



To the Deputy Prime Minister and
Minister of Justice and the North Sea
Mr Vincent Van Quickenborne
FINTO- Avenue du Jardin Botanique 50/65
1000 Brussels

Brussels, 7 October 2021

Concerning: Subsidy for the Hindu Forum of Belgium

Dear Sir Deputy Prime Minister,

The Hindu Forum of Belgium (HFB) has the honor to write to you regarding our request for a subsidy for our secretariat, submitted in 2016, as a first step towards the legal recognition of Hinduism as a religion in Belgium.

HFB was founded in 2007 by members (organizations) of different Hindu spiritual traditions and communities with the aim of jointly representing Hinduism in Belgium and applying for official recognition of Hinduism as a religion. Our application for recognition of Hinduism as religion was transmitted to the then Minister of Justice, Annemie Turtelboom, in February 2013. We refer to our official request for recognition of Hinduism in Belgium, in accordance with Article 181 §1 of the Constitution, attached.

To our great joy, our request for recognition was positively received by the Minister. Immediately after our request, several meetings followed with Mr. Ghyselinckx (FPS Justice) to prepare the first unofficial step in the recognition procedure, namely an application for subsidy. Several meetings were also held with Mr. Dufour, Minister Koen Geens' advisor on religion at the time. At the direction of Mr Ghyselinckx and Mr Dufour,

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a budget was first transferred to the Minister of Justice in March 2015, for the purpose of obtaining a subsidy.

In February 2016, the HFB addressed an official request for subsidy to then Minister of Justice Koen Geens, in order to cover the operating costs of the HFB Secretariat in preparation for the recognition of Hinduism as a religion. You will find this request attached. In 2017, a consultation took place between several leaders of the Hindu community and then Minister Geens (see attached photograph). At that time, the minister promised to work out a draft law to grant HFB a subsidy for the operating costs of the secretariat, during the recognition process. In the General Policy Note on Justice of 8 November 2017 (Parl. St. Chamber 2017-18, no. 54-2708/29, p. 52; see attached document), the Minister also explicitly confirmed that HFB would continue to be supported in the federal recognition process.

On September 11, 2019, a bill was introduced in the House of Representatives by Ms. Els Van Hoof, Mr. Franky Demon, Ms. Jessika Soors and Ms. Cécile Thibaut regarding the subsidization of the HFB (Parl. St. Chamber 2019, No. 55-311/1; see attached document). Unfortunately, due to the lingering government formation, this bill was never discussed in the Justice Committee.

Thus, our 2016 request for subsidization of our operating costs was neither granted nor denied to date. Since then, the Ministry of Justice has asked HFB annually to draw up a detailed budget for the purpose of this request for subsidization. HFB has updated this budget every year for the past five years and sent it to the Ministry of Justice.

We are confident that our request for a subsidy in the current legislature will be dealt with quickly. Our confidence was also strengthened by the consultation with your advisor, Mr. El Omari, and your answer to the parliamentary question by Mr. Ben Segers dated March 23, 2021 (Questions and Answers Chamber 2020-21, March 23, 2021, no. 55/49, 173 (Question no. 408; see attached document)). Indeed, in response to that question, you replied that our



application was being "seriously considered." Ms. Van Hoof also confirmed to us in April 2021 that in a consultation with Mr. Geens, your Cabinet indicated that it would do the necessary to make subsidization possible as of 2022.

To date, we have unfortunately not received a formal response to our request for subsidization, an important first step in the procedure for recognition as a religion in Belgium, which was already started in 2013.

As a result, the Hindu communities feel that they are not being treated properly and are losing confidence in the existing recognition procedure. Indeed, the failure of the government to process our application for recognition has significant adverse consequences for the Hindu communities in Belgium. The (moral) value of recognition should not be underestimated. Numerous measures to protect the freedom of religion are taken only for the benefit of the recognized religions. As an example we can refer to the appointment of moral and spiritual counsellors in hospitals, the army and prisons. Also the provision of suitable meals (hospitals, army, prisons, etc.), broadcasting time in the media, options in the field of funeral services, etc., are often specifically reserved for recognized religions.

The European Court of Human Rights recognizes that the state may provide a recognition procedure for official religions. However, if significant benefits are attached to this official recognition, as is certainly the case in Belgium, certain conditions must be met to avoid a violation of Article 9 ECHR and the prohibition of discrimination. First, each religious group must be given a fair chance to apply for recognition based on objective and reasonable criteria, applied in a non-arbitrary manner by a non-political body.¹ Second, the state must decide on the application for recognition within a reasonably short period of time (significantly less than ten years, the European Court states).² The above conditions apply

¹ See for instance EHRM 31 July 2008, nr. 40825/98, *Religionsgemeinschaft der Zeugen Jehovas e.a. t. Oostenrijk*, § 92; EHRM 26 April 2016, nr. 62649/10, *Izzettin Doğan e.a. t. Turkije (Grote kamer)*, § 164.

² EHRM 31 July 2008, nr. 40825/98, *Religionsgemeinschaft der Zeugen Jehovas e.a. t. Oostenrijk*, § 98.



in particular when, as in Belgium, the possibility of teaching a religion in official education is linked to the official recognition of that religion.³

The recognition procedure, as elaborated and applied by the successive Ministers of Justice, was closely followed by us. Unfortunately, we have to note that after eight years, the Belgian State has still not taken the first step in our recognition procedure, i.e., processing our application for subsidy.

Therefore, we see no other alternative than to give the Belgian State, as represented by Your Excellency, formal notice to treat our subsidy application as soon as possible and to provide us with a formal response concerning the treatment of our application within six weeks after sending this letter. If we do not receive a response within the aforementioned period, we will regard the silence as a rejection of our application for subsidy.

The present writing is made with reservation of all rights and means and without any prejudicial acknowledgement.

We look forward to your response with confidence.

Meanwhile, we remain,

Yours sincerely,

Ravinder Singh (President)

Manik Paul (Vice President)

Bruno Mestach (Secretary)

³ EHRM 9 December 2010, nr. 7798/08, *Savez crkava "Riječ života" e.a. t. Kroatië*.



Dario Knez (Treasurer)

Avinash Orié (Administrator)

Martin Gurvich (Executive Director)

Attached documents:

1. copy of the request for recognition letter (2013)
2. copy of the recognition dossier (2013)
3. copy of the written request for a subsidy (2016)
4. photograph of a meeting between leaders of the Hindu communities and Minister Koen Geens (2017)
5. policy note on Justice of 8 November 2017 (Parl. St. Chamber 2017-18, no. 54-2708/29, p. 52)
6. bill introduced in the House of Representatives (*Parl. St. Kamer* 2019, nr. 55-311/1)
7. Question no. 408 (Questions and Answers Chamber 2020-21, March 23, 2021, no. 55/49, 173)
8. eight letters of support from recognized religions and non-confessional philosophies (period 2019-2020)