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Belgian court condemns two men for online revisionism

By Yossi Lempkowicz in Brussels

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Sara Brajbart, co-president of the "Collectif Dialogue et Partage" seen at the Brussels courtroom

Photo: Roland Bauman




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BRUSSELS (EJP)--- A Brussels criminal court sentenced two employees of the Belgian Islamic Centre to 10 months jail on Wednesday. They were convicted for inciting race hatred against Jews by spreading revisionist and xenophobic texts via the centre's website.

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The plaintiffs' lawyers said the sentence was "memorable".

Abdel Rahman Ayachi, 26, and Raphaël Gendron, 30, run the centre's website. When leaving the courtroom, they said the "Jewish lobby" had "inspired" the complaint.

Besides the jail terms, they were each ordered to pay a fine of 15,000 euros and deposit 2,500 euros into the account of the "Centre for Equal Opportunities and Fight Against to Racism".

The anti-racism office, which is a Belgian public authority, lodged a complaint against the Islamic centre.

The monetary sentence is designed to compensate the Jewish community for the damage and insulting remarks made by the lawyer for the defence, Sebastien Courtoy, who declared that the Belgian law against revisionism was "fascist and totalitarian".

Some 20 other people — members of the "Dialogue and Sharing", a group that aims to promote at Jewish-Arab coexistence — had also

lodged a complaint. They will each receive a symbolic compensation of 1 euro.

Racist video

The courtroom was full when the sentence was read by the president. The two defendants were convicted for denying the Holocaust, minimalising the extent of Nazi crimes and inciting race hatred, especially against Jews, via a video report and prosecutable statements.

The Islamic centre's "assabyle.com" website had put a link to another site showing a video made by Lebanese students who associated Adolf Hitler with former Israeli foreign minister David Levy.

"To put a weblink on the website is considered as appropriation," Francois Sant'Angelo, a legal expert for the anti-racism centre, stressed.

The president of the court, Francoise de Lamine de Bex, said in the judgement: "The fact that the video was removed from the site didn't delete the infringement.

"Confusing Jews and Hitler is considered as incitement to hatred. Freedom of expression is not absolute in our democracy," she said.

The court also ruled that the two convicted were responsible for the content of messages posted on the site.

Praise for judgment

Sara Brajbart-Zajtman, co-president of the "Dialogue and Sharing" group, praised Belgian justice system for its judgement.

"We were also in the courtroom in the name of all Jews who were not protected by law when they were insulted or beaten," she told EJP.

In a press release, the plaintiffs insisted that their action was "not against Islam or against Muslims but rather against extremists who are instrumentalising religion to incite to hatred".

The Belgian Islamic centre, located in Molenbeek, a Brussels borough with a large Muslim population, is known for spreading extremist ideas, the Belgian press noted. 400,000 Muslims live in Belgium, mainly of Moroccan and Turkish origin.

The website's owner, Sheikh Bassam, who was present at the court, called the sentence a "masquerade". His son is among the two people condemned.

The website also published texts attacking Jews who were called "cowards" or "arrogant" and launched appeals for holy war. One of the texts, addressed to French interior minister Nicolas Sarkozy, supported suicide bombings.

First time

More than 150,000 messages were posted on the forum on the "assabyle.com" website. When the press first reported on it and when a complaint lodged, the website was closed and adopted a new name.

The court however rejected a demand that the judgment be publicised in full in the press. The two condemned will not be jailed as they were given a suspended sentence of three years for half of it. Prison sentences of less than three months are not executed in Belgium because of prison overpopulation.

It is the first time that the law against revisionism and incitement to

hatred is applied in Belgium against an internet website.

Last year, a Moroccan airport handling worker was sentenced under the law for having written swastikas and "dirty Jews" on suitcases arriving from Tel Aviv.

The judgement was however suspended after the man lost his job.



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