

WESTERN EUROPE

SCIRF continues to monitor religious freedom-related issues in Western Europe highlighted in previous Annual Reports. These include: government restrictions on, and efforts to restrict, certain forms of religious expression (such as dress and visible symbols, ritual slaughter, religious circumcision, and places of worship); government monitoring of disfavored groups pejoratively labeled as “cults” or “sects;” issues surrounding the accommodation of religious objections; and the impact of hate speech laws on peaceful expressions of belief. Governmental restrictions on religious freedom both arise from and encourage a societal atmosphere of intolerance against the targeted religious groups, and limit their social integration and educational and employment opportunities. Alongside these restrictions, there has been an alarming rise in recent years of societal hostility toward Jews and Muslims in Europe, including discrimination, harassment, and sometimes violence, which further isolates and marginalizes these populations. Organizations tracking anti-Semitic and anti-Muslim incidents in a number of Western European countries reported increases in 2015.

Religious Dress

Various European countries, at the national, state, and/or local level, restrict individuals from wearing visible religious symbols, such as Islamic headscarves, Sikh turbans, Jewish skullcaps, and Christian crosses, in certain contexts. For example, France and some parts of Belgium, Germany, and Switzerland prohibit wearing such symbols in public schools. A French government body, the High Council for Integration, has proposed extending the ban to public universities; in 2015, Nicholas Sarkozy, the former president of France and leader of the center-right party now called The Republicans, expressed support for this extension. The French government also does not permit government employees to wear visible religious symbols or reli-

gious dress at work. President François Hollande and other high-ranking government officials have publicly called for the extension of this rule to at least some private workplaces.

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France and Belgium also ban the wearing of full-face Islamic veils anywhere in public. In May 2015, the Dutch cabinet approved a bill to prohibit full-face veils in education and healthcare institutions, government buildings, and on public transportation; the proposal remained pending at the end of the reporting period. Covering one’s face in public presents legitimate issues not presented by other forms of religious dress, such as the necessity of facial identification, which may justify governmental restrictions in some circumstances. However, to satisfy international religious freedom standards, a restriction must be tailored narrowly to achieve a specified permitted ground (public safety, public order, public health, public morals, or the rights and freedoms of others) and it must be non-discriminatory. The European Court of Human Rights upheld the French full-face veil ban in 2014. The court rejected arguments that the ban protected public safety, gender equality, or human dignity, but found it justified to uphold “the minimum requirements of life in society.” This justification was widely criticized, including by two dissenting judges, as vague, open-ended, and not grounded in European or international human rights law.

Ritual Slaughter and Dietary Requirements

A European Union (EU) directive generally requires stunning before slaughter but allows countries to exempt religious slaughter. Nevertheless, EU members Denmark, Luxembourg, and Sweden and non-EU members Switzerland, Norway, and Iceland continue to ban all slaughter without stunning, including kosher and halal slaughter.

In 2015, several French towns discontinued providing non-pork alternatives in school cafeterias for Jewish and Muslim students, arguing this was required under France's strict form of secularism. Marine Le Pen, the leader of the far-right Front National (FN) political party, had called for FN members elected in 2014 local elections to take this action. Former president and opposition leader Sarkozy also publicly supported the effort.

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Religious Circumcision

Disputes continue over the religious circumcision of male children, which is integral to both Judaism and Islam. Organizations such as the Swedish Medical Association, the Danish College of General Practitioners, and the Norwegian Ombudsman for Children have spoken out against the practice as abusive. In 2013, in what Jewish and Muslim groups viewed with alarm as a call to ban the practice, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution on children's rights that deemed religious circumcision of young boys a violation of children's physical integrity and appeared to equate it with female genital mutilation. Two years later, a PACE resolution on freedom of religion and living together in a democratic society addressed the practice in a way religious groups found more acceptable. The September 2015 resolution recommended that religious circumcision should be performed only "by a person with the requisite medical training and skills, in appropriate medical and health conditions" and with the parents "duly informed of any potential medical risk or possible contraindication."

Places of Worship

In Switzerland, the federal constitution bans the construction of minarets. The ban was enacted through a 2009 popular referendum initiated by the far-right Swiss People's Party (SVP), which the Swiss government opposed as irreconcilable with human rights guarantees in European and international law and the Swiss constitution. No other European country has a constitutional provision or national law banning minarets, but in various countries generally-applicable zoning and other laws have been applied in a discriminatory manner to Muslim places of worship. According to the Council of Europe's Commissioner for Human Rights, "[l]ocal authorities in many European cities regularly find reasons to delay building permits for mosques, but not for other houses of worship." In

countries including France, Germany, Italy, and the United Kingdom, existing mosques are insufficient for the communities, particularly for Friday prayers, leading worshippers to pray in homes or outside. Farther east, there is still no official mosque in Athens, Greece, the only EU capital without one, despite the Greek parliament approving construction in 2011 and the country's highest administrative court, the Council of State, rejecting a legal challenge in 2014.

Governmental Monitoring of Disfavored Religious Groups

Since the 1990s, the governments of France, Austria, Belgium, and Germany have, to varying degrees, taken measures against religious groups they view as "cults" or "sects," including through monitoring and investigations. Targeted groups have included Jehovah's Witnesses, Scientologists, Hare Krishnas, Evangelical Protestants, and other small, non-traditional, and/or new religious communities. In 2012, the French government created a new entity (in addition to its "anti-cult" agency) to observe and promote secularism in the country, about which some religious groups have expressed concern.

Hate Speech Laws

The peaceful public sharing of one's religious beliefs is both an integral part of religious freedom and protected by freedom of expression. This includes the expression of beliefs that may be offensive to others or controversial in society, such as views on homosexuality, abortion, or other religions. Vague and overbroad laws against "incitement to hatred" that encompass speech that does not rise to the level of incitement of violence pose a risk of chilling protected expression. If used against the peaceful expression of beliefs, they can result in violations of the freedoms of speech and religion.

In January 2016, a court in Belfast, Northern Ireland acquitted Evangelical Christian pastor James McConnell of hate speech charges, for which he could have received six months in prison. The charges stemmed from a 2014 sermon, broadcast over the Internet, in which Pastor McConnell described Christianity as the only true faith and called Islam heathen and Satanic. The judge ruled that his comments were offensive but not criminal.

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Accommodation of Religious Objections

There have been issues in many countries concerning how to address conflicts between religious beliefs and generally-applicable laws, government policies, or employer requirements. In 2013, the European Court of Human Rights recognized that wearing religious symbols at work or not being required to endorse same-sex relationships are protected manifestations of religious freedom that employers may only limit under certain circumstances. The decision did not establish a uniform approach for all cases, but rather gave great deference to national authorities to decide how to strike the balance in each particular case.

Another example of official policies limiting some individuals' ability to practice elements of their faith concerns homeschooling in Germany. In recent years, German parents who homeschooled their children for

religious reasons were fined for violating school attendance laws, and at least one family sought asylum in the United States.

Anti-Semitism

France has the largest Jewish community in Europe and the third largest in the world, estimated at around 500,000 people (approximately 0.75 percent of France's population). There also are Jewish communities in Belgium, Germany, Italy, Sweden, and the United Kingdom. Anti-Semitic incidents, ranging from verbal harassment to vandalism of property to violent attacks, including terrorist attacks on Jews and Jewish sites, have occurred in multiple Western European countries in the past few years. According to many reports, these incidents increased in 2015.

Anti-Semitism in Western Europe has three primary sources: the political far-right, the political far-left, and Islamist extremists. Islamist extremists have been the main perpetrators of the anti-Semitic violence in the region; examples include terrorist

attacks against a Jewish school in Toulouse in 2012, a Jewish museum in Brussels in 2014, and a kosher supermarket in Paris and a synagogue in Copenhagen in 2015. Although they comprise only a small fraction of Europe's or the world's Muslims, violent Islamist extremists present the threat about which Western European Jewish leaders say that they and their communities are most concerned. Additionally, on the far-right, xenophobic nationalist political parties and groups, including neo-Nazis, continue to espouse anti-Semitism. Finally, on the far-left, anti-Israel sentiment often crosses the line from criticism of Israeli policies into anti-Semitism, especially at times of increased Israeli-Palestinian conflict. For example, in the summer of 2014, pro-Palestinian demonstrations in France devolved into calls of "Jews to the oven" and assaults against local Jews and Jewish sites.

Western European Jewish leaders emphasize that, unlike in the 1930s, anti-Semitism in the region today is not government-sponsored. To the contrary, leaders, including the French Prime Minister, the German Chancellor, and the British Prime Minister, have spoken out strongly against it, and governments have provided security for Jewish sites. In December 2015, the EU appointed for the first time a Coordinator on Combating Anti-Semitism. Nevertheless, reports indicate increasing Jewish emigration from Western Europe, particularly France, in the past several years. Around 7,900 French Jews immigrated to Israel in 2015 and approximately 7,200 did so in 2014. By contrast, the number was around 3,300 in 2013 and fewer than 1,900 in 2012.

Anti-Muslim Bias

Western Europe's largest Muslim population lives in France, comprising approximately eight percent of the country's total population or approximately 5.3 million people. A number of other European countries have Muslim populations in the four to six percent range, including Austria, Belgium, Denmark, Germany, Greece, Liechtenstein, the Netherlands, Sweden, Switzerland, and the United Kingdom. Anti-Muslim incidents ranging from verbal harassment to property vandalism to violent assaults have occurred in multiple Western European countries in recent years. According to many reports, these incidents increased in 2015. Discrimination against Muslims, including in education, employment, and housing, also is a significant problem.

More than a million migrants and asylum seekers, mainly from Syria, Iraq, and Afghanistan, arrived in Europe irregularly during 2015. At a time of high profile Islamist terrorist attacks around the globe, including in France, and with European governments' chaotic management of the influx, this situation exacerbated anti-Muslim sentiment. Despite the fact that many were fleeing conflict, the largely Muslim arrivals were viewed with suspicion and fear in many countries.

Far-right political parties and other nativist groups are a major source of the intolerant rhetoric and acts against Muslims in Western Europe, including against Muslim migrants and asylum seekers. European Muslim communities also face the dual challenges of Islamist extremist groups seeking recruits and sympathizers from within their communities and of members

of the wider society blaming all Muslims collectively for Islamist terrorist attacks. The backlashes against Muslims following the January and November 2015 terrorist attacks in Paris illustrate the latter point. Mosques were given police protection in several countries, and government and EU officials emphasized the importance of not stigmatizing all Muslims. In December 2015, the EU appointed for the first time a Coordinator on Combating Anti-Muslim Hatred.