The Netherlands

Released by the Bureau of Democracy, Human Rights, and Labor

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There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Jews and Muslims faced instances of abuse during the reporting period, although the experiences of the two communities differed. The Government has repeatedly condemned any form of anti-Semitism or anti-Islam activity and works with nongovernmental organizations (NGOs) to combat such abuses.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 16,485 square miles and a population of 16.4 million. Approximately 60 percent of the population has some religious affiliation, although many do not actively practice their religious beliefs. Approximately 55 percent consider themselves Christian (Roman Catholic and Protestant, including the Dutch Reformed Church, Baptists, Lutherans, Anglicans, and Remonstrants); 5.2 percent Muslim; 3 percent other (Hindu, Jewish, or Buddhist); and 36 percent atheist or agnostic.

Society has become increasingly secularized. In general, church membership continued to decline. According to a 2006 study by the government’s Social Cultural Planning Bureau, church membership declined steadily from 76 percent of the population in 1958 to 30 percent in 2006 (16 percent Catholic and 14 percent Protestant). Only 16 percent regularly go to church. Catholics constitute the largest religious group in the country.

An estimated 850,000 Muslims, constituting 5.2 percent of the population, live in the country, primarily in the larger cities. Approximately 370,000 are of Turkish background and 330,000 are of Moroccan background. Other Muslims are from the country’s former colony of Suriname, and there are large numbers of asylum seekers from countries such as Iran, Iraq, Somalia, and Bosnia. Research released in May 2008 by the University of Groningen yielded an estimate of 200,000 practicing Muslims in the country; the estimate was based on, among other things, an analysis of attendance at mosques.

According to the Jewish Social Work organization, the country counts approximately 45,000 Jews, but the Stephen Roth Institute and the Council of Europe estimate the number at closer to 30,000. Less than one-quarter of those belong to active Jewish organizations.

There are approximately 95,000 Hindus, of whom 85 percent originally came from Suriname and approximately 10 percent from India. The country hosts smaller numbers of Hindus from Uganda, as well as members of similar movements based on Hindu teachings such as Ramakrishna, Hare Krishna, Sai Baba, and Osho.
The Buddhist community has approximately 17,000 members.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors. The Constitution permits the Government to place restrictions on the exercise of religious beliefs only on limited grounds, such as health hazards, traffic safety, and risk of public disorder.

It is a crime to engage in public speech that incites religious, racial, or ethnic hatred, and the Government prosecuted several cases during the period covered by this report. Convictions are rare, however, because courts are reluctant to restrict freedom of expression, especially when it concerns expressions that "offend, shock, or disturb" made by politicians or journalists within the context of public debate or serving the public interest. For example, on June 30, 2008, the Amsterdam prosecutor's office announced that it would not prosecute politician and Islam critic Geert Wilders despite dozens of complaints about his statements in the press and his "Fitna" movie, which many considered offensive to Muslims. However, since he made them within the context of the public debate on Islam, they are not considered to constitute a criminal offense. Nor was Wilders considered guilty of inciting hatred against Muslims.

The Government provides state subsidies to religious organizations that maintain educational facilities. The Government provides education funding to public and religious schools, other religious educational institutions, and health care facilities, irrespective of their religious affiliation. To qualify for funding, institutions must meet strict nonreligious criteria in curriculum, minimum class size, and health care.

The Government observes Good Friday, Easter, Ascension Day, Pentecost, and Christmas as national holidays.

Religious groups are not required to register with the Government; however, the law recognizes the existence of religious denominations and grants them certain rights and privileges, including tax exemptions. Although the law does not formally define what constitutes a "religious denomination" for these purposes, religious groups generally have not experienced any problems qualifying as religious denominations.

The Government of Turkey exercises influence within the country's Turkish Muslim community through its religious affairs directorate, the Diyanet, which is permitted to appoint imams for most of the more than 200 Turkish mosques in the country. There is no such arrangement with the Moroccan Government, which maintains connections with the approximately 150 Moroccan mosques through a federation of Moroccan friendship societies but has no mechanism to exercise direct influence in the country. Authorities continued to express concern regarding Turkish and Moroccan interference with religious and political affairs, because such interference appeared to run counter to government efforts to encourage integration of Muslims into society.

To counter undesired foreign influence, the Government continued to provide subsidies to universities providing training for local persons interested in becoming imams to ensure that they have a basic understanding of local social norms and values. Selected universities cooperated with the main Muslim organizations on designing training programs. The Government continued to require all imams and other spiritual leaders recruited in Islamic countries to complete a yearlong integration course before permitting them to practice in the country.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

Disputes arose when the exercise of the rights to freedom of religion and speech clashed with the strictly
enforced ban on discrimination. Such disputes were addressed either in the courts or by antidiscrimination boards. Complaints were repeatedly filed against religious or political spokesmen who publicly condemned homosexuality; however, longstanding jurisprudence dictates that such statements, when made on religious grounds, do not constitute a criminal offense absent an intention to offend or discriminate against homosexuals.

The Equal Opportunities Committee and the courts repeatedly addressed the wearing of headscarves in schools and places of employment. Prevailing jurisprudence is that any restriction on wearing headscarves in schools and places of employment should be limited and based on security or other narrow grounds. In practice, headscarves were permitted almost everywhere, including in schools. In 2005-2006 Parliament adopted a resolution urging the Government to ban public wearing of burqas. Legal experts, consulted by the previous Integration Minister, opined that a general ban did not appear possible under the law. When the current Government took office on February 7, 2007, it stated that it was willing to consider banning "face-covering clothing in the interest of public order and safety," without reference to religious practices. On February 8, 2008, the Minister of Internal Affairs announced that the Government would not impose a generic ban on the public wearing of face-covering clothing, but it would introduce such a ban in the education sector and throughout the administration.

In other areas, antidiscrimination boards have publicly rebuked employers for failure to allow non-Christians to take leave from work on their religious holidays, objecting to Sikhs wearing turbans, Muslim women wearing headscarves, or for objecting to observance of food requirements on religious grounds.

The law permits employees to refuse to work on Sunday for religious reasons; however, depending on the work's nature, such as the health sector, employees are not permitted such an exception.

In 2006 a court order prohibited the Government from subsidizing the orthodox Protestant Political Reformed Party (SGP), which did not accept female members on theological grounds. The SGP responded by permitting women to become party members, and the authorities re-instituted the subsidy following a ruling by the Council of State, the country's highest administrative court. However, the SGP continued to deny women the right to run for office, and several NGOs appealed, arguing that the party must allow women to run for office. The SGP responded that to do so would interfere with religious freedom and freedom of association and that the party's female members were not seeking to run for office. On December 21, 2007, the Hague Appellate Court ruled that the SGP was in violation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and that the Government was therefore obliged to take action to force SGP to change its policy. At the end of the reporting period, both the SGP and the Government had appeals pending with the Supreme Court.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

The Government continued a comprehensive outreach campaign to counter anti-Muslim sentiments, Islamic extremism, and right-wing nationalism, including a $38 million (€26 million) grant over the next 4 years for programs in both neighborhoods and schools. Authorities stressed their conviction that the majority of Muslims fit comfortably into the country's society. At the same time, the Government made clear that it would combat groups espousing violence in support of an extremist Islamic agenda. These efforts raised public awareness and triggered debate, but concerns about the policy's effectiveness remained.

The Government and NGOs cooperated to combat discrimination and promote dialogue and mutual understanding. For example, schools were encouraged to help combat discrimination and to inculcate respect and tolerance. The Ministry of Education reminded schools of longstanding guidelines prescribing the
teachings of different religious groups and their ideologies in conjunction with combating discrimination and intolerance. The Ministry of Welfare subsidized a special program to teach children about World War II and the persecution of Jews.

The Government regularly told prosecutors and the police to give proper attention to incidents of discrimination. The Government also took measures to deal more effectively with discrimination and incitement to hatred on the Internet. Intensified efforts by the National Discrimination Expertise Center resulted in the arrest and conviction of 11 administrators of, or participants in, right-wing extremist websites on grounds of discrimination, and more arrests were expected. Critics, however, charged that law enforcement agencies could still do considerably more.

Section III. Societal Abuses and Discrimination

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Jews and Muslims faced instances of abuse during the period covered by this report, although the experiences of the two communities differ. The Government repeatedly condemned any form of anti-Semitism or anti-Islam activity, and it worked with NGOs to combat such abuses.

Certain groups opposed to Israeli policies in the Occupied Territories, such as the Arab European League and the Stop the Occupation Movement, frequently used anti-Semitic language and images to express political views. Explicitly anti-Semitic sentiments also prevailed among certain segments of the Muslim community and among fringe nationalist and neo-Nazi groups. The frequency of incidents appeared to be correlated to the political situation in the Middle East. For example, the Center for Information and Documentation on Israel (CIDI) recorded a sharp increase in incidents (mostly anti-Semitic e-mails) in the country during the July-August 2006 conflict in Lebanon. In recent years, the overall number of incidents has tended to decrease, and "serious incidents" were rare.

On November 28, 2007, during massive protests against long school hours, some school children in the town of Leiden chanted "Hamas, Hamas, Jews should be gassed," prompting the police to make four arrests on charges of creating a public disturbance.

Anti-Semitism among right-wing extremists appeared to increase. In 2006 the independent Registration Center for Discrimination on the Internet described several hundred right-wing websites as extremist, including those of Stormfront.org, Polinico, National Alliance, and Holland Hardcore. The sites targeted not only Jews but also Muslims, blacks, and homosexuals. During the period covered by this report, extreme right-wing anti-Semites were the primary culprits in the few instances of vandalism of Jewish buildings and monuments and desecration of cemeteries.

On August 15, 2007, a Jewish family in Amstelveen, near Amsterdam, received a letter containing a picture from the Holocaust of a Jew standing behind barbed wire fences and a note reading "hurray to the Nazi SS" and expressing support for Palestinians' rights.

The CIDI pushed for more action against anti-Semitic Internet sites, describing the Internet as one of the main sources for dissemination of anti-Semitic and racist ideologies.

On February 12, 2008, the Council of Europe's European Commission against Racism and Intolerance (ECRI) published its third report on the country. In this report ECRI referred to "reports indicating that … anti-Semitic insults and expressions have tended to become a feature of everyday life, reflecting in part a similar trend in Holocaust denial…" The Government responded that these allegations were not substantiated.

Muslims faced societal resentment, attributable to growing perceptions that Islam is incompatible with Western values, that Muslim immigrants have failed to integrate, and that levels of criminal activity among Muslim youth are higher than the national average. Major incidents of violence against Muslims were rare; however, minor incidents including intimidation, brawls, vandalism, and graffiti with abusive language were common. On July 21, 2007, police arrested five persons in Haarlem, aged 16-21, on suspicion of throwing Molotov cocktails at a mosque the day before (the action did not damage the mosque).
A number of outspoken right-wing politicians openly argued that Islam was incompatible with the country's traditions and social values. Geert Wilders, leader of the Party of Freedom (PVV) which held 9 out of 150 seats in Parliament, advocated an anti-immigrant and anti-Islam platform. Wilders was the most prominent of several politicians seen as encouraging public opinion against Muslims by claiming that Islam preaches violence and hatred. On March 28, 2008, Wilders released a 17-minute movie entitled "Fitna," a film critical of the Qur'an, showing video fragments of victims of terrorist attacks in New York, Madrid, and London interspersed with violent texts from the Qur'an and images of the spreading Islamic influence in the country. His stated intention was to warn against the dangers of Islam and to stop Islamization of the country. The Government strongly condemned the movie, claiming it equated Islam with violence and served no other purpose than to cause offense. The reaction from the country's Muslim community was quite restrained. Although the movie was considered "offensive," Muslims resisted provocation and refrained from violent action. Abroad, however, there were demonstrations, some of which were violent, against the movie, and several Islamic countries called on the Government to ban the movie and prosecute Wilders.

The ECRI report sharply criticized a number of government policies that it believed resulted in both stigmatization of, and discrimination against, members of minority groups and caused a substantial increase of Islamophobia in the political arena and other contexts. On March 12, 2008, the Organization of the Islamic Conference (OIC) echoed the ECRI criticism in its First OIC Observatory Report on Islamophobia. In particular, the OIC claimed that politicians like Geert Wilders and Ayaan Hirsi Ali used the right to freedom of expression "to legitimize vilification of Islam and discrimination of [sic] Muslims," and called on the Government to ban the movie and prosecute Wilders.

On May 13, 2008, the police detained for questioning for 30 hours a cartoonist who used the pseudonym of Gregorius Nekschot (deathblow) in connection with several cartoons that the prosecutor believed violated the law on intentional discrimination and incitement to hatred against Muslims. The action was criticized as an extremely inappropriate attempt to curtail freedom of expression, an accusation which the Justice Minister denied. Legal experts dismissed the chance of successful prosecution as minimal.

CIDI works with the Islamic School Boards Organization and Platform Islamic Organizations Rijnmond on projects promoting a dialogue between Jews and Muslims, and it states that these projects resulted in a significant decrease in serious forms of anti-Semitism. CIDI also works with the Anne Frank Foundation and the Center for Holocaust and Genocide Studies on education projects focused on the Holocaust. The Article 1 National Association against Discrimination set up several projects at elementary, secondary, and vocational training schools to counter racism and discrimination.

The labor federations worked to include stipulations in collective bargaining agreements that permit non-Christian employees to take leave on non-Christian holy days. Such stipulations were included in most agreements.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. In addition, it continued to engage in dialogue with all major religious groups.

Released on September 19, 2008

International Religious Freedom Report Home Page

Published by the U.S. Department of State Website at http://www.state.gov maintained by the Bureau of Public Affairs.