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1/3



EU Advocate General: Shechita bans are unlawful

Jewish groups praise Advocate General Gerard Hogan for telling court bans on ritual slaughter are illegal.

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European Union judgement

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2/3



Advocate General to the EU Court of Justice Gerard Hogan issued an opinion that laws banning Shechita (Jewish ritual slaughter) are illegal under European Union (EU) law.

The opinion was issued following the passage of a decree on July 7 on the permitted methods for the slaughtering of animals in the Flemish Region of Belgium. The decree was challenged by Muslim and Jewish groups for effectively banning ritual slaughter.

In his opinion, Advocate Hogan wrote that "the Court should find that Member States are not permitted to adopt rules which provide, on the one hand, for a prohibition of the slaughter of animals without stunning that also applies to the slaughter carried out in the context of a religious rite and, on the other hand, for an alternative stunning procedure for the slaughter carried out in the context of a religious rite, based on reversible stunning and on condition that the stunning should not result in the death of the animal."

He further stated that even though there is a legal obligation to ensure the welfare of the animals being slaughtered, "Member States are obliged to respect the deeply held religious beliefs of adherents to the Muslim and Jewish faiths by allowing for the ritual slaughter of animals in this manner."

Jewish leaders praised the opinion,

Moscow Chief Rabbi Pinchas Goldschmidt, president of the Conference of European Rabbis, stated: "We welcome the Advocate General's opinion that the bans on Shechita in two Belgian regions are not lawful. We trust that the Court will take note of the Advocate General's opinion when it comes up with its judgement later this year. We would like to express our thanks to the Belgian community for their hard work and leadership on this matter and hope that it will be resolved in the coming weeks."





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3/3



Rabbi Menachem Margolin, president of the European Jewish Association, praised Hogan for displaying "courage and a spirit of protection of plurality, religious freedom and tolerance."

"I welcome the Attorney General's Opinion that individual Member State moves to ban kosher slaughter run contrary to EU law and are a breach of commitments to respect freedom of religion. I sincerely hope that the European Court of Justice will echo his opinion in due course and reaffirm the positive commitment to pluralism and respect to religion showcased by AG Hogan in his Opinion, Rabbi Margolin said.

"This Opinion is an important milestone in the protection of religious freedom in the European Union and comes at a welcome time considering the rise in anti-Semitism and anti-Jewish rhetoric in the continent. It is of extreme importance that Jews and Muslims are allowed to profess their faith without fear of repercussions or of being singled out. The European Jewish Association hopes the Court reaches the same conclusions in its judgment next month."

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