



Recommendations on the Implementation by States of OSCE Commitments related to Tolerance and Non-Discrimination, in particular those relating to Hate Crime.

Islamic Human Rights Commission, 5 October 2009, Warsaw

IHRC's extensive UK based research on discrimination and hate crime has been extended in the last two years to fieldwork in various European countries including France, Belgium, Denmark, Netherlands and Norway.

As a result of this cumulative work spanning over a decade, IHRC has indentified certain key issues around anti-Muslim hatred, hostility and discrimination. These include:

Serious issues around underreporting of discrimination.

IHRC's studies found that whilst the UK's minority communities were deemed to be (with some justification) amongst the best treated in Europe, even they felt a sense of disempowerment when issues relating to discrimination arose. Responses to both qualitative and quantitative studies found that over the last five years, whilst levels of discrimination etc had risen, respondents were less inclined to report such instances, citing:

- lack of faith in the legal system and law enforcement agencies;
- fears of double discrimination i.e. harassment from law enforcement agencies once a report had been made (IHRC researchers noted that all respondents who asserted this were able to cite a case that they knew of where such reprisals had taken place);
- despondency in the political and media discourses surrounding particularly hate crime cases which have been negatively reported in the media and in some cases derided by politicians including those in senior positions in government;
- lack of understanding even amongst sympathetic law enforcement officials of the nature of anti-Muslim discrimination etc.;
- lack of third party reporting or infrastructure of any sort to record hate crime etc.;
- lack of definition and understanding of what constitutes a hate crime;
- etc.

Fieldwork in other European countries suggests that similar issues are at hand in the persistently low numbers of anti-Muslim attacks reported.

IHRC is deeply concerned that, rather than examine the reasons for underreporting, many OSCE member states have taken this to mean that anti-Muslim hostility is low. The high profile killings in what appear to be hate motivated attacks in Europe including those of Merwa El-Sherbini, Arzu Erbaş Çakmakçı and Ikramul Haque in the last two months, indicate that such arguments are not only unsubstantiated but that there is now a very serious issue of anti-Muslim violence in Europe.

Additionally the rise of the far-right continues, with countries such as the United Kingdom now seeing both extremist ant-Muslim groups asserting themselves at street level, as well as far-right political parties entering the mainstream political arena.

IHRC recommends to the OSCE:

- To ensure that the issue of underreporting is given high priority at the level of member states;
- To request member states to support civil society initiatives to tackle underreporting, including investment and training in third party reporting;
- To request member states to enact programmes of social education on the existence of hate crime and how to tackle it;
- To censure media and political voices who publically deride victims of hate crime;
- To adopt in its work on hate crime, the McPherson Report recommendations on the concept of perception in the investigation of racially and religiously aggravated offences;
- To encourage states to train law enforcement workers in this understanding.
- To avoid the easy trap of integrating parts of far-right political agendas with regard to minorities into their manifestos and policies, and take a principled stand against all hate-filled discourse.

IHRC is a UK based NGO in consultative status with the UN Economic and Social Council. It is embarking on a project in Europe and North America in partnership with various locally based NGOs to record the level of discrimination against Muslim communities, including hate crime.

For further information on our work please visit our new website www.ihrc.org.uk or contact the office on info@ihrc.org or +44 20 8904 4222.