

April 97

# Les cahiers de l'APEEE

## Berkendael Dossier

The purpose of this special edition of the Cahiers is to illustrate why parents are opposed to the planned Berkendael annexe. Following an introduction setting out the background to the dossier, it contains a chronological overview of the various positions adopted on this question, whether by the APEEE, the school management, the Conseil Supérieur or the Belgian authorities, together with the text of the Resolution adopted by the parents at the General Meeting on 30 January 1997.

### Landmarks:

First petition (December 95): point 1	page 3
GM's position of June 96: point 8	page 3
APEEE's letter to Mr Flahaut: point 18	page 5
GM's Resolution of January 97: point 22	page 5
Letters from Mr Pinck:	page 5
to Mr Flahaut: point 23	
to Mr De Clerck: point 24	
Article in "Le Soir": point 25	page 6
Note from Mr Marshall: point 26	page 6
A psychologist's opinion: A2	page 8

## Berkendael Annexe: parents say no

The proposal by the Belgian authorities to set up an annexe for the Uccle European School so that the long-delayed renovation work could begin in September 1997 was immediately greeted with reservations on the part of the parents.

### **The parents' demands**

At the General Meeting of the APEEE in June 1996 the parents made their agreement on the proposal subject to a certain number of guarantees concerning the educational conditions for their children, the conditions of transport and also those relating to the environment of the new school site. To get a reply to these questions parents called in vain for an extraordinary Conseil d'Administration of the school so that the whole school community could be informed of the various elements of this dossier and adopt a common position in full knowledge of the facts. This extraordinary CA was never held.

### **Belgium's unacceptable behaviour**

Imagine the parents' surprise, then, when they found out in September 1996 that the Belgian authorities had long been planning to set up, next to the Berkendael school site, a centre for "sex offenders". This plan was known at the time the proposal for the Berkendael was presented to the parents and to the Conseil Supérieur of the European Schools, but was kept secret by the Belgian authorities.

The APEEE then protested to Minister Flahaut, the person responsible in Belgium for European School matters, and to the Conseil Supérieur. A petition started at the initiative of the Uccle APEEE in the framework of the CAS (Committee comprising parents from the two Brussels European Schools and all the trade union organizations of the Community institutions), and signed by more than 3.000 parents, emphasized the parents' objections to Berkendael and called for the third school to be built as a matter of urgency. In the face of pressure from the parents, the Conseil Supérieur decided for the moment not to accept the Belgian proposal and to reopen discussion of the matter at its meeting in April 1997.

### **Parents reject the plan**

The Uccle parents, faced with the bad faith of the Belgian authorities, the danger which the Berkendael site represents for the safety of their children, and also the fact that the annexe would not be operational

before 1999, at which date the third European School would be ready, decided on 30 January 1997 to reject the proposed annexe for the Uccle school.

### **The reasons behind their rejection**

There were three reasons for their decision. The Berkendael site scheduled for September 1997, in order to allow renovation to begin at Uccle, was now not to open until 1999. This meant that work at the school would not begin before 2000. As the third school would already have opened by that time, there was no point in having the proposed Berkendael annexe. In addition, the site was extremely inconvenient in view of the dislocation of teaching activities, the deterioration of the educational conditions for the children concerned, let alone transport problems. Finally, and most importantly, the immediate environment of the site was completely unsuitable because, in addition to the existing prisons in the neighbourhood, there were plans for the creation of a federal centre for clinical observation, approved under the new Belgian legal framework relating to sexual abuse.

### **Speeding up the construction of the third school**

That is why the parents believe that only speeding up the construction of the third school and finishing it by the 1998 rentrée will take the pressure off the Uccle school and allow the renovation work to take place which has long been postponed by those in charge of the European Schools. That is why the APEEE undertook an extensive information campaign to explain the reasons behind the parents' rejection. It proposes that the parents mobilise themselves, specifically by signing an open letter to the Conseil Supérieur.

## Extracts from documents concerning the Berkendael site

### 1. December 1995:

During a demonstration by more than 1.500 parents, the APEEE handed to Minister Flahaut the text of a petition with more than 5.000 signatures deploring the conditions of schooling, particularly at Uccle, and calling for the speedy construction of the third school.

### 2. 23 January 1996: minutes of the Education Committee (communication from the School):

Comments by Mr Marshall on the annexe: "as regards the Scandinavian School, no progress to report. The other proposal (Berkendael) was refused because the appropriate conditions were not in place..."

### 3. 24 January 1996: letter from Mr Flahaut to the APEEE, in reply to the APEEE's letter of 15 December 1995 on overpopulation:

"(...) Berkendael is in fact the chance to bring an existing site up to standard and to create a modern school for less than half the price of a European School to be built from scratch (...)"

### 4. 30-31 January 1996: Enlarged meeting of the Conseil Supérieur (extract from the minutes):

"The proposal of the Belgian authorities to refurbish a school in the rue de Berkendael, which is closer to the centre of Brussels, to house some of the pupils did not meet with the approval of either the parents or the representative of the Conseil Supérieur", or indeed of the Headmaster who stated that "the Berkendael proposal is not suitable because there are serious access problems for buses on the site and it covers only one and a half hectares, which is too small for the School's requirements.

After the discussion agreement was reached on the text of a letter which was sent to Mr Flahaut: "on the basis of information available to the Conseil Supérieur, the Scandinavian School at Rhode-St-Genèse appears to be the temporary solution to satisfy our requirements as from the 1996/1997 rentrée."

### 5. 23-24 April 1996: Enlarged meeting of the Conseil Supérieur (extract from the minutes)

Mr Olsen spoke to say that "a Master Plan has also been drawn up for the renovation of the Brussels I European School buildings. The principles set forth in that plan were approved by the Bureau and the school management. During renovation work, pupils

from Brussels I will be accommodated at the Berkendael school, which is to be refurbished."

*Ed.: no debate or vote appears to have followed this statement, as far as we know. This leads us to wonder when the Conseil Supérieur approved the proposal for an annexe at Berkendael, contrary to what was stated in January 1996.*

### 6. 30 April 1996: letter from Mr Marshall to teachers at Brussels I European School

"The Belgian State cannot politically justify the purchase of a private school when there are empty schools that can quite easily be used. Moreover, any additional expenditure on the European Schools at a time when Belgian schools are being closed and thousands of teachers made redundant would not be well received.

**The Government recognizes the high cost of the Berkendael solution as compared with that of the Scandinavian School."**

### 7. 6 June 1996: Minutes of the Education Committee (communication from the School):

Berkendael: Mr Marshall announces that a final decision has been taken temporarily to transfer some of the pupils (+/- 600/700) to Berkendael as from September 1997. The reason for this is the two building sites which make it impossible for the school to operate properly for a number of years. This project forms part of the plan which envisages Berkendael as a 4th European School in Brussels.

### 8. June 1996:

The parents are made aware of the Berkendael proposal at an information meeting organized by the Régie des Batiments (Belgian State Building Authority) and at a General Meeting of the APEEE, and make their agreement subject to a number of conditions linked to educational conditions (environment, administrative and teaching framework, security, transport, etc.).

"The next General Meeting of the Association will adopt a definitive stance on the proposed move" (La Lettre No 20).

### 9. 26 September 1996: minutes of a meeting between the Régie des Batiments, the representative of the Conseil Supérieur and the Headmasters of the two Brussels Schools

concerning the programme of requirements for the refurbishment of the Berkendael Athénée

Major renovation work is necessary to enable the Berkendael Athénée to be used as from 1 September 1998.

*Ed.: This means that the work is already one year behind schedule.*

**10. 30 September 1996: joint letter from the Headmaster of the School and the APEEE Chairman to Mr Flahaut**

"(...) There have been reports and articles in the press concerning the siting of a unit for the rehabilitation of serious offenders, including paedophiles, near the Berkendael school which is to operate as an annexe of the Brussels I European School during the renovation work. If these reports have already caused alarm in the neighbourhood, at a particularly sensitive time - I am of course thinking of the Dutroux affair - you can easily imagine the psychological impact on our parents, whose children are going to be in the immediate vicinity of the centre and who already have misgivings about the choice of site. This is why it is essential publicly to provide a maximum amount of specific information regarding this centre (...)."

**11. 15 October 1996: letter from Mr Flahaut to Mr Marshall**

"(...) I can tell you that the building, which is to be the headquarters of the Institution for the study and detention of persons who may represent a danger to society, has been earmarked for this purpose for a very long time. It is with an eye to developing clinical observation activities that it was set up (...)."

*Ed.: The APEEE learnt the contents of this letter only on 16 December 1996*

**12. 17 October 1996: Plenary meeting: debate in the Belgian Parliament on the petition from the ASBL "Marc et Corinne" for sentences without remission for child abductors**

Mr De Clerck, the Minister for Justice, announces the decisions taken by the Council of Ministers on 30 August 1996, including those within the new framework of the law governing the question of sexual abuse of minors: "(...) the establishment of a Federal Centre for clinical observation to give a reasoned opinion before a decision is taken (on conditional release). The building set aside for this purpose, in rue Berkendael in Forest, is currently occupied by a women's prison (...). As soon as the Ardenne prison is completed in April 1997, it will be possible to empty the Berkendael premises with a view to installing the scientific observation centre (...).

**13. 21 October 1996: letter from Mr Flahaut to the CAS via the FFPE (European Civil Service Federation)**

"When work is carried out on certain of the buildings they must of course be vacated and the pupils accommodated in replacement premises; the premises chosen are situated in the rue de Berkendael, in the old Athénée, which is a school complex fulfilling all requirements."

"As regards a parking area for buses, there is a legal problem because the headquarters agreement between the Federal State and the Member States of the Community on European Schools stipulates that the latter shall comply with the infrastructure and equipment standards applicable in Belgian schools (There is no provision in the latter for "bussing"). Making a parking area available for buses involves expenditure which would run counter to the provisions of the abovementioned headquarters agreement."

*Ed.: Here, Mr Flahaut is referring to the Woluwe School. It is clear that this agreement also applies to all the other European Schools in Belgium (including the Berkendael annexe, which has no space whatsoever for buses).*

**14. 20 November 1996: letter from the APEEE Chairman to Mr Pinck (Conseil Supérieur)**

"(...) I should be grateful if you would inform me of the date of the extraordinary Conseil d'Administration of Brussels I European School which is to look into educational conditions at the Berkendael site (...).

*Ed.: However, this extraordinary Conseil d'Administration was approved but never held.*

**15. 22 November 1996: letter from the APEEE to Mr Samland, Chairman of the EP Committee on Budgets**

"(...) The Belgian authorities have laid down a plan for renovating buildings at the School between 1998 and 2001 which makes provision for the temporary removal as from September 1997 of certain classes to the Berkendael Athénée Royal, which has been closed as a school for a number of years and must be renovated. It is situated next to the prisons of St Gilles and Forest. The parents have major objections to this "solution". We are perplexed to find that it is proposed to spend BF 650 million on a provisional site when the estimated cost of building the third school is only BF 1.500 million (...)."

**16. 25 November 1996: letter from Mr Pinck (Conseil Supérieur) to the APEEE**

"(...) You will not be unaware that Berkendael will not be ready in 1977 but only in September 1998. The

Conseil Supérieur has obviously protested and we are awaiting a reply from the Minister (...)."

**17. 4 December 1996: letter from the APEEE Chairman to Mr Pinck (Conseil Supérieur)**

Regarding the calling of an extraordinary Conseil d'Administration on Berkendael: "(...) your reply has left me puzzled (...)."

"(...) I would remind you that the parents are very disturbed, and indeed hostile, at Berkendael being offered as a temporary annexe to the Uccle European School. It is urgently necessary for a reply to be given to their numerous questions so that they are able to adopt a definitive position at the next APEEE General Meeting (...)."

*Ed.: Despite a second reminder, the extraordinary Conseil d'Administration was never convened.*

**18. 20 December 1996: letter from the APEEE to Mr Flahaut**

"(...) We wish to inform you of the objections of the Uccle parents to the siting next to the school of a detention centre for sex offenders, which in the eyes of the parents makes the Berkendael option inappropriate for accommodating children.

The Uccle parents find it totally unacceptable that this information, which was known to your department, should not have been divulged either when the proposal for the Berendael annexe was presented to the parents or when the project was communicated to the Conseil Supérieur."

**19. 27 January 1997: information meeting organized by Mr Marshall**

At the information meeting organized by Mr Marshall the 300 parents present unanimously rejected the Berkendael annexe.

**20. 28 January 1997:**

Demonstration by parents and handing-over of a petition launched on 29 October 1996 and signed by 3.000 parents to the representatives of the Conseil Supérieur calling for the building of the third school by September 1998 and condemning the proposal for the Berkendael annexe.

**21. 28-29 January 1997: Meeting of the Conseil Supérieur**

At the request of the parents' representatives the Conseil Supérieur postpones the decision on the Berkendael Athénée until the Conseil Supérieur in April 1997. Letter from Mr Flahaut to Mr Pinck announcing the granting of the building permit for the 3rd school, the imminent beginning of the works and the fact that the Berkendael Athénée would be ready for the 1999 rentrée.

*Ed.: Another year's delay...*

**22. 30 January 1997: APEEE General Meeting**

A General Meeting of parents categorically rejected the Berkendael project and called on the Conseil d'Administration "to take all necessary steps to have the rejection of the Berkendael plan endorsed by the next meeting of the Conseil Supérieur." (see text of the resolution in Annex A1 on page 7).

**23. 31 January 1997: letter from Mr Pinck to Mr Flahaut**

"(...) There have also been delays on the Berkendael dossier.... You have not specified the causes of those delays. In this connection we have learnt that the Ministry of Justice has decided to establish, on a site bordering the annexe, a high-security centre for the detention of offenders. I wish to convey to you the concern of the members of the Conseil Supérieur, who unanimously expressed their astonishment at this information (...)."

"(...) When the Conseil gave its agreement to Berkendael at its meeting on 24 and 25 January 1996, it had regrettably been told nothing about the planned centre for offenders. I am writing to the Minister for Justice today on behalf of the Conseil Supérieur to ask him to give us every assurance as to the safety of the pupils to be housed in the Berkendael school while the renovation work at Uccle takes place. Until we obtain the necessary assurances on the part of the legal authorities, the Conseil Supérieur considers that we cannot give our firm consent to the acceptance of the site (...)"

*Ed.: The agreement to Berkendael supposedly given at the Conseil Supérieur's meeting on 24 and 25 January 1996 does not appear to have put to the vote (see point 5 on page 3 of this dossier).*

**24. 31 January 1997: Letter from Mr Pinck to Mr De Clerck**

"The Conseil Supérieur of the European Schools, meeting in plenary session on 28 and 29 January 1997 was astonished to learn that the Belgian judicial authorities intend to build a high-security centre for offenders in the immediate vicinity of the Athénée de Berkendael.

"When the Conseil Supérieur was informed of the availability of the Athénée de Berkendael in January 1996, it had not been told of the plan to set up an centre for offenders next door to the Berkendael school. The information which we have just received calls into question the choice of the site to house our pupils and our agreement to the proposal.

"Once we are in full possession of the facts, the Conseil Supérieur will reconsider the situation and adopt a position on the advisability of transferring pupils - originally planned for September 1997 and postponed to a later date yet to be specified by the Building Authority."

**25. Extract from "Le Soir" of 14 February 1997: statement by Mr Flahaut**

"We are going to start on the renovation of the Athénée de Berkendael, so that it can house 400 pupils. This will enable us to begin the renovation of the European School at Uccle. Berkendael will be, as it were, European School No 3a. But it will be a quality tool. Around 230 million francs are to be invested in these buildings which the Building Authority has bought from the French Community. The works should begin in the second half of 1997. Neither Belgium nor Brussels need feel any shame at the education infrastructure provided for Europe."

*Ed.: However, all the estimates so far had been based on the transfer of 700 pupils and a budget of 650 million.*

**26. File note of 17 February 1997 from Mr Marshall to the Conseil d'Administration of the Brussels I School:**

**Extract from point II, security:**

"The Chef de Cabinet (of the Justice Minister) has confirmed that the present women's prison situated in Avenue Berkendael ... is to be completely renovated and converted, by the end of 1998 or early 1999, to create a top-security centre for 50 to 60 serious offenders, including some sex offenders.

The building will incorporate the most up-to-date electronic surveillance systems. The outer wall will be 6 metres high and linked directly to the Forest prison for all prisoner movements. The corridor between the outer wall and the building will be patrolled night and day. There will be cameras (electronic surveillance).

The Berkendael entrance will be used by staff and visitors only. There will be a buffer zone between that entrance and the unit proper (and hence no direct passage between the two). The internal surveillance system will be of the strictest possible nature. All doors will be double doors (i.e. always 2 doors), with remote opening. There will be no normal keys. The impression is that our pupils will enjoy the greatest possible security. Furthermore, it should not be forgotten that there will be a high level of activity by patrols from the local police and the gendarmerie around the prisons, which is a plus in general security terms.

**Extract from point IV: meeting with parents on 27 January 1997:**

"I was not expecting an easy meeting, but some people's behaviour was appalling. The atmosphere was one of paranoia and confrontation, with no room for proper argument and reasonableness. Details about the organization of transport, etc... were not discussed.

(1) Parents were very worried about the security aspects. They do not seem to accept that the "high security" tag on this unit is a guarantee for their children (...).

(3) They fear that Berkendael may become the 4th European School despite the information they have been given regarding the movement of the school population."

**27. Reply by a child psychologist when consulted by the APEEE on 20 February 1997:**

What are the possible consequences of educating children next door to a centre for serious sex offenders? (see Annex A2, page 8).

**28. Open letter to the Conseil Supérieur signed by the Uccle parents, which states, inter alia:**

"(...) Lastly, and most importantly, the immediate environs of the site are totally unsuitable for children because, in addition to the existing prisons, it is planned to set up a reception centre for individuals "who may be a danger to society (...)"

Under these circumstances parents feel that only by speeding up work on the 3rd school and completing it by the 1988/99 rentrée will it be possible to relieve the congestion at the Uccle School and to undertake the renovation work so long postponed by the responsible for the European Schools."

**Conclusion**

*It must be stressed that if, in spite of all opposition, the Conseil Supérieur were to accept the Berkendael annexe with full knowledge of the facts, its members would have to shoulder a heavy responsibility if any incident occurred as a result of the location of the school.*

<b>Annexes</b>
----------------

**A 1****"Berkendael" Resolution  
adopted by the parents at the General Meeting on 30 January 1997**

The parents, at the General meeting on 30 January 1997, have taken note of information regarding the plan for an annexe to the Uccle European School on the Berkendael site, for primary pupils. The proposed annexe is situated next to a prison and a reception centre for persons "who may be a danger to society".

In the light of the information in their possession, they categorically reject this plan. They are outraged that the Belgian authorities could make such a proposal and are astonished that the Headmaster should have accepted it.

To resolve the problem of overcrowding and to enable the renovation work on the Uccle School buildings to proceed under reasonable conditions, they feel that the only proper solution is to speed up the construction of the third school so that it can, as promised, open in September 1998, particularly since that option would tally better with the requirements of efficiency and budgetary discipline.

The building permit for the third school has just been issued and building work can therefore begin in the very near future. The parents call for the FB 650 million earmarked for the renovation and enlargement of the Berkendael site to be reallocated as a priority to accelerating work on the site of the third school.

The parents call on the Headmaster, in the interests of the children, to support them in their rejection of the plan and in the demands which they have formulated.

The General Meeting gives a mandate to the Conseil d'Administration to take all necessary steps to have the rejection of the Berkendael plan endorsed by the next meeting of the Conseil Supérieur.

## A 2

**What are the possible consequences of educating children next door to a centre for serious sex offenders?****Reply from a child psychologist**

Obviously, no education professional would dream of suggesting that a school be sited next to a prison and an experimental centre for sex offenders.

First of all, a child has a right to be educated in a healthy, open environment, protected from anything that could cause him or her physical or psychological damage.

If a child has the misfortune to be born into a chaotic or harmful family situation, society has a duty to try to make good such deficiencies as far as possible. It goes against all reason for it to be the school itself that places the child at risk. In the case in point, the psychological risks are very great. There are certain aspects of human behaviour that a child cannot and should not understand, and one of those aspects relates to sex offences and paedophilia. If, in certain unhappy circumstances such as those now prevailing in Belgium, it becomes necessary to inform children of such things, it should be done in the knowledge that this will have consequences for the child. It is a fact that the frequency in Belgian children of disorders such as sleep disturbances, phobias, psychic instability syndromes and other psychological problems has recently increased significantly. To exacerbate this already fragile situation by sending a child to school next door to an institution housing these kinds of people may not only be a traumatising experience for the child but could also cause irreparable damage, marking his psyche and transforming his personality and his view of the world and the human race.

No education professional can be unaware of these elements. Consequently, to implement this plan deliberately presupposes a degree of "perversion" or at least a certain lack of forethought on the part of the competent authorities, which will be responsible for any psychological damage that may be incurred by the child.

**La Lettre et Les Cahiers de l'APÉEE**

Association des Parents d'Élèves de l'École Européenne - Uccle

46, Avenue du Vert Chasseur, B-1180 Bruxelles

Tel/Fax: 375 01 45

Loi 53, 1-15 (CE) Tel: 295 62 64

Directeur de publication : G. Vlandas ; Responsable de rédaction : K. Walker ;

Secrétaires de rédaction : M. Delpuech, J. Miaillier

Rédaction: A. Caracosta, M. Delpuech, E. Lucioli, J. Miaillier, P. Reichert, B. Trench, G. Vlandas, K. Walker, M. O'Keeffe, T. Garcia-Azcárate.

Envoi : C. Yakas, P. Van Brusselt, M. Langhals, A. Walker, C. Wenig.

Impression et envoi : C.E. - Tirage 3200

Copyright 1995 by APÉEE, BXL 1 - Reproduction forbidden without permission of the copyright owner