Congress of the United States
Washington, DC 20515

December 9, 2011

The Honorable Godefridus de Graaf
President of the Senate
The Hague, The Netherlands

Dear Mr. President,

The United States and The Netherlands share values of freedom of expression, thought, conscience, and religion, which underpin both the Universal Declaration of Human Rights and the European Convention of Human Rights. American traditions of religious liberty were inspired in part by Dutch colonists in New Netherland who, in 1657, issued the Flushing Remonstrance, asking that "the law of love, peace, and liberty" be extended to the exercise of all faiths. These principles are the reason The Netherlands has long been a place of refuge for those, such as Jews and Muslims, who have sought freedom and human rights. We are proud of these mutual ideals that distinguish our countries as true and lasting democracies.

We are troubled by upcoming legislation in the Dutch Senate regarding the prohibition of ritual slaughter. A ban on ritual slaughter would unnecessarily restrict the religious freedom of one million Muslims and 50,000 Jews in The Netherlands, and unequivocally challenge the democratic principles of religious freedom that both of our nations hold dear. We understand that the Party of Animals, which expressed concerns over slaughter without stunning, originally brought this legislation forth. In the United States, the Humane Society believes that ritual slaughter, when done properly, is just as humane as conventional methods that utilize stunning. Provisions in the U.S. Humane Slaughter Act allow for ritual slaughter without prior stunning. We believe we have addressed this issue in our legislature by balancing concerns for religious freedoms and animal welfare. It is our hope that you can consider a similarly crafted compromise.

While it is unlikely the intention, by restricting access of religiously acceptable food to Jews and Muslims, the Netherlands is violating the fundamental right of religious liberty to all faiths, as articulated in Article 18 of the International Covenant on Civil and Political Rights ("ICCPR"), which the Netherlands ratified on December 11, 1978. A ban on kosher and halal slaughter would be an interference with the Article 18 right of Jews and Muslims to "manifest [their] religion or belief" in "observance [and] practice." This interference is not justified the interests balanced in Article 18 of "public safety, order, health, morals or the fundamental rights and freedoms of others."

Facing a similar law in Austria, the Austrian Constitutional Court defined public order as "legal provisions which are essential for the functioning of cohabitation within a state." Accordingly, that court held that "[a]nimal welfare does not justify a ban on a thousands-

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Facing a similar law in Austria, the Austrian Constitutional Court defined public order as "legal provisions which are essential for the functioning of cohabitation within a state." Accordingly, that court held that "[a]nimal welfare does not justify a ban on a thousands-of-years old tradition which tries to minimise pain and harm to the animal during the procedure." Id. If the Dutch parliament enacts this law, it will step outside of the international community's convention of exempting ritual slaughter from animal regulations.

As close friends of The Netherlands and mutual supporters of the democratic value of freedom of worship, it is our hope that the Dutch Senate defeats this bill that unfairly targets religious minorities and inhibits their ability to practice their faiths.

Thank you.

Sincerely,

TRENT FRANKS
Member of Congress

HEATH SHULER
Member of Congress

ALLYSON Y. SCHWARTZ
Member of Congress

TED DEUTCH
Member of Congress

HOWARD L. BERMAN
Member of Congress

SHELLEY BERKLEY
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