

# European policies discriminate against religious minorities

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Blasphemy laws, along with restrictions on religious clothing and broadly worded legislation criminalizing hate speech, are among the practices of some European Union member states that discriminate against religious minorities, a new report notes.

While the European Union and its member states promote religious freedom abroad, some countries have enacted “unduly restrictive policies” that harm religious minorities within their own nations, according to “[Status of Freedom of Religion or Belief in the European Union](#),” a report the U.S. Commission on International Religious Freedom issued July 24.

“Members of religious minority groups have reported feeling targeted and unwelcome in certain EU countries and, in some cases, unable to lead a life compatible with both their religion and the laws of the country in which they reside,” the report stated.

While Greece and some other European countries have repealed blasphemy laws, other nations—such as Poland—have strengthened their provisions, the commission reported. The number of [indictments for blasphemy in Poland](#) nearly tripled from 2016 to 2020.

Poland—as a member of the International Freedom of Religion or Belief Alliance—signed a statement last November condemning the use of blasphemy laws and calling for their repeal. However, one month earlier, the United Poland political party submitted a proposal to expand blasphemy laws by omitting a requirement that someone actually be offended by the actions of another person.

Less than four months ago, a Polish court found two women guilty of “offending religious feelings” after they displayed a picture of the Virgin Mary and Jesus with rainbow haloes during a 2021 march promoting LGBTQ rights.



Jennifer Hawks

“Let’s be clear: Blasphemy laws harm religious and secular residents alike. Blasphemy laws ultimately hollow out religion punishing residents for rejecting the state-sanctioned religion. In my experience, asking questions about religion often deepens one’s faith,” said Jennifer Hawks, associate general counsel with the Baptist Joint Committee for Religious Liberty.

“The recent USCIRF report reminds us that we all have work to do protecting faith freedom for all. While a few European countries have repealed their blasphemy laws, others are doubling down to expand or increasingly enforce existing blasphemy laws.

“No government should have the authority to dictate what counts as right religion. Protecting religious freedom requires a global commitment that must include repealing blasphemy laws.”

## **Widespread restrictions on religious head coverings**

The commission report also pointed to widespread restrictions on religious head coverings—Islamic hijabs, the Jewish yarmulke and the Sikh turban.

European Union member states with restrictions include Austria, Bulgaria, Denmark, Germany, Italy, Luxembourg and Spain.

In the past two years, France has attempted to expand preexisting bans on a variety of religious head coverings in public spaces. The prohibitions passed the French Senate, but the National Assembly did not enact them. However, France's highest court upheld a ban on wearing religious symbols in courtrooms.

In the Netherlands, a law went into effect prohibiting face-covering clothing, such as burqas and niqabs, in public spaces where people are expected to communicate. The ban applies to public transportation, schools, government buildings and nursing homes. Similarly, Belgium banned face coverings in public places.

"Such regulations particularly impact Muslim women. For example, these laws perpetuate the idea that wearing a headscarf is antithetical to a European country's values and may even represent 'extremist,' or anti-Western ideologies," the report stated.

"Moreover, restrictions on head coverings are often paired with rhetoric calling for the promotion of social integration or social assimilation—the abandonment of non-European cultural or religious values and the adoption of European cultural values—which contributes to "othering" and anti-immigrant sentiment.

Additionally, state regulation of the hijab is often justified by claims that Muslim women wear hijabs due to force or pressure, which denies women's agency in their religious beliefs and practices."

The report also highlighted ways overly broad restrictions on hate speech restricted religious freedom of expression. Rather than focusing exclusively on speech that incites violence, multiple European countries have passed laws prohibiting expression otherwise protected under international human

rights standards.

“From a religious freedom perspective, overbroad hate speech laws are particularly concerning when used against individuals for peacefully sharing religious beliefs that others find offensive or controversial,” the report stated.

Some European Union member states also have passed “anti-sect” laws, funding agencies or outside groups that propagate harmful information about some minority religious groups.

## **Laws target religious practices of Muslims and Jews**

The report particularly noted laws enacted in some European Union member states that target the religious practices of Muslims and Jews.

“Various EU countries have passed laws or engaged in practices to counter terrorism, extremism and/or Islamism that have implications for protected, nonviolent activities or expression,” the report stated.

“Especially when presented with the concurrent aim of promoting ‘national’ or ‘European’ values, these official efforts can lead to stigmatization and discrimination against Muslims by creating a perception that their religion is at odds with such values, even though such legislation does not specifically mention Muslims or Islam.”

Nine European Union member states have placed restrictions on religious animal slaughter practices, which keep adherents of some faiths—particularly Jews and Muslims—from observing religious dietary laws.

In some Scandinavian countries, special interest groups have attempted to

place major restrictions on circumcision as practiced by Jews and Muslims.

“Antisemitism is generally on the rise in Europe,” the report stated. “While many EU member states have committed to fighting the scourge of Jew-hatred, governments still maintain policies and take actions that suppress Jewish life and permit antisemitism and hate to flourish. Consequently, it is unsurprising that Jews regularly express that they feel they must hide their Jewish identity.”

While some laws affecting religious minorities are couched in terms of national security, the commission report pointed out the need to balance legitimate concerns with the basic right to freedom of religion or belief.

“While European Union countries generally have in place constitutional and legal protections for freedom of religion or belief, some have also enacted laws and pursued policies that systematically violate religious freedom and have a serious and disproportionate impact on the ability of religious minorities to live in accordance with their beliefs,” the report stated.

“Importantly, the continuation of such policies at an official level likewise encourages discrimination at a societal level and contributes to an environment that has seen continued violent attacks on places of worship and members of religious minority communities, encouraging increased emigration from Europe.”