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## **Committee on Political Affairs and Democracy**

### **Assessing the political consequences of foreign funding of Islam in Europe**

Rapporteur: Ms Doris Fiala, Switzerland, Group of the Alliance of Liberals and Democrats for Europe

#### **Introductory memorandum**

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<sup>1</sup> On 24 April 2018, the Committee on Political Affairs and Democracy decided to declassify this introductory memorandum.

## 1. Introduction

1. At our Committee's meeting last November, I presented the results of my visit to Austria focusing on a study of the Law on Islam which had been passed in 2015 and we had the opportunity to listen to Mr Jean-Pierre Chevènement, former Minister of the Interior and Minister for Religious Affairs, and President of the Foundation for Islam in France, who provided a broad overview of Islam in France, including its financial aspects. This hearing was particularly interesting insofar as it looked in detail at one of the European models for the organisation of religions, that of a strict separation between the latter and the public powers, with all the consequences this entailed for financing.

2. During this hearing, some of my colleagues drew my attention to the title of my report, which could suggest some suspicion vis-à-vis Islam. Others expressed concern about what they perceived as a "regulatory-oriented" approach to my research, with the study of the Austrian law raising fears that I wished to take that as a model and suggest it be transposed to other member States. At the same time, other colleagues from countries where an institutional dialogue with Islam was in the process of taking shape and where the issue of the funding of Islam was being raised encouraged me to continue my research. Moreover, some colleagues from countries which had a significant and long-standing Muslim minority, said that the financing of imams was a clear political issue and could give rise to friction with the State which oversaw their training and paid their salaries.

3. I would like to take the opportunity, by means of this introductory memorandum, to respond to the questions which my approach may have raised, provide an update on my thinking and research and indicate the direction I would like to take.

## 2. Foreign funding of Islam in Europe: a topical issue requiring the kind of balance consistently advocated by the Assembly, despite the inherent difficulties.

### 2.1. An undeniably topical issue

4. My first response would be to say that we should not act as though the foreign funding of Islam in Europe was not a matter of concern to both the public authorities and citizens.

5. Two things will illustrate this: first the large number of reports produced either by institutions in several member States or from think tanks, focusing on the political consequences of the funding of Islam; and second, the recent controversies relating specifically to this question.

6. With regard to the large number of reports, the following is an overview of recent publications in member States. In June 2014, the Netherlands parliament asked the Rand Corporation think tank to provide "an overview of the size and scope of foreign financial support to Islamic institutions in the Netherlands, as well as the potential influence that foreign actors may exert (partly) as a consequence of this funding".<sup>2</sup> In France, the Senate looked at local authorities' funding of places of worship<sup>3</sup> in 2015 and, in 2016, at foreign funding as part of a study on the organisation, role and funding of Islam in France and its places of worship.<sup>4</sup> In Germany, a progress report (Zwischenbilanz) for the government on how the Gulf States exported their religion was written in December 2016 by the two federal intelligence agencies, the Federal Intelligence Service (*Bundesnachrichtendienst*) and the Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz*). This report was partly leaked to the press and would appear to deal in particular with the "long-term influence strategy" of these States or their related organisations, with the financial aspect being a central component.<sup>5</sup> In the United Kingdom, on 12 July 2017 the Home Minister presented to parliament the main points of a report on the funding of extremism, including where this came from abroad.<sup>6</sup> Still in the UK, according to the reply I received from the House of Commons to a questionnaire I sent to several parliaments, in July 2017 the Henry Jackson Society, a neo-conservative think tank, published a study entitled *Foreign Funded Islamist Extremism in the UK*.<sup>7</sup> Clearly, therefore, this issue is of considerable interest to the public authorities and opinion-makers.

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<sup>2</sup> Rand Europe, [Foreign financing of Islamic institutions in the Netherlands – A study to assess the feasibility of conducting a comprehensive analysis](#), 2015, p. iii.

<sup>3</sup> [Information Report No. 345](#) by Mr Hervé Maurey, March 2015.

<sup>4</sup> [Information Report No. 757](#) by Ms Nathalie Goulet and Mr André Reichardt, July 2016.

<sup>5</sup> *Süddeutsche Zeitung*, 12 December 2016, [Saudis unterstützen deutsche Salafistenszene](#).

<sup>6</sup> [Extremism: Written statement – HCWS39](#).

<sup>7</sup> Tom Wilson, [Foreign Funded Islamist Extremism in the UK](#), Centre for the Response to Radicalisation and Terrorism, Research Paper No. 9 (2017), July 2017.

7. It can also be seen in recent controversies. For example, there have been investigations initiated by the various federal prosecution authorities in Germany,<sup>8</sup> Austria<sup>9</sup> and Switzerland,<sup>10</sup> following accusations made in February 2017 by Peter Pilz, a former Austrian member of parliament, against practices he described as espionage by certain organisations and, of relevance to the question with which we are concerned, imams or religious leaders who allegedly abused their position to take part in those practices.<sup>11</sup>

8. In other terms, the question of the foreign funding of Islam in Europe is on the political agenda and I feel we need to talk about.

## 2.2. A subject at the heart of the Assembly's values

9. I find support for my research by the work of my predecessors, reflecting the balance we in the Assembly seek to achieve between demands that are sometimes complementary but sometimes conflicting.

10. For example, in [Resolution 1743 \(2010\)](#) on Islam, Islamism and Islamophobia in Europe adopted by our Assembly on the basis of a report written by our colleague Mr Mogens Jensen, four things were clearly spelled out:

- "Muslims are at home in Europe where they have been present for many centuries, as the Assembly noted in its [Recommendation 1162 \(1991\)](#) on the contribution of the Islamic civilisation to European culture." (paragraph 3 of the resolution).
- "The Assembly notes with concern (...) that some Islamic organisations active in member States have been initiated by governments abroad and receive financial support and political guidance from those governments (...) National political expansion into other States under the disguise of Islam should be brought to light (...) member States should require transparency and accountability of Islamic as well as other religious associations, for instance by requiring transparency of their statutory objectives, leadership, membership and financial resources." (paragraph 7 of the resolution).
- "The Assembly also remains concerned at policies and practices (...) that discriminate against Muslims and at the danger of the abuse of popular votes, initiatives and referenda to legitimise restrictions on the rights to freedom of religion and expression which are unacceptable under Articles 9 and 10 of the Convention." (paragraph 13 of the resolution).
- "Stereotypes, misunderstandings and fears with regard to Islam are typical symptoms of a widespread lack of adequate knowledge among non-Muslims in Europe." (Paragraph 20 of the resolution).

11. These conclusions were subsequently reaffirmed, for example by the report on [Freedom of religion and living together in a democratic society](#) by our colleague Mr Rafael Huseynov (Azerbaijan, ALDE). These findings underpin my whole approach.

## 3. Foreign funding of Islam in Europe: questions relating to an undeniable but clearly defined situation

12. As we are all aware, Islam is multi-faceted and covers a wide variety of situations in Europe. The same is true of the way it is financed, bearing in mind the different legal and historical systems relating to the relationships between member States and religions.

<sup>8</sup> The Independent, 01/04/2017, Lizzie Dearden, [Germany opens investigation into Turkish group accused of spying on Erdoğan opponents in 35 countries.](#)

<sup>9</sup> Wiener Zeitung, 17.02.2017, [Spitzelaffäre um Moscheenverbände zieht weitere Kreise.](#)

<sup>10</sup> Le Monde, 24.03.2017, [La Suisse ouvre une enquête sur l'espionnage de Turcs sur son territoire.](#)

<sup>11</sup> The Pilz "report", entitled *Turks, be careful (Sei Wachsam, Türkei)* should, in my view, be looked at with caution. Nonetheless, its publication was taken seriously by the authorities in the three countries and resulted in a number of practical consequences such as the recall to Ankara of the Turkish Embassy in Austria's official responsible for religious affairs and the initiation of several administrative investigations into the functioning of the ATIB, an association in Austria with close links to the Ministerial Department of Religious Affairs (*Diyane*) directly attached to the Office of the Turkish Prime Minister.

3.1. *Three types of funding of religions in Europe*<sup>12</sup>

13. The various systems for funding religions, the result of developments over time, can be grouped together in three broad categories.

14. The first category, to some extent a hangover from the past, is where religions are mainly funded by the assets they have amassed over the years, comprising moveable property, real estate and the repurchase of tithes. This is the case, for example, of the established Church of England, which lives primarily off its income, with the State becoming involved only as regards the upkeep of religious buildings classified as historic monuments. It is also the case of the Cypriot Orthodox church and, to a lesser extent, the Greek Orthodox Church which, in addition, is given significant public funding.

15. The second, and the most widespread system, is the one in which religions are financed by the State. The latter bears almost all the costs incurred by the functioning of the religion such as the remuneration of ministers or the upkeep of religious buildings and ministers' accommodation (Belgium, France for Alsace-Moselle and French Guiana, Luxembourg) or sets up a procedure whereby a small part of taxpayers' taxes can be paid back to religions which have concluded an agreement with the State, regardless of the religious affiliation of taxpayers (Spain, Hungary, Italy, Portugal). Lastly, in certain cases, the public authorities lay down the arrangements for collecting the church tax, a supplementary tax based on income tax. This is linked to religious affiliation (Germany, Austria, Denmark, Finland, Sweden, certain Swiss cantons). Accordingly, this is not strictly speaking public money, but financing of religious communities by individuals.

16. The third system in theory prohibits the public funding of religions (France, Ireland, Netherlands), even though, to a greater or lesser extent some concessions are possible, for example for the construction of religious buildings, particularly for minority religions in order to re-establish a degree of equality between religions.

17. As Rapporteur, I intend also to focus more closely on the extent to which member States in which there has long been a large Muslim population, or indeed where the Muslim population is in the majority, opt for one system or another.

18. Over and above these three systems, all member States have, to varying degrees, established tax exemptions in respect of cultural or other activities (such as education) for religious faiths and some take the cultural contribution of these faiths into account financially, enabling taxpayers to allocate part of their taxes to socio-charitable or religious activities, or directly subsidising churches, leaving it to them to allocate the sums in question among social, cultural or educational activities (Estonia, Lithuania).

19. In addition to these funding systems we have of course donations from the faithful, which may be crucial when the system prohibits or places severe limits on the funding of the religion out of the public purse or where it gives preferential treatment to the historic assets of a religion. It would appear that in the majority of member States Islam receives very little in the way of public subsidies, or at least this has been the case until recently, either because the representative organisations have not wished to request them, as in Germany or Austria, or because the possibility of paying a small part of one's taxes to the Muslim religion has not yet been put in place.

3.2. *Three concerns of varying degrees of importance*

20. In this context and as it emerges from the current debates, the foreign funding of Islam in Europe gives rise to three main suspicions, of differing levels of importance.

21. The first concerns security and is linked to terrorist activities and radicalisation. It is claimed that foreign organisations help set up support networks on the territory of member States, as has been done by Daesh, either to carry out attacks or to pay the travel expenses of any recruits to areas controlled by them. The problems caused by this type of funding are real but are clearly identified and, generally speaking, member States have a range of legislative measures and resources enabling them to track these funds and punish any criminal behaviour. At the request of the Council of the European Union, the Commission has moreover proposed a revision of the 4<sup>th</sup> Anti-Money Laundering Directive (2015/849) adopted on 20 May 2015. The proposed amendments are designed to address the possible threats linked to the use of new technologies in financial transactions, strengthen and harmonise checks on financial flows from high-risk third countries, increase transparency and confer more powers on national financial intelligence units.

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<sup>12</sup> The points made in this sub-section are a summary of the article by Professor Francis Messner on European states' legislation on the funding of religions, in the Dictionnaire du droit des religions, Paris, CNRS Éditions, 2010.

22. The second criticism of foreign funding that one frequently hears today is the use by States, for political purposes, of religion as a means of exerting influence in a foreign country. Very clearly, the States criticised are those such as Turkey, primarily via the Diyanet, Iran in the United Kingdom<sup>13</sup> and Germany,<sup>14</sup> and the Gulf States, i.e. Saudi Arabia, Qatar, the United Arab Emirates and Kuwait, whether the latter act directly as States, which is rare, or through mixed organisations or foundations.<sup>15</sup> I intend to deal with this in greater detail in my draft report, but wish to say at this point that in my view, Turkey cannot be placed on a par with Iran or the Gulf States, for at least two reasons. As I indicated in my outline report, the Diyanet is a long-established institution and the member States which took in Turkish immigrants from the 1960s onwards were particularly pleased at that time to see them overseen by organisations linked to the Turkish State, such as the Diyanet. In particular, unlike Iran and the Gulf States, the Diyanet does not promote an Islam claiming to be an alternative to or indeed in competition with democratic values. I believe that the debate on foreign State or para-statal funding is relatively clear-cut and it is up to member States to differentiate between what quite naturally is a conventional strategy of influence, acceptable to greater or lesser degrees, and what relates to espionage activities. When I presented my outline report, one member of our committee quite rightly made the point that we could not but welcome and hope for foreign funding to advance knowledge of Islam and promote interfaith dialogue. I fully share this point of view and, in this connection, I welcome the King Abdullah Bin Abdul-Aziz International Centre for Interfaith and Intercultural Dialogue in Vienna, financed by Saudi Arabia. Clearly this centre is part of a diplomacy of influence, but whenever it has come under criticism, particularly regarding its funder's weak commitment to human rights, the representatives of the various religions who have been involved in its work have emphasised the quality of that work and its role in improving mutual understanding, a stance which I feel is justifiable.

23. I believe that the main challenge we are faced with is cohesion and living together, something which is fought against by political Islam, understood as an ideology that seeks to obtain political influence in order to apply the principles of Islam in the world. It is unacceptable that a doctrine which seeks to compete with the values of our democracies benefits from foreign funding. This threat is relatively well documented and certain organisations and/or States have been clearly identified,<sup>16</sup> particularly in the Gulf States.<sup>17</sup> My report will go into details in this respect and will specify in particular the activities that are generally supported. It will also insist on the fact that this threat is real, but broadly recognised; the vast majority of Muslims in Europe want only one thing: to be left to practice their religion in peace, in conditions that are equivalent to those available to other faiths, which is not always the case.

#### 4. Current and possible responses under the European Convention on Human Rights

24. I shall deal with these in detail once I have made my visit to the United Kingdom and re-contacted the European parliaments to which I sent a questionnaire on this issue and which have not yet replied. At this stage I can mention a number of trends.

25. The specific measures taken by States to react to this challenge to the idea of living together range from a wait-and-see approach (France, Germany) to a ban on foreign funding of the operating expenses of religions (Austria). Between the two, we see the introduction of an obligation to declare such funding (Russia). These last two, furthermore, raise one or two problems, if not in respect of the Convention, at least in respect of an objective conception of equality between religions.

26. More fundamentally, and this is one of the interesting points in the 2015 Austrian Law on Islam, it is clear that the question of living together goes far beyond the issue of foreign funding alone, and that all our

<sup>13</sup> See Foreign Funded Islamist Extremism in the UK, op. cit. p. 7, which refers to organisations such as the Islamic College of Advanced Studies in Willesden, London and the Islamic Centre of England in Maida Vale allegedly promoting Khomeinist doctrine and anti-Semitic conspiracy theories. It is claimed that these organisations are directly funded by Iran.

<sup>14</sup> See the reply of the German government to the parliamentary question from Green members of parliament on links between Shi'ite organisations and the Iranian regime, [Deutscher Bundestag, Drucksache 18/133362](#) of 21 August 2017.

<sup>15</sup> See Foreign Funded Islamist Extremism in the UK, op. cit., pp. 3-6 or the interview published in Die Welt of Hans-Georg Maaßen, the head of the Federal Office for the Protection of the Constitution, in which in response to a question on the construction of mosques in Germany using Saudi funds, he said that such funds did not come from the Saudi state itself. Die Welt (online), 10.04.2016, [Die IS-Propaganda nennt auch deutsche Städte](#).

<sup>16</sup> See Foreign Funded Islamist Extremism in the UK, op. cit.

<sup>17</sup> The head of the Federal Office for the Protection of the Constitution, the Bundesamt für Verfassungsschutz, speaking about the Saudi funds for the construction of mosques, said "In my opinion, some of the Arabic-speaking mosques, of which there is a growing number in Germany, are not moderate. Several of them are fundamentalist or are being monitored by the Federal Office for the Protection of the Constitution because of their Salafist leanings". Die Welt (online), 10.04.2016, [Die IS-Propaganda nennt auch deutsche Städte](#).

efforts must be focused on making it possible for the various Muslim communities to practise their religion without discrimination.