

# Europe Monitor

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## Denmark

### New law challenging Quran burning

The Danish government wants to take action against the increasing number of public burnings of the Quran in the Scandinavian country. The Danish Justice Minister Peter Hummelgaard announced a corresponding law. It aims to ban “improper treatment of items with significant religious significance” and will come into force in the next few months.



*Peter Hummelgaard (centre)/ Photo: AFP*

According to the information, the planned law follows on from an existing regulation that prohibits the burning of foreign flags. In the future, religious writings such as the Quran, Bible and Torah will also be placed under special protection. “The bill only applies to actions in a public place or with the intention of disseminating them in a wider circle,” explained Hummelgaard. Fines or up to two years in prison are envisaged for such acts. The minister does not believe this affects

the right to freedom of expression. There will still be room for criticism of religion in Danish society. It’s just about taking action against “senseless mockery” that fuels discord and hatred.

In recent weeks, a series of public burnings of the Quran by Islamophobic activists in Denmark and neighboring Sweden have made headlines. The actions led to violent protests and threats in several Muslim countries. Sweden also announced that it would examine legal remedies against the burning of the Quran.

## Belgium

### Rights of migrants

The Belgian state has been having problems providing accommodation for male migrants for months. The State Secretary responsible for migration, Nicole de Moor, has now officially declared: no more admission for individual men. More than 500 migrants have already been successful in their lawsuits in Belgian courts. The government was committed to creating space for everyone, but to date it has failed to fulfill this obligation. The European Court of Human Rights also repeatedly deals with the issue. Last November it pronounced 148 individual judgments against the state of Belgium. A few weeks ago it came back to it again and complained about a “systematic violation of the law.”

State Secretary de Moor’s announcement has now caused a huge stir. The EU Commission has announced a need for discussion, refugee organizations are outraged, and there has also been resistance within the seven-party government

coalition. Prime Minister Alexander De Croo, a Liberal, called an emergency meeting and said afterwards that the ban on the men was only “temporary.” This is a typical Belgian compromise, because nothing is more permanent in this country than temporary solutions.



*Homeless migrants in Brussels/ Photo: Reuters*

The De Croo government is accused of being cold-hearted, but its failure is also due to its strong federalism. It would not have the authority to impose a national emergency plan on the regions to make room for migrants. The Flemish people in particular resist any appearance of paternalism from Brussels. On the other hand, the government feels abandoned by Europe in view of the growing number of refugees.

36,000 asylum applications were registered last year, around twice as many as in 2021. This puts Belgium in the top group in Europe when the number is considered in relation to the number of inhabitants, says State Secretary de Moor, pointing to Portugal, which has a similarly large population and hosted only 1,500 people.

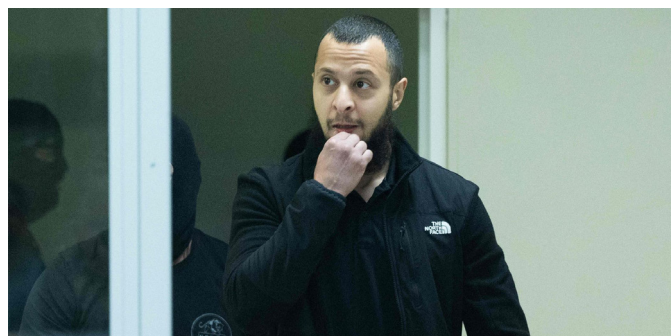
There are also 63,000 refugees from Ukraine in Belgium, many of whom are competing with asylum seekers for accommodation. Just last year, 4,000 new state accommodations were created, bringing the total capacity to 33,000 places, the highest ever.

Last winter, entire families had to endure weeks of freezing temperatures in tents on the Brussels Canal. It would be hoped that such images will not be repeated next winter.

## **Convicted Islamist defends himself against extradition**

Salah Abdeslam, who played a central role in the Paris terrorist attacks in November 2015, wants to serve his life sentence in Belgium. His lawyers filed legal remedies against the transfer of their client to France. Abdeslam is currently on trial in Brussels for his involvement in the March 22, 2016 terrorist attacks. At the end of July, he and five other defendants were found guilty of multiple murders, attempted murders and membership in a terrorist organization. The jury formed for the trial is currently deliberating on the sentences for the perpetrators. All face a life sentence.

Abdeslam had driven a terrorist group to the Stade de France during the Paris attacks. According to his own statement, he was supposed to blow himself up in a bar in the 18th arrondissement, but he did not detonate the explosive belt. After the attacks he fled to Brussels. When Belgian police officers tracked him down, he shot them, and three days later Abdeslam was arrested in the municipality of Molenbeek. In 2018, he was sentenced to twenty years in prison for shooting police officers in Brussels.



*Abdeslam in court in Brussels/ Photo: tagesschau.de*

Like other defendants arrested in Brussels, he was transferred to the Paris terror trial, which began in 2021, using a European arrest warrant. However, his lawyers did not invoke a “right of return”. Such an agreement is in principle possible if the center of life of an accused is in another country. The person must then serve the sentence there. Two other defendants were also granted this upon request. They can now serve their French prison sentence in Belgium. In contrast, Abdeslam was only handed over to the Belgian justice system for the Brussels trial. He was the main defendant in Paris and was sentenced

to life imprisonment without the possibility of early release. Abdeslam also has French nationality because his father was born in French Algeria. The Brussels criminal tribunal must now decide whether these ties are so important that it stops his automatic transfer back to France.

The public prosecutor's office requested that the perpetrators be brought to the criminal justice court in every case. After a limited prison sentence, it could decide on subsequent preventive detention of a maximum of 15 additional years. It also requested that the Belgian passports of the five convicts, who have dual nationality, be revoked.

## France

### Traditional dress remains banned in schools

The ban against the abaya remains. France's highest administrative court finds a controversial dress code in French classrooms to be appropriate and rejects an appeal against it. Young Muslim women will now not be allowed to wear abayas when they go to school in the future. The judges found that the ban on this clothing, whose cultural significance is disputed, does not restrict fundamental rights in an "illegal and serious way". The controversy began shortly before school started after the summer holidays. Gabriel Attal, France's new education minister, surprisingly announced on television that he had put the abaya on the index of items of clothing that violated the principle of the secular, republican school. When you see a student in an abaya, he said, it is immediately clear what religion she belongs to. This is prohibited by the 2004 law, which lists, among other things, the yarmulke, the headscarf and oversized crosses.

This law, in turn, is based on the separation of church and state from 1905. Attal declared the abaya a religious garment by decree, while Muslim clerics dispute this meaning.

The advocacy group Action Droits des Musulmans, which urged the Conseil d'État to call for an urgent procedure, sees the ban as another example of how certain political decisions in France are driven by Islamophobia. It is also unfair that the minister issued his decree just a few days before the start of school. Once again there is a threat of "ethnic profiling". The lawyers from Action Droits des Musulmans told the judges that the ban was also sexist because it primarily affected young women.

In surveys, around three quarters of French people welcome the ban on the abaya.

Left-wing critics complain that the government is using this debate to cover up larger problems in the national education system: a shortage of teachers, dilapidated schools, and the gradual decline in high school diplomas. But President Emmanuel Macron hopes that the focus on schools will bring new popularity.



Photo: AFP