

# **High-Level Conference on Tolerance and Non-Discrimination**

## **Session 1 Combating Intolerance and Discrimination against Muslims**

### **Statement of the OSCE Office for Democratic Institutions and Human Rights (ODIHR)**



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*Check against delivery!*

As violent manifestations of hatred and intolerance against the members of ethnic, racial or religious groups threaten not only the security of individuals, but also regional stability and peace, the OSCE has intensified its efforts to develop a regional response to intolerance against Muslims. In Decision 6/02, OSCE participating States condemned acts of discrimination and violence against Muslims in the OSCE region and firmly rejected identification of terrorism and extremism with a particular religion or culture. Since then, combating intolerance and discrimination against Muslims has been mentioned in almost all tolerance and non-discrimination related decisions.

This topic has also enjoyed high level political attention since the 2005 High-Level Conference in Cordoba, the 2006 Almaty Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding, the 2007 High Level Conference in Bucharest, and the 2007 OSCE Chairman-in-Office Conference on Intolerance and Discrimination against Muslims in Cordoba.

In compliance with Ministerial Council Decision 04/03, ODIHR reports on hate-motivated crimes targeting Muslims, based on information provided by governments and complemented by civil society and international organizations. ODIHR's annual report on hate crime indicates that there is little official and non-official data on hate crimes against Muslims. Eleven participating States reported that they collect data on anti-Muslim hate crimes in 2008, but only two submitted figures. For the year 2009, ODIHR has received so far information from one participating State. Civil society reported on hate-motivated incidents in ten countries in 2008, and in eleven countries in 2009.

Since effective policies to fight intolerance against Muslims can not be designed in the absence of comprehensive and reliable data, governments should establish data collection mechanisms. Data should be broken down into sufficient detail, to include hate crimes against Muslims. Similarly, legislation on hate crimes should define protected characteristics in terms that are applicable to real or perceived membership in a Muslim community.

Further, effective implementation of legislation requests that relevant authorities, including law enforcement officers and the judiciary, have the capacity to identify anti-Muslim hate crimes. Adequate resources must be allocated to enable the implementation of policies fighting hate crimes.

Another conclusion of ODIHR's report is that hate crimes are systematically under-reported. Awareness-raising campaigns, outreach measures and sensitization of law enforcement to the needs of affected communities are essential to improve reporting. Civil society can play an important role in bridging the gap between the numbers of actual and of reported incidents due to their proximity to affected communities and their ability to reach out to law enforcement. In this respect, it is important to support civil society programmes aimed at assisting victims of hate-motivated crimes and incidents. More generally, participating States should protect and respect freedom of association, and furthermore create favourable conditions for civil society to operate.

Participating States should firmly reject association of Muslims with terrorism and acknowledge that international tensions, and political and social issues, never justify intolerance against Muslims. Therefore, while recognizing the value of freedom of expression, participating States should consistently call on governmental officials and political, community and religious leaders to condemn manifestations of intolerance against Muslims and to refrain from creating or reinforcing stereotypes and prejudices.

In this regard, it is of paramount importance that participating States comply with international human rights standards, while combating terrorism and extremism which leads to violence. In particular, participating States should avoid the practice of racial profiling, which disproportionately affects Muslims and damages trust between law enforcement and these communities.

Additionally, acknowledging the intimate relationship between the right to equality before the law and freedom of religion or belief, participating States should refrain from placing restrictions on the manifestation of religion or belief in a way that discriminates against members of certain religious groups. Respect for freedom of expression, freedom of religion or belief and the right to equality before the law are of paramount importance when considering legislation that would regulate manifestations of religion, including any proposals or initiatives to limit or prohibit the use of symbols associated with Muslims.

Finally, tolerance cannot be promoted and sustained if future generations are not equipped with the skills and knowledge necessary to counter prejudice and stereotypes. For this purpose, ODIHR, in partnership with UNESCO and the Council of Europe, has been developing Guidelines for Educators and Policy Makers on how to address prejudice and intolerance against Muslims in an educational context.

In conclusion, I would like to reiterate ODIHR's willingness to support participating states and NGOs in their efforts to combat intolerance and discrimination against Muslims, be it through the provision of a forum in which to raise and follow-up issues, or through joint co-operation on concrete projects. We hope that the High Level Conference will be a display of serious commitment of participating States to transform their good words into concrete deeds.