions recognized by the federal authorities (i.e. Roman Catholic, Protestant, Israeli, Anglican, Muslim and Orthodox). There are currently 1713 recognized local religious communities in the Flemish region (7 Anglican, 27 Islamic, 6 Israeli, 16 Orthodox, 49 Protestant, 5 RK Cathedral and 1603 Roman Catholic), 1.267 recognized local religious communities in the Walloon region (3 Anglican, 22 Islamic, 4 Israeli, 9 Orthodox, 56 Protestant, and 1.173 Roman Catholic) and 61 recognized local religious communities in the Brussels-Capital Region (1 Anglican, 14 Islamic, 8 Israeli, 20 Orthodox, 9 Protestant, and 9 Roman Catholic) (The figures for the Walloon Region and the Brussels-Capital Region date from 31 December 2019).

The recognition of a local religious community entails the establishment of a public institution with legal personality, called the administration of worship. The boards of worship are in charge of ensuring the material conditions for the exercise of worship and the preservation of its dignity and are responsible for the maintenance and preservation of the buildings intended for worship, and for the management of the goods and financial resources intended for the exercise of worship.

From the moment of recognition, the funding authority (a municipality or a province) has the following obligations towards the administration of the local religious community:

- to be responsible for the deficit in the functioning of the administration of the local religious community;
- under certain conditions, to contribute to the investment in the buildings of worship;
- making available a residence of the minister of the local religious community or granting a living allowance;
- under certain conditions, making available a room where believers can be received, where the governing body can meet and where the archives of the board can be kept (or grant a secretarial allowance)

As stated above, once a local religious community is recognized, it can have one or more ministers paid for by the federal government.

There are also recognized non-confessional local communities (22 in the Walloon Region, 131 in the Flemish region and 31 in the Brussels-Capital Region). The non-confessional community was recognized on federal level who retains custody of these institutions.

- vi. train and appoint clergy without intervention;

Islamic religion is a recognised religion in Belgium, adopted by law in 1974. The Executive of Muslims of Belgium (EMB) is the representative body of the Muslim community of Belgium and responsible for the ministers (imams) of recognized local religious communities of Islamic worship (mosques). The recruitment of a minister starts with the submission by the Islamic committee of a local recognized religious community (mosque) of a file of the candidate minister of the worship service to the EMB.

The EMB submits the candidacy of the minister of Islamic religion to the Council of Theologians. This Council evaluates the candidate's theological competences and gives advice. The imams coming from abroad - called to hold a post of minister of recognised religion in Belgium - and holders of a degree in theology obtained abroad and approved by the Ministry of religious affairs of this country, or any equivalent official institution, are exempted from evaluation by the Council of Theologians. Yet this only applies for the imams who are appointed in the context of a recognized local Islamic faith community. Imams in an unrecognized local religious community have not been able to obtain a work permit since 2019 (single permit-BVR from 2018)

In case of positive opinion of the Council, the minister is appointed by the EMB (only for recognized local faith communities), and the appointment decision is submitted to the Ministry of Justice, which is responsible for administrative and financial follow-up. Pursuant to article 181 of the Belgian Constitution, the salaries and pensions of the ministers of the recognized religion are paid by the state. The EMB contributes to the training of appointed ministers with regard to civil, socio-legal and administrative aspects.

In the context of the recommendations of the parliamentary inquiry into "the circumstances behind the terrorist attacks on 22 March 2016" of October 2, 2017 (Doc. 1752/009), the Council of Ministers approved on 6 March 2020 a draft royal decree granting subsidies to the EMB in order to provide for an education of the ministers of Islamic Religion. The Council of Theologians contributes to the religious training of the ministers of Islamic Religion.

The training will last six years in total. The theological part (4 years long) of that training is organized by AFOR asbl (a so-called 'association without lucrative purpose' or non-profit organization) "Académie de Formations et de Recherches en Etudes Islamiques"; and the civil part of this training (2 years programme where subjects such as law and sociology would be taught) will be organised in collaboration with AFOR asbl and the universities UC Louvain and KU Leuven. There are plans for the UC Louvain to offer this programme as well but that should be for next year (somewhere in 2021).

The EMB, UC Louvain and KU Leuven are willing to ensure a course leading to the exercise of the function of ministers of the Islamic religion in Belgium. The choice of the EMB is justified by the fact that these two universities have a Faculty of Theology. Historically, these two universities have had essential expertise in the field of research on Islam. In fact, in 2002, UC Louvain created the Interdisciplinary Center for Studies of Islam in the Contemporary World (CISMOC) which, in collaboration with the Université Saint-Louis Bruxelles, and in partnership with Emrid Network, offers a continuing education in "Religious and Social Sciences: Islam in the Contemporary World". In 2014, UC Louvain created CISMODOC, which is a documentation center on contemporary Islam open to the general public. Finally, since September 2015, the Faculty of Theology of UC Louvain has also offered, in partnership with the Executive of the Muslims of Belgium, a University Certificate in didactics of the course of Islamic religion intended for future teachers of the Islamic religion. With regard to KU Leuven (see answer 3.e), since September 2014, the Faculty of Theology offers Master in world religions with option Islamic theology and religious studies intended mainly for teachers of the Islamic religion.

vii. **exercise parental liberties regarding religious education of Muslim children;**

Yes, freedom of conscience and freedom of education are protected by the Constitution (art. 24).

The constitution guarantees the right of all children in primary and secondary education to attend a philosophical or religious course at the state expense. The 'nature' of religious education depends on the educational network to which a school belongs: Community schools must conform to special regulations concerning neutrality as laid down in the constitution. This means that they must respect the philosophical choices of all parents and pupils.

Both the community schools and schools belonging to the network of subsidized public education must offer a choice between a religion-based course and a philosophical or moral one. A choice can be made for one of the officially recognised religions (Catholic, Protestant, Jewish, Anglican, Islamic and Orthodox Christian) or for a non-confessional ethics course. In schools belonging to the network of subsidizes private education there is no free choice as far as religious courses is concerned. The choice for this particular type of education implies at the same time a choice for an ideological project e.g. Catholicism in catholic schools, Judaism in Jewish schools, etc.

The government has no authority over the content of moral or religious courses as long as they do not contravene the democratic principles of society. For each of the recognised or religious community one association or authority is acknowledged as the legal representative of that community. Those representative bodies are responsible for the development of the curricula and they also organize the inspection of these courses. A network of Islam experts was set up to help schools (free of charge) with questions about Islam. The experts will look for a tailor-made answer. The Flemish government had established it as a part of the action plan against radicalization and it was intended as a preventive approach to radicalization in Flanders (existing since 2015).

The experts have a thorough knowledge of both Islam and youth. They are available for pupils, class groups and educational professionals such as teachers and CLB staff (Pupil Guidance Centers).

viii. **observe holidays or days of rest in accordance with the Islamic faith**

There are no legal holidays that take into account special days in accordance with the Islamic faith. The Flemish Community has taken specific measures for education and training. The Catholic holidays are already included in the statutory school holidays and days off. Protestant and Anglican religions do not have holidays that deviate from them. On holidays of the Islamic worldview, the child may remain absent from school, provided that it is indicated in writing via a parental statement. This applies to all recognised religions and the non-confessional ideological organization recognized by the Belgian State. Absences of pupils in primary and secondary education are regulated respectively through Decrees of the Flemish Government and circular letters. These regulations provide that a student can legitimately be absent "to respect holidays that are inherent to the student's ideological beliefs recognized by the Constitution". For Islam, this provision includes the Sugar Feast (1 day) and the Feast of Sacrifice (1 day).

ix. **establish and maintain free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by religious ties;**

No restrictions apply

x. **freedom of movement both within the country and across borders including for purposes of learning and pilgrimage.**

No restrictions apply to freedom of movement. Every citizen of the European Union has the right to move (and reside) freely within the territory of the Member States. This right is enshrined in article 45 of the Charter of Fundamental Rights.

c) **Are there restrictions on the construction, maintenance and use of places of worship by Muslims in your State? Have there been any attacks on Muslim places of worship within your jurisdiction?**

There are no restrictions to the construction of places of worship as long as they comply with local urban planning regulations. In 2015, the construction of a mosque in Fléron-Rétinne was heavily debated. In order to prevent polarisation to happen in the future, Unia (the inter-federal, independent public institution that is tasked with the fight against discrimination and promotion of equal opportunities) has thereupon launched recommendations for both the promoters of projects and the local authorities to support the process of establishing new places of worship.

Belgium registered a few instances of attacks on Muslim places of worship, which are punishable under the Anti-Racism Law from 30 July 1981, but the existing statistics do not permit for detailed counts.

d) Are there any Islamic cultural sites in your country? Does the State support the preservation of these sites?

There are several Islamic cultural sites in Belgium. The mosque is more than just a prayer room, rather a multipurpose center where various activities take place such as language courses, the Koranic school and meeting places.

The basic rules for the boards of worship in Flanders are laid down in the decree of worship of 7 May 2004. This decree was amended by the decree of 6 July 2012. This decree regulates the functioning of the administrations of worship and the central administrations of worship. It also contains the rules governing the obligations of the municipalities and provinces towards these authorities and the relations between them. On the basis of this decree, mosques can be granted financial support, if the prescribed decisions are being respected. Currently there are dozens of mosques officially recognized.

At the local government level, various efforts are being made to preserve Islamic cultural sites. In Kortrijk for instance, several consultations are held every year to strive for a good relationship between the mosque and the city council. Support is offered for elections, recognition files, religious celebrations or precarious problems.

e) Are there any places of Islamic education (madrasas, schools or universities) in your country? If so, are they accredited, recognised or funded by the State? Are Quran classes allowed in places of Muslim worship or other religious institutions?

In Belgium, relations between government and recognized religions are based on the model of separation of church and state on the one hand, and an active policy of support for government-recognised and subsidised religion on the other. Article 24 of the Belgian Constitution stipulates that pupils have the right to a philosophical education at the expense of the State.

The Federal Public Service Justice, together with KU Leuven and AFOR asbl, took the initiative to set up an imam training. At KU Leuven, a number of secular courses can be taken as part of this programme from the domains of psychology and sociology of religion, Arab philosophy, ethics, law, the dialogue between Christian and Islamic communities and historical courses on the Middle East and North Africa. Once the trajectory within KU Leuven has been completed, the student can choose to start the follow-up trajectory outside the university, via AFOR asbl (cf. b vi).

The organisation of the training for ministers of worship is, in accordance with the Royal Decree recognising the Executive of the Muslims of Belgium, a task of the Executive. The government as such has no competence in this regard. This does not prevent trainees from enrolling at a recognized higher education institution, just like any person who meets the admission requirements for Higher Education. (cf. b vi.)

Since the academic year 2014-2015, students at KU Leuven can follow the option Islamic theology and religious studies in the "Master in world religions". This is not an imam training, since the training of religious ministers falls within the competence of the religious services themselves. The aim of the programme is to train intellectuals who can participate from a Muslim perspective in society, education, the care sector, and services. After this training, one can, for example, work as an Islam consultant in hospitals, prisons, or as a youth worker within the Muslim community.

Apart from the official schools, a networks of free schools exist, where the organizing body is not the government. Under this system, Belgium recognizes and subsidizes four Islamic schools: three in Brussels and one in Charleroi. These schools teach the regular curriculum and offer two hours of Islam education every week. (Informal) education in the mosque is allowed in Belgium. There is no official control (by the regional ministries of education), and it is part of the freedom of expression and freedom of association. However, to hatred is forbidden, but in practice the supervision is quiet soft.

Concerning the question of the Quran classes in places of Muslim worship (or other religious institutions): in the Flemish region, within the framework of the freedom of association, there are many initiatives (no classical education) where Arabic and Quran lessons are taught. Often these initiatives are organized within the Islamic places of worship.

3. Equality and Non-Discrimination

- a) **Please provide information and data on the prevalence and types of inequality and discrimination, reportedly experienced by Muslims in your country, including from a gender perspective.**

Unia, the interfederal, independent public institution, tasked with the fight against discrimination and promotion of equal opportunities, opened 336 complaint files related to religious or philosophical beliefs in 2019, 86% of the files relate to Islam. Approximately 30% of these cases concern potential acts of incitement to hatred in media (chain mails, social media, websites, etc.). 28% of these cases concern employment and 17% education. It is mainly women who suffer discrimination because of being Muslim: they represent 60% of those who filed a complaint.

The EU-MIDIS II survey carried out by the European Fundamental Rights Agency indicates that 30% of Muslims in Belgium have felt discriminated against in the past five years because of their ethnic origin or their migration background when seeking employment, work, education or housing. 19% felt discriminated against because of their religious beliefs and 8% because of their skin colour.

Data from the survey "Living Together in Diversity 2017" show that 24% of inhabitants of Belgian origin in Flanders and Brussels would not like their new neighbours being Muslim. Similarly 50% of respondents of Belgian origin does not agree with the statement that "the Western way of life goes well with the way Muslims live". The same survey also shows:

- 38% from all respondents of Moroccan descent who identified themselves as Muslim experienced at least one negative experience due to their religion or origin when looking for a rent house; 33% when looking for a job; 30% in public space; and 25% at work. For women these figures were higher when looking for a job (34%) and in public space (34%), while lower at work (20%), although women with headscarves experienced more negative experiences (43% for a rent house; 36% for looking for a job; 38% in public space; and 23% at work).

- For the respondents of Turkish descent, identifying themselves as Muslim, figures were lower: 34% when looking for a rent house; 21% looking for a job; 10% in public space and 18% at work). Figures did not significantly differ between men and women, except for women with headscarves in public space (17%).

- b) **Please provide information on domestic laws (including relevant domestically implemented international law), policies, and practices that protect against or respond to discrimination against Muslims. How do you ensure the deradicalization programme, counter-terrorism and/or preventing extremism measures or legislations do not target any specific religious or ethnic group, including Muslims?**

The Anti-Racism law of 30 July 1981 to repress certain acts inspired by racism or xenophobia and the Anti-Discrimination law of 10 May 2007 to combat certain forms of discrimination were passed as a response to islamophobia and other kind of discrimination and racist acts.

In terms of awareness, a federal anti-racism campaign was launched on March 21, 2019 to denounce stereotypes through videos that were broadcast via social media and in train stations. The campaign focused on combating racial prejudice and was a call for equal opportunity projects (see <https://www.stopracisme.be>).

The federal administration also organized a meeting in October 2019 between various minority groups, the police, and the public prosecutor's office. During this dialogue the needs and wishes of each were discussed, as well as how racist and discriminatory crimes can be better monitored.

On 3 and 4 October 2019, a civil society consultation was held in collaboration with OHCHR to continue the preparation of the anti-racism plan.

At the end of January 2020, the former Prime Minister proposed to set up an inter-ministerial conference (IMC) against racism. This proposal was approved by all involved governments on 19 February. The federal government, the Regions and Communities designated on 24 June the ministers who would participate in the interministerial conference. The IMC against Racism of 25 September approved a starting note setting out the guidelines for the action plan, with strategic and operational objectives. Technical discussions are now starting up between the administrations concerned by strategic area, with the Equal Opportunities Unit (FPS Justice) as administrative coordinator. On the basis of these discussions, the starting note will be supplemented with concrete actions after examination within the IMC working group.

On federal level the government formalized the interfaith dialogue on May 12, 2017. This dialogue has come about in a spontaneous and informal way on the initiative of representatives of recognized religions and the recognized non-confessional organization. The purpose of these meetings is, for the civil authorities, to listen to the representative bodies of the recognized religious and of the recognized non-confessional organization and to conduct a dialogue within the framework of fundamental values and the constitutional principle of independence from religions and philosophies with regard to civil authorities. This Council meets twice a year, under the rotating chairmanship of the Prime Minister and the Minister of Justice, to discuss current issues, to discuss certain legislative changes and legal issues. This measure implements one of the recommendations of the parliamentary committee of inquiry set up after the attacks of 22 March 2016.

The Flemish government has taken an initiative for the promotion of interfaith tolerance: it established the Flemish Interphilosophical Dialogue (Vlaamse interlevensbeschouwelijke dialoog) to strengthen and exchange dialogue between different religions, and between religions and the government.

The preventive policy within the Flemish competences (see objective framework as approved by the Flemish government on 17 July 2020) which explicitly indicates that it is aimed at all forms of violent radicalization and extremism.

In the Walloon Region, the legal basis is the decree of 6 November 2008, recently amended by the decree of 2 May 2019 on the fight against certain forms of discrimination. This decree combats discrimination based on one or more of the protected criteria, namely, among others, nationality, alleged race, skin colour, descent, national or ethnic origin, birth, religious or philosophical conviction. This decree makes it possible to take legal action or to report acts of discrimination.

- c) **Please provide information on specific gaps and challenges with regard to the elimination of discrimination against Muslims. Are there recent examples where the State has amended or rescinded legislation in order to combat discrimination against Muslims? Do laws in your country guarantee equal rights, regardless of religion or belief, in terms of access to education, healthcare, housing, and employment?**

Several bodies at federal and regional levels have made concrete recommendations to improve the enforcement of anti-discrimination laws. Some of these recommendations have been implemented.

At the federal level, the law of 15 January 2018 introduced the possibility for social inspectors to carry out 'mystery shopping' in the context of discrimination in the workplace. The social inspectors now have the power to act as a customer, potential customer, employee or potential employee in order to determine whether there is discrimination on the basis of a legally protected criteria. In addition, the Royal Decree of 11 February 2019 laying down the conditions for positive action creates the long advocated legal framework for the adoption of specific measures to prevent or compensate for the disadvantages related to the protected criteria, with a view to ensuring full equality in practice. The decree only applies to the private sector. Specifically, it applies to risk groups on the basis of gender, youth, people with low level of education, workers aged 55 and over, people from ethnic minorities or migrants.

For the French Community, the Decree on the fight against certain forms of discrimination of 12 December 2008 ratifies the prohibition of discrimination on the basis of 19 criteria, including religious or philosophical conviction. This decree applies to 5 areas of competence of the French Community: employment (civil service), education, goods and services (access to libraries, museums, etc.), health and social benefits, affiliation - involvement in any organisation under private law subsidised by the French Community.

- d) **Are Muslims treated differently in their applications for asylum and citizenship?**

There is no differentiated treatment for Muslims in the Belgian asylum procedure.

- e) **How does the State protect Muslims in potentially vulnerable situations such as (i) refugees and migrants (ii) children (iii) girls, women, and LGBT+ persons (iv) persons with disabilities (v) members of recognised and unrecognised minority Muslim sects, Muslims perceived to be secular or Muslims who converted into other religions or become atheists and (v) Muslims in the context of the COVID-19 pandemic.**

At the federal level, there are no specific measures for the protection of Muslims with regard to social protection, social security or disability. The Belgian system makes no difference on the basis of religious or philosophical conviction. The Law of 10 May 2007 on combating certain forms of discrimination provides a framework for all actions in the area of social protection, including social security (in particular supplementary social security schemes) and health care. As provided by article 5 of the Act, these areas fall explicitly within its scope.

There is no differentiated treatment for Muslims in the Belgian asylum procedure, as well as concerning the reception facilities for Muslims in need for international protection. All asylum applications are treated with full respect of COVID-19 measures that are established within the Belgian asylum procedure. Vulnerable persons, irrespective of their religion, can rely on the specific provisions provided for in the asylum and migration legislation.

Irrespective of their philosophical or religious belief, every unaccompanied foreign minors in Belgium have a legal status with additional rights, which is regulated by the Guardianship Act. Every unaccompanied child who applies for asylum or is otherwise detected on the territory or at the border has to be referred to the Guardianship service who will identify him and assign him a guardian to assist him during his stay in Belgium.

What is more, the ministerial order of March 23 2020 containing urgent measures to limit the spread of the coronavirus COVID-19 was amended on June 5, 2020 to include measures concerning worship services and non-confessional ideological organizations. The EMB (Executive of Muslims of Belgium), like the representative bodies of the other recognized religions, has developed a protocol with a scenario to be followed with regard to the lockdown and its phasing out in collaboration with the experts of "GEES" (Group of Experts in charge of the Exit Strategy).

Belgium developed an active policy against certain types of gender-based violence that also pertains to the Muslim community, i.e. female genital mutilation, forced marriages and honour related violence. Preventative measures, sensibilization, education and organization of certain specific communities are undertaken at the different Belgian governmental levels, together with expert organizations. For criminal policy, special attention is given to the sensibilization of magistrates and law enforcement personnel to the realities of these phenomena, in order to give them the necessary tools to better understand these types of violence and to conduct research in an appropriate manner with a specific focus on prevention and the global support of victims. When it comes to inter-relational violence, or broader, gender-based violence, steps are also taken towards people who don't speak any of the national languages in order to increase their knowledge of the existing structures, the possible approaches and their rights, notably through the distribution of multilingual brochures, through the development of multilingual websites, and through involvement of community relays.

The Flemish government coalition agreement states that "the freedom of religion and philosophy must remain a freedom without a risk of reprisal when one chooses a religion or philosophy, change a religion or philosophy or renounce a religion or philosophy. Every person should have the right to renounce his/her religion or belief. The government is investigating possible measures to support people in above-described situations where it may be necessary because of community or family pressures.

The former federal Minister for the Fight against Poverty and the former Minister for Social Integration set up a Task Force on vulnerable groups to seek solutions to problems faced by these groups during the corona period. This task force is composed by representatives of the federal State, Regions and Communities. The purpose of this Task Force is to monitor the situation of shelter and assistance infrastructures in partnership with the actors in the field, as well as to identify the needs and emergencies that arise in order to respond quickly and effectively and to spread information, new and specific sensitization campaign and make all stakeholders involved aware of the problem.

The new federal government reactivated this Task Force on vulnerable groups.

- f) **Representation and participation in public life: Are there Muslims in the Government and the judiciary? Are Muslims represented in other public affairs or institutions, including legislative and equality bodies such as National Human Rights Institutions?**

Given that the religion of citizens is considered a private matter and not registered by the authorities, there are no official statistics. However, the immigrants' descendants, including countries or regions where Islam is the dominant religion, are represented in the Judiciary, including the Constitutional Court, as well as in the federal parliament (Chamber and Senate), federal Government, and parliamentary assemblies from federated entities of Belgium (Regions and Communities).

- g) **Hate speech by politicians: Does the State have a parliamentary or legislative code of conduct to deter politicians from making anti-Muslim, antisemitic, xenophobic, racist, homophobic, or other hateful remarks from the floor or in public appearances? Is there qualified or parliamentary immunity for hate speech?**

The Belgian legislative framework in this regard is well established. The law of July 30 1981 makes certain acts of racism and xenophobia punishable. The law of May 10 2007 criminalizes acts of discrimination based on a certain number of criteria, including ethnicity and religious affiliation. The legislation is compliant with EU directives. The Interfederal Centre for Equal Opportunities (Unia) is the independent public institution competent for countering discrimination. It receives complaints, mediates and is a legal entity able to litigate.

Based on article 58 and 59 of the Belgian Constitution, members of parliament must be able to speak freely in the performance of their mandate, in complete independence and without fear of any form of prosecution or sanction. No member of either House may be prosecuted or subjected to any investigation in respect of any opinion or vote expressed in the performance of their duties. Courts and tribunals therefore have no jurisdiction to rule on disputes arising from an opinion expressed by a member of parliament in the performance of his duties. The only exceptions for parliamentary immunity is when found in the act or when the parliamentary immunity is waived by a simple majority of votes (so if a member of parliament is arrested for acts, this is done with prior consent of the members of parliament and by a simple majority). Members of parliament remain subject to internal disciplinary sanctions.

Parliamentary immunity commences from the taking of the oath and ends at the end of the term of office. Even after the end of a mandate, a member of parliament remains protected against prosecution for opinions expressed or votes cast during the mandate.

However, the immunity only applies when the member of parliament acts on behalf or in the name of the parliament. It does not apply in the exercise of party and political activities in general and when one acts a private person.

So because of parliamentary immunity a member of parliament may, in the exercise of his mandate, make statements that are punishable under the Anti-racism law and they are not prosecuted for this.

As far as the code of conduct is concerned, there is a code of deontology telling members of parliament how they should act in the exercise of their mandate. (See link: https://www.dekamer.be/kvvcr/pdf_sections/publications/reglement/Deontologie%20-%20x%20code%20voor%20de%20leden%20NTC.pdf)

Article 120 of the Belgian Constitution stipulates the inviolability of a member of a Community or Regional Parliament.

- h) **Online hate speech: Does the State monitor and investigate incidents of anti- Muslim hatred and discrimination online, including perpetrators' tools and tactics (e.g. use of bots, doxing, misinformation)? What data does the State have on how online hatred, harassment and political manipulation are affecting Muslims? Does the State have arrangements with private actors (e.g. social media companies) to access their data on the incidence or effect of anti-Muslim hatred and discrimination online on those targeted?**

Social media platforms such as Facebook, Twitter, Youtube or Microsoft adopted a code of conduct in May 2016 on the initiative of the European Commission on combatting online hate speech. The main agreement is this code of conduct is the removal of hate messages: the majority of valid hate messages should be analyzed within 24 hours and, if necessary, removed.

At the federal level, the joint circular COL 13/2013 of the Minister of Justice, the Minister of Foreign Affairs and the College of Attorneys-General at the Courts of Appeal determines the investigation policy and prosecution regarding discrimination and hate crimes, including online hate speech. The circular contains a specific point about cyber hate and defines it as the expressions of hatred (stalking, harassment, insults, discriminatory remarks) on the internet against people because of their skin colour, their origin, their sexual orientation, their disability, etc. Following the agreement of the working group COL 13/2013, the policy cells Home Affairs, Justice and Equal Opportunities, a sub-working group Registration of Hate Crimes has been set up (see question 3.K II).

Unia collects data on online hate speech. About 75% of all files opened in relation to online hate speech concerns racism and/or religious beliefs without specifying how many are related to Islam. About half of the complaints of discrimination on the basis of religious convictions involve Facebook posts.

The Flemish Community participated in the "No Hate Speech Movement", a youth campaign of the Council of Europe, through the "No Hate Speech Platform Vlaanderen (see: www.nohate.be). This platform aims to combat hate speech and the dissemination of hate online and offline by raising awareness and training children, young people and their supporters (educators, teachers, parents, etc.) and giving them tools to be resilient and take action. The 'Committee for think and action against gender-based Islamophobia' (Comité de réflexion et d'action contre l'islamophobie sexiste) that brings together civil society and government authorities, has published recommendations to the authorities of the Brussels Region. One of the issues raised was sexist islamophobia through media and online.

- i) **Incitement to hatred or violence: How is the prohibition of incitement to national, racial or religious hatred in international human rights law incorporated into domestic legislation? Are there specific offences in law regarding crimes of anti- Muslim hatred? Do the laws provide for imposition of enhanced penalties for crimes committed with anti-Muslim motivation? Is there a law on 'takfirism'?**

Art. 22 of the federal Anti-racism Law makes it a criminal offence to incite publicly to discrimination, hatred or violence against a person, a group, or a Community on the basis of the protected criteria age, sexual orientation, civil status, birth, wealth, religion or beliefs, political conviction, trade union membership, language, actual or future health status, disability, a physical or genetic characteristic, social origin. The perpetrator will be punished by a detention of 1 month to a year and/or a fine of 300 EUR to 6000 EUR. Hate speech may also be dealt with by means of other, general criminal provisions, such as slander, defamation and insults.

The federal Anti-discrimination Law doesn't criminalize the dissemination of ideas and the participation in groups or associations which advocate discrimination based on the sexual orientation or gender identity of persons.

The federal Anti-discrimination Law amended the Criminal Code which now provides an aggravating circumstance for certain common offences of the Criminal Code inspired by one of the protected criteria of this Law, including sexual orientation. This results in an optional or compulsory increase of penalties.

3.3.1. Optional increase of penalties

The amended Criminal Code provides the optional double of the minimum imprisonment for the following offences, if the motive of them was the hate of, the disapproval of or the hostility against a person due to one of the protected criteria of the Anti-discrimination Law:

- Indecent assault and rape (art. 377bis Criminal Code)
- Failure (art. 422quater CC)
- Assault on the personal liberty, torture and unlawful entry committed by law enforcement services (art. 438bis CC)
- Harassment (art. 443ter CC)
- Slander, defamation and violation of a grave (art. 453bis CC)
- Arson (art. 514bis CC)
- Destruction of immovable property and machinery (art. 525bis CC)
- Damage to movable property (art. 532bis CC)
- Graffiti (art. 534bis CC)
- Damage to immovable property (art. 534ter CC)

3.3.2. Compulsory increase of penalties

If following offences are inspired by the hate of, the disapprove of or the hostility against a person due to one of the protected criteria of the federal Anti-discrimination Law, such as sexual orientation, they result in the compulsory increase of penalties:

- Manslaughter (art. 393 CC): life imprisonment
- Intentional assault and wounding, (art. 398, 401 and 405bis, 1°, 2°, 7° and 8° CC)
- Assault and wounding resulting in illness or incapacity for work, complete loss of use of an organ or severe mutilation (art. 399, 400 and 405bis, 3°-6° CC)
- Intentional administering of harmful or deadly substances, without the intention of killing (art. 402-405 and 405bis, 9°-11° CC)

Beside the above-mentioned motives that leads automatically to an increase of the penalty, there are two more elements which also result in a supplementary increase of the penalty. The first one is the premeditated character of an offence. The second one depends on the profile of the victim: when the victim of the above-mentioned offences is a minor or a vulnerable person due to his/her age, pregnancy, illness, physical or mental disability and is not self-supporting, the maximum imprisonment mentioned above is doubled or increased by two years.

- j) **Countering Violent Extremism: Are State strategies and practices to prevent/counter violent extremism grounded in human rights law? How does the State define 'violent extremism'? Are the impacts on women and ethnic and religious groups on rights-limiting measures assessed?**

Respect for human rights is intrinsically embedded in the Belgian democratic system and is enforced by the Council of State which checks new legal initiatives to see if they are in accordance with previous laws and treaties (including ones on human rights).

Furthermore several official commissions such as the National data protection authority and independent organizations or NGO's, are active in this field and further hold the State accountable in acting according to human rights law.

The Belgian law does not have a clear-cut definition of what 'Violent Extremism' entails. Extremism and terrorism are however clearly defined in the law of 30 November 1998 on intelligence agencies and security services:

- Terrorism : the use of violence against persons or material interests, for ideological or political reasons, with the aim of achieving its objectives by means of terror, intimidation or threats, including the process of radicalization.
- Extremism: racist, xenophobic, anarchist, nationalist, authoritarian or totalitarian concepts or aims, whether political, ideological, religious or philosophical in nature, which are contrary, in theory or in practice, to the principles of democracy or human rights, the proper functioning of democratic institutions or other principles of the rule of law, including the process of radicalization.

k) Reporting, documenting and remedy:

- i. **Is there a specific State mechanism for reporting or recording incidents of anti- Muslim hatred or discrimination? Does the State take other measures to improve monitoring increase reporting and the documenting of such crimes? Is the number of such incidents rising or falling?**

In September 2017, the Equal Opportunities Team (now belonging to resorting under the FPS Justice, formerly under the FPS Employment), has been designated as national contact point hate crime for ODIHR/OSCE. Since then, Belgium systematically reports to ODIHR. Unia collects data and specifically reports of discrimination against Muslims.

- ii. **Do you collect information on who the perpetrators of hate crimes are? If so, who are they and what are the common motives?**

At the moment, the current form of registration of hate crimes does not allow to gain an insight into the extent of the problem.

As a remedial action, in January 2020, a workshop was organised by the federal government, the European Union Agency for Fundamental Rights and the ODIHR (OSCE Office for Democratic Institutions and Human Rights) to look into the registration of hate crimes in Belgium. The workshop brought together national experts to identify gaps and disparities in the registration of hate crimes and to analyse possible solutions. In addition to the identification of problems, a set of detailed (technical) recommendations has been developed to fill these gaps.

With the establishment of the sub-working group Registration of Hate Crimes (mentioned in i)), set up under the working group COL 13/2013, the work has started to implement numerous technical and substantive recommendations of the experts to improve registration. In this way, the police services work on the elaboration of a handbook: when registering a crime, the police officer will fill in a field in which s/he whether a hate motive seems to have played a role. Work is also being done on the standardization of monitoring systems of the police, the Public Prosecutor's Office and the Central Criminal Registry that register offences against anti-racism and anti-discrimination laws.

Police crime statistics are compiled based in the information in the General National Database (ANG/BNG). This is a police database in which crimes are registered on the basis of official police reports resulting from the missions of the judicial and administrative police.

In the first place, it is an operational police database, but it can also be used for statistical purposes. It enables an analysis of various statistical variables, such as the number of offences/crimes registered, the modi operandi, the objects used in a crime, the means of transport used, ...

For certain common law offences (e.g. battery and assault), if the offence was committed (among other things) out of aversion to someone's ethnic origin, religion, gender, sexual orientation, ... (a so-called "bias motivation") this constitutes an aggravating circumstance. These are also defined "hate crimes". So it is the motive (bias-motivation) that determines whether it is a hate crime.

These crimes and the suspects of these crimes (age, sex, nationality) are registered in the General National Database. However, on the statistical level, the codes within the police nomenclature are not detailed enough to identify these "hate crimes". Other available fields in the database do not help either. As a consequence, these hate crimes cannot be filtered out on the basis of the information available in the General National Database.

To conclude: 1) on the operational level, hate crimes and their suspects are registered in the police database. 2) on the statistical level, there are currently no figures on hate crimes available.

- iii. **If applicable, what percentage of prosecutions of hate crimes in which Muslim identity was an aggravating factor are successful? How does the State ensure that victims of anti-Muslim hate speech, crimes or discrimination are provided with effective access to justice and remedies, including Muslim women and girls (e.g. does the State fund programme to help victims)?**

The working group COL 13/2013 issued a guideline to encourage police and magistrates to consider discrimination offences as a priority and to avoid dismissals. Facts covered by anti-discrimination legislations and facts committed with a hateful and/or discriminatory intent must be registered under a specific code. However, the annual statistics show that the number of cases registered with the public prosecutors under this code remains relatively small.

On behalf of Unia and the King Baudouin Foundation, the National Institute for Criminalistics and Criminology (NICC) investigated the reasons for dismissal of discriminatory offences. The study confirms that dismissals are quite frequent, in 66% to 81% of the cases, and that this is mainly due to technical reasons (prosecution is impossible). In rarer cases, dismissals are made because the public prosecutor does not consider it appropriate to prosecute. One of the reasons for it, is that it is not possible to establish the facts precisely, identify the perpetrators or collect all the necessary elements. This explains why it is so difficult for the courts to determine whether or not facts are covered by anti-discrimination legislation (https://www.unia.be/files/Documenten/Publicaties_docs/rapport_44_NL-nov2020.pdf).

- iv. **Does the State provide security for Muslim schools or cultural sites (if so, please elaborate)? Are Muslims allowed to form community security groups? Are there cases of anti-Muslim violence, harassment, or desecration targeting individuals or their property, educational facilities or Muslim cultural or religious sites (if so, please provide details)?**

In Belgium, the security and protection of certain locations, sites, national interests is always assigned on the basis of an objective threat assessment. The Crisis Centre takes the decisions, on the basis of (general and punctual) assessments of the CUTA (Coordination Unit for Threat Analysis). Belgian citizens, whether Muslims or not, can indeed take certain initiatives themselves in the field of security. For example, they can set up neighbourhood information networks: a kind of communication system between citizens in a given neighbourhood and the local police.

4. State practices to promote tolerance and understanding, including with private and public actors

- a) **Training / awareness raising: What training on anti-Muslim hatred and discrimination issues does the State provide to (i) police (ii) security forces (iii) judiciary (iv) teachers and (v) local religious actors to support their role as key actors in preventing incitement to hatred or violence? What form does that training take?**

The Belgian administration participates in the working group on improving the recording of hate crimes within the framework of the Office for Democratic Institutions and Human Rights (ODIHR) and the European Union Agency for Fundamental Rights.

Unia offers multiple tools to raise awareness and educate on discrimination and applicable legislation in Belgium. There are online videos, leaflets and other educational tools available to all, as well as personalized guidance and training for any group upon request. On an annual basis, training for magistrates, training for police reference officers and training for the labor inspectorate is organized within the assistance of the equality bodies Unia and the Institute for Gender Equality (IEFH).

In police there is special attention to discriminatory profiling training. It promotes critical reflection on the way of working and makes police officers more aware of their prejudices. Communication skills and an understanding of the importance of community policing are also essential. But above all, reflection on selection bias, dealing with the diverse society and the risk of polarization are elements that should be addressed in basic and advanced training.

The Flemish Government is committed to a society shared by everyone. Democratic citizenship is central to this and there is room for different ideologies, ideas and beliefs, as long as they do not incite hatred and violence.

The agencies for Integration and civic integration offer support to local authorities to deal with issues of polarization in society.

- b) **Removing barriers: How does the State use public office to eliminate barriers between religious or belief communities and promote an inclusive society? Do such policies and practices include civil society and in particular, Muslims within those initiatives? Does the State have any initiatives (including non-legislative) in place to counter stigmatization and negative stereotyping of Muslims and incitement to religious hatred (e.g. facilitating exchange of information and resources on the 'Istanbul Process' and implementation of HRC Resolution 16/18, interfaith dialogues) and /or promote interfaith tolerance, understanding and public discussion?**

The constitutional communities of Belgium (Flemish, French, German) have all introduced several campaigns to counter stigmatization and negative stereotyping of Muslims, mostly at the workplace. In 2017 for example the Flemish region has launched an awareness campaign "het is gauw gebeurd" with the global aim of prevention and awareness-raising on discrimination, including those against Muslims.

The "[#SheDIDIT](#)"-campaign specifically focuses on women. The next campaign of the Brussels-Capital Region included civil society at all stages. Moreover, Unia launches several media campaigns with the aim of prevention and awareness-raising on racism and racial discrimination.

The Flemish Government is committed to a society shared by everyone. Democratic citizenship is central to this and there is room for different ideologies, ideas and beliefs, as long as they do not incite hatred and violence.

Initiative for the promotion interfaith tolerance: since 2014 the Flemish inter-philosophical dialogue (Vlaamse interlevensbeschouwelijke dialoog): strengthens the exchange and dialogue between the different religions, and between the religions and the government. Government agreement 2019-2024): "With the VILD, we offer faith communities and secular philosophies of life a forum where they can talk to each other and to the government. In conflicts and tensions, we expect the representatives of religions and philosophies to use their moral authority to call for reconciliation, understanding and cooperation. We also enter into dialogue with them to make diversity in all its facets acceptable and negotiable. In a society that is increasingly diverse, it is crucial that we protect our achievements and strengthen support for them.

Civil society has been closely involved in the evaluation of the Brussels-Capital Region's action plan against racism 2019-2020 and will be consulted for the elaboration of the 2021-2024 plan. The Brussels-Capital Region has developed an ambitious policy of supporting civil society. Within this policy framework, Muslim associations have been able to develop projects that integrate the gender and intersectional dimensions.

In 2018, the French Community adopted a Decree on the promotion of Citizenship and Interculturality. Within this framework, an anti-racism campaign is being developed.

Additional cf point 3b with regard to interfaith dialogue at federal level.

- c) **Tackling extremism: Has the State identified whether sectors of their population are at risk of radicalisation from extremist groups? What information is available on those groups' recruiting techniques and mechanisms for targeting alienated youth? Is extremism in the political system an issue for the State?**

The preventive policy in Flanders focuses as much as possible on causes and risk factors that are detected on the basis of research, analyzes and practical experiences.

This identification must include all extremist groups, islamists but also far right.

- d) **Media**: Does the State require private or public media entities to have professional ethics and/or press codes that sanction anti-Muslim stereotyping, hatred and discrimination? Are there policies and regulations to promote pluralism and diversity of the media (including online), and which promote equal, universal and non-discriminatory access to and use of means of communication?

The media are the responsibility of the different communities.

Specifically relating to Flanders:

- Flemish media regulation (for radio and tv) states (art. 38 and 39 of the Media decree) explicitly that incitement to hatred is forbidden and (television)programming can by no means lead to discrimination between ideological and philosophical backgrounds.
The same decree states in article 164 that private television companies, when offering news- and information programs, must have a separate and specific news staff, for which independency (of the rest of the organisation) and other rules are laid down in a specific editorial charter.
- Journalists in Flanders have to comply to a specific code, stating that journalists do not incite to hatred and that – when journalists refer to a.o. religion – such reference cannot be stigmatizing in any way.
- Specifically for VRT as Flemish public broadcaster:
 - o News programs have to comply with journalistic standards as laid down in the code above and a specific code, called the code of conduct and the journalistic charter (article 29 of the above-mentioned decree).

- Diversity is of paramount importance, both in the programs and within the organization itself. The diversity objectives resulting from the management contract are included in the VRT business plan and an “Annual action plan for diversity” is published in collaboration with all the media brands on radio, television and online. These plans are verified with civil society associations and are adjusted if necessary.

According to the Order of the Government of the French Community on the coordination of the decree on audiovisual media services (2009, amended in 2016), publishers of services subject to this decree may not publish :

1° programmes that are contrary to the law or to the general interest, undermine respect for human dignity, respect for equality between women and men or contain incitement to discrimination, hatred or violence, in particular for reasons of alleged race, ethnicity, of sex, nationality, religion or philosophical conception, disability, age or sexual orientation or tending to deny, minimise, justify, approve or condone the genocide committed by the Nazi regime during the Second World War as well as any other form of genocide (Art. 9)

Furthermore, the Order specifies (art. 11) that commercial communication may not :

1° undermine respect for human dignity and respect for equality between women and men;

2° involve or promote discrimination on the grounds of alleged race, ethnic origin, sex, sexual orientation, nationality, disability or age;

3° to violate religious, philosophical or political convictions.

- e) **Online platforms: How does the State create an environment for open robust debate and dialogue, including through a free and open Internet, in line with the rights to freedom of thought, conscience and religion or belief, freedom of opinion and expression, and non-discrimination? How does the State engage with social media companies to address online harassment of Muslims and coordinate efforts in response? Does the State regulate website-hosting companies that host hateful or harassing content? Does the State impose liability for web hosts that host hateful or harassing content?**

In the context of integration policy as well as in the context of tackling violent radicalization and extremism and in tackling discrimination and racism, the federal government plans to focus on tackling disinformation and hate speech.