

15 October 2020

**Submission of NGO Monitor for the UPR Working Group
Third Periodic Review of Belgium**

1. NGO Monitor,ⁱ a project of the Institute for NGO Research, an NGO in special consultative status with ECOSOC since 2013, respectfully submits the following information to the UPR Working Group in advance of the preparation of the stakeholders report and review of Belgium for the third UPR cycle.
2. For nearly 20 years, NGO Monitor has studied and analyzed the presence of antisemitism within the human rights and humanitarian community.ⁱⁱ Civil society must play a critical role in combating antisemitism. Yet, we have documented hundreds of incidents of antisemitism involving NGOs claiming to promote human rights, as well as the development, promotion, and dissemination of antisemitic tropes. These libels are then mainstreamed into political discourse and within governmental bodies and international institutions. This activity is a significant contributing factor to the rise in antisemitism today across the globe.
3. During the 2016 Second UPR Review of Belgium, states expressed concern about rising antisemitism and terrorist violence within the country. As a result, the reviewers issued several recommendations, including to “activate efforts to eradicate the expressions of hatred, persecution and harassment on ethnic, cultural and linguistic grounds”; “combat incitement to violence”; and “engage civil society in the follow-up implementation process of the universal periodic review recommendations”.
4. As part of the review process and in its second-cycle mid-term report, Belgium responded that “via un nombre d’initiatives, la Belgique a renforcé la lutte contre les crimes de haine. Plus spécifiquement, la cellule de veille concernant l’antisémitisme a été réactivée début 2019 afin d’intensifier la coopération entre les représentants de la communauté juive, le gouvernement et les autres acteurs concernés par la lutte contre l’antisémitisme”; that “strengthening measures to combat radicalism formed a key part of the 2014 Government Agreement” and “to ensure public security in the face of the terrorist threat” and “remained willing to assume its responsibilities in this context and would continue to do so”. As part of the UPR process, Belgium also remarked that that it had “regularly consulted and listened to civil society.”
5. Despite reassurances from the Belgian government, antisemitism, incitement to violence against Jews, and terrorism remain serious problems in Belgium and are endemic even within the highest levels of government. NGO Monitor highlights the following examples:

Antisemitism in Belgium

6. As the evidence clearly demonstrates, antisemitism remains an endemic problem in Belgium. According to a 2019 Kantor Center Report on Global Antisemitism, “Jews do not experience anywhere [else] in the EU as much hostility on the streets as they do in Belgium”.ⁱⁱⁱ More than 39% of Jews in Belgium reported harassment and nearly half indicated a desire to emigrate—shocking statistics. A Belgium NGO tracking antisemitism noted that antisemitic attacks had doubled between 2018 and 2019.
7. Events like the annual Aalst Carnival, featuring antisemitic floats with grotesque Nazi-era caricatures and Jews depicted as bugs, continue despite international condemnation. In fact, local officials, like the Mayor of Aalst, minimize the concerns calling the discriminatory depictions “our humor” and “fun”.^{iv} Belgian authorities also curtail Jewish ritual life, such as banning kosher slaughter in 2017. A case brought on this issue is currently pending before the European Court of Justice.^v
8. In December 2018, the Belgian Senate adopted a resolution on combatting antisemitism, calling for the appointment of a special coordinator, adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, and closer collaboration with the Jewish community.^{vi} Yet, it does not appear that these recommendations were implemented. In fact, there are worrying signs that the new government formed at the beginning of October 2020 will create an even more hostile environment for Belgium’s Jewish population.^{vii}

Government Funding to NGOs Promoting Antisemitism

9. Belgian government funding to NGOs that promote antisemitism is also a serious problem that contributes to the hostile environment for Jews within Belgium.^{viii} Often, antisemitic rhetoric and incitement are disseminated under the cover of anti-Israel campaigning.
10. As the late Former Swedish Deputy Prime Minister Per Ahlmark remarked, while “anti-Zionists accept the right of other peoples to national feelings and a defensible state... they reject the right of the Jewish people to have its national consciousness expressed in the state of Israel and to make that state secure.”^{ix} According to Ahlmark, “anti-Semites of different centuries had always aimed at destroying the then center of Jewish existence...today, when the Jewish State has become a center of identity and a source of pride and protection for most Jews, Zionism is being slandered as a racist ideology.”
11. Importantly, in his report published on September 20, 2019, and in his remarks to the General Assembly on October 17, 2019, the UN Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, clearly explains this phenomenon: “The Special Rapporteur also takes note of numerous reports of an increase in . . . ‘left-wing’ antisemitism, in which individuals claiming to hold anti-racist and anti-imperialist views employ antisemitic narratives or tropes in the course of expressing anger at the policies or practices of the Government of Israel. In some cases, individuals expressing

such views have engaged in Holocaust denial; in others, they have conflated Zionism, the self-determination movement of the Jewish people, with racism, ...and accused those expressing concern about antisemitism of acting in bad faith. . . . He further recalls that the Secretary-General has characterized “attempts to delegitimize the right of Israel to exist, including calls for its destruction” as a contemporary manifestation of antisemitism.”^x

12. Several Belgian NGOs receiving government funding promote such antisemitic themes. For example, local governments provide annually tens of thousands of euros to the Belgium based NGOs International Action for Liberation (Intal), which has called for “the end of Zionism as the State of Israel’s ideology” and offensively remarking that “the end of Israel as a state in which Jews must at all price be the majority and where non-Jewish populations are discriminated against.”^{xi}
13. In a 2018 interview on the Belgian communist party journal, president of Association Belgo-Palestinienne Pierre Galand^{xii} compared Israeli policies to Nazi atrocities, declaring that “making Gaza an Auschwitz without crematoriums but organizing the slow death of its citizens is not so far from what the colonizers of today have known in their very long journey enameled with pogroms.”^{xiii} In addition, Galand invoked antisemitic canards: “I then understood for example that the famous Balfour declaration of 1922 by which Great Britain gave its agreement to the settlement of the Jewish populations in Palestine requested by the world Zionist organization led by the Rothschild family, was only the neocolonialist draft which we see today to which extremes it can lead.” Association Belgo-Palestinienne receives local government funding (Fédération Wallonie-Bruxelles) since 2005, including €105,828 in 2018, €103,196 in 2017, €100,170 in 2016, and €99,476 in 2015.
14. Belgian funding to NGOs that promote antisemitism is also concurrent with funding to groups for projects deliberately aimed at antagonizing the Jewish community and groups supportive of Israel. This campaign not only increases antisemitism within Belgium, but it represents a government-sponsored attack on free speech and a politically motivated reprisal against civil society groups expressing views that differ from the hostile anti-Israel narrative promoted widely within Belgium.
15. According to Belgian law, the government must approve a Joint Strategic Framework (JSF) in order to distribute foreign development assistance in different parts of the world.^{xiv} The 2017-2021 JSF for Belgian aid to Palestinians “was coordinated by Broederlijk Delen in close collaboration with the JSF Palestine working group (with Oxfam Solidarity, M3M, SolSoc and APEFE),” and was approved in 2016 by the Belgian Minister of Development Cooperation.^{xv}
16. Joint Strategic Goal number 3, “Good Governance, Civil Society and Human Rights,” calls for strengthening “local CSOs [civil society organizations] to increase their advocacy efforts towards the European institutions and member states, promoting respect for international law and **mitigating the influence of pro-Israel voices.**” (emphasis added) The politicized Belgian NGOs Broederlijk Delen, Viva Salud, and OxfamSol will implement projects aimed at achieving this goal.

17. The supposed need to “mitigate the influence of pro-Israel voices” represents an antisemitic canard as well as discriminatory double standards. In no other case, does the Belgian government actively work with civil society groups to silence minority religious and political views. This project also appears to echo the antisemitic views expressed by Belgian’s new Justice Minister who raised the specter of a “Jewish lobby is working extra hours. After Aalst, now Washington.”^{xvi}

International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism and NGO funding

18. An important first step Belgium could take to mitigate this entrenched antisemitism is adoption of the International Holocaust Remembrance Alliance’s (IHRA) definition of antisemitism. As recommended by Special Rapporteur Shaheed in his report, “The working definition of antisemitism developed by the International Holocaust Remembrance Alliance can offer valuable guidance for identifying antisemitism in its various forms...the Special Rapporteur recommends its use as a critical non-legal educational tool that should be applied.”^{xvii}

19. As of October 2019, this working definition, launched in 2000 at the Stockholm International Forum on the Holocaust has 33 country members, 11 observers, and 7 permanent international partners, including the Claims Conference, the European Union’s Agency for Fundamental Rights (FRA), International Tracing Service, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), UNESCO, the UN, and the Council of Europe. The IHRA working definition has been adopted by more than 30 countries around the world, including the UK, Austria, Australia, Bulgaria, Germany, Lithuania, Romania, Macedonia, US, and Canada. The definition also provides clear guidelines to distinguish antisemitism from legitimate criticism of Israel.

20. To date, unfortunately, Belgium has yet to adopt the IHRA definition.

21. The definition, along with its companion Working Definition of Holocaust Denialism and Distortion, would provide the Belgian government with a consensus framework around which to craft strategies to combat antisemitism and Holocaust denial. The definition could also provide guidelines for multiple institutions such as universities, primary schools, police, and social services. It could also be included in government funding contracts with businesses and NGOs to ensure public funding is used to prevent discrimination.

Failure to Combat Terrorism

22. Belgium has been the site of numerous terror attacks, many of which have deliberately targeted its Jewish population, notably the 2014 ISIS assault on the Brussels Jewish Museum. Nevertheless, despite the government’s claims to be addressing terrorism, violent incitement, and radicalization, the Belgian government continues to enable terrorism, particularly if its perpetrators are Palestinian

and the targets are Israelis. This issue is also related to the tolerance for and promotion of antisemitism.

23. Notably, the Belgian government provides millions of euros to organizations linked to the Popular Front for the Liberation of Palestine (PFLP) terror group, as designated by the European Union.
24. NGO Monitor has documented that between 2014-2021, €8.9 million at least (38% of Belgium total funding to “NGOs and Civil Society” in Gaza, West Bank, and East Jerusalem) was and is provided without proper due diligence to projects involving Palestinian NGOs linked to the PFLP terror group, or those that employ PFLP members. These NGOs include Union of Agricultural Work Committees, Union of Health Workers Committees, Health Work Committees, Bisan Center for Research and Development, Defense for Children International – Palestine, and Ma’an Development Center. In December 2019, employees from several of these NGOs were arrested and are currently standing trial for their involvement in the August 2019 bombing and murder of a 17-year old Israeli girl, Rena Shnerb, and the injuring of her father and brother.^{xviii}
25. Belgian funding has continued despite the bombing attack, and it does not appear that any inquiry or investigation has been launched.

Conclusion

In light of the information provided, NGO Monitor asks the UPR Working Group to raise the following issues in its review of Belgium:

- Comment on the increase in antisemitic and anti-Israel discourse in the political arena, the media, and NGOs funded by the Belgian government. Please indicate whether Belgium has conducted campaigns to raise public awareness and to combat antisemitic behavior and anti-Israel incitement.
- Describe what concrete steps have been taken by Belgium, including regulatory reforms and legislation, to prevent antisemitism and anti-Israel national origin discrimination in all settings, including funding to NGOs.
- Detail efforts made by Belgium to provide effective remedies for victims of antisemitism and anti-Israel national origin discrimination.
- Describe what steps have been taken to ensure that Belgium’s UPR review process is fully transparent and pluralistic, particularly with regards to civil society participation.
- Describe what steps were taken to ensure that members of the Jewish community and organizations combating antisemitism are included in Belgium’s UPR process.
- Describe what steps have been taken by Belgium to prohibit direct and indirect support to designated terrorist organizations, in all settings, including funding to NGOs linked to designated terror organizations.

- Comment on whether Belgium plans to adopt the International Holocaust Remembrance Definition of Antisemitism and the Working Definition of Holocaust Denialism and Distortion.

NGO Monitor also makes the following Recommendations to the Belgian Government:

- Belgium should immediately adopt the IHRA working definitions and implement it throughout all public institutions. It should be integrated, as well, into all government funding contracts.
- Belgium should implement legislation and other steps to combat antisemitism, including the appointment of a special coordinator. The Jewish community and organizations involved in combatting antisemitism must be fully included in this process.
- Belgium should ensure no public funding or support goes to organizations involved in promoting antisemitism and/or discrimination against those of Israeli national origin.
- Belgium should ensure no public funding or support for organizations tied to designated terror organizations or to groups that promote violence or other incitement against Jews and those of Israeli national origin.
- Belgium must ensure that its UPR process is transparent and pluralistic and includes all sectors of Belgian society.

ⁱ Members of the Institute's Advisory Board include Elliott Abrams, Senior Fellow for Middle Eastern Studies at the Council on Foreign Relations; former Canadian Ambassador to Israel, Amb. Vivian Bercovici; Amb. John Bolton, US National Security Advisor and former US Permanent Representative to the UN; Hon. Michael Danby, MP, senior member of the Australian Labor Party; Harvard Professor Prof. Alan Dershowitz; Canadian Senator, Hon. Linda Frum; best-selling author and commentator and British journalist and international affairs commentator, Tom Gross; Colonel Richard Kemp, former commander of British forces in Iraq and Afghanistan; Douglas Murray, Director of the Centre for Social Cohesion, best-selling author and commentator; former Member of Italian Parliament, Hon. Fiamma Nirenstein, UCLA Professor and President of the Daniel Pearl Foundation, Prof. Judea Pearl; US Jurist and former Legal Advisor to the State Department Judge Abraham Sofaer; Dr. Einat Wilf, former member of Knesset with the Israel Labor Party and advisor to Shimon Peres; Harvard Professor Prof. Ruth Wisse; R. James Woolsey, former US Director of Central Intelligence; and Israeli

Supreme Court Justice, Justice Elyakim Rubinstein.

ⁱⁱ For instance, see Professor Gerald M. Steinberg and Anne Herzberg, "The Role of International Legal and Justice Discourse in Promoting the New Antisemitism," in *Anti-Zionism and Antisemitism* (Alvin Rosenfeld, ed. Indiana University Press 2019); Prof. Gerald M. Steinberg, "Europeans Fund Anti-Israel Libels," *Middle East Quarterly*, Winter 2015:

<https://www.meforum.org/4912/europeans-fund-anti-israel-libels>; Anne Herzberg, "NGOs and the New Antisemitism," in *Global Antisemitism: A Crisis of Modernity* (Charles Small, ed., Brill 2013); Prof. Gerald M. Steinberg, "Boycotts, Bias and Politics in the Arab-Israeli Conflict," *American Association of University Professors Journal of Academic Freedom*, Vol. 4 (2013):

https://www.ngo-monitor.org/academicpublications/boycotts_bias_and_politics_in_the_arab_israeli_conflict/

ⁱⁱⁱ <https://www.theguardian.com/world/2019/may/09/nazi-rhetoric-and-holocaust-denial-belgiums-alarming-rise-in-antisemitism>

^{iv} <https://www.bbc.com/news/world-europe-51612541>

^v <https://eurojewcong.org/news/communities-news/belgium/eu-court-to-hear-case-against-belgian-shechita-ban/>

^{vi} <https://eurojewcong.org/news/communities-news/belgium/belgian-jews-welcome-adoption-of-senate-resolution-on-combatting-antisemitism/>

^{vii} <https://www.i24news.tv/en/news/international/europe/1601797312-new-belgian-government-shows-its-anti-zionist-anti-jewish-colors>

^{viii} <https://www.ngo-monitor.org/funder/belgium/>

^{ix} Manfred Gerstenfeld, *The War of a Million Cuts: The Struggle against the Deligitimization of Israel and the Jews, and the Growth of New Anti-Semitism*, Jerusalem Center for Public Affairs, May 12, 2015: <https://www.amazon.com/War-Million-Cuts-Deligitimization-Anti-Semitism/dp/1618613413> (p31).

^x Ahmed Shaheed, "Antisemitism is toxic to democracy and must be addressed, says expert," October 17, 2019:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25160&LangID=E>

^{xi} <https://web.archive.org/web/20160315085908/http://www.intal.be/fr/article/resolution-palestine>

^{xii} Pierre Galand has been president of Association Belgo-Palestinienne since 1986, and appears to be also also the President of ECCP (a Brussels-based association of NGOs cooperating with the UN Committee on the Inalienable Rights of the Palestinian People). Galand was the general coordinator of the Russell Tribunal (aimed at promoting antisemitic BDS), the former head of Oxfam-Belgium, and is a former Belgian Senator.

^{xiii} <http://www.ledrapeaurouge.be/1-invite-du-dr/217-pierre-galand-israel-pratique-des-politiques-proto-fascistes>

^{xiv} http://www.ejustice.just.fgov.be/mopdf/2016/06/30_1.pdf#Page15

^{xv} https://www.acodev.be/sites/default/files/ressources/20161013_approbation_csc-goedkeuring_gsk-1.pdf

^{xvi} <https://www.jpost.com/diaspora/antisemitism/belgiums-new-justice-minister-has-spoken-of-jewish-lobby-644190>

^{xvii} Report of the Special Rapporteur on freedom of religion or belief," September 20, 2019: <https://undocs.org/A/74/358>

^{xviii} <https://www.jpost.com/arab-israeli-conflict/idf-police-arrest-terrorists-who-murdered-rina-shnerb-603218>;
<https://www.i24news.tv/en/news/israel/diplomacy-defense/1576662883-israel-50-palestinians-arrested-including-group-that-murdered-israeli-teen-in-august>