

ENGLISH only

Is British police enforcing Sharia law?

OSCE participating States have affirmed and reaffirmed on several occasions that “the rule of law is a fundamental pillar on which the protection of human rights rests.” Additionally, perpetrators must be offered compensation and victims of human rights abuses must be viewed as such by the state.

In an alarming development, British police and other authorities are increasingly involved in what appears like enforcing parts of Islamic Sharia law in Britain. While for good reasons this is not an officially declared policy, practices on the ground show that critics of Islam and mass immigration seem comprehensively targeted by unfair and discriminatory practices. Some examples:

On June 29th this year, Kevin Carroll was assaulted on the street in London, and subsequently arrested along with Tommy Robinson on charges of “obstructing police work”, despite video evidence that they had done no such thing. The basis for their arrest was probably that they sought to walk into the London borough of Tower Hamlets, which is considered a Muslim area, which might have led to unrest.

The Annotated Agenda notes:

the lack of the rule of law, by elevating the risk of arbitrary action and impunity for human rights violations, create creates a climate of distrust and instability...”

The arrest by two British subjects walking the streets of London into a Muslim-controlled borough must be seen for what it is: an arbitrary arrest, eroding public trust in what used to be the highest regarded police force anywhere.

The English Defence League, an English citizens' movement, had invited two American experts on Islam, Robert Spencer and Pamela Geller, to speak about the dangers of Islamization (that is, imposing Sharia law) in our societies, but were prevented from entering Britain by an open abuse of anti-terrorism laws, on the grounds that their points of view are not “conducive to the public good”.

However, as Copenhagen 1990 remarks:

“Any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law.”

The Agenda adds that

Recent years have seen laws passed in the OSCE participating States that aim to limit the exercise of fundamental freedoms on grounds that are per se permissible. However, the potentially disproportionate extent of restrictions thus imposed is a cause for concern.

The banning of Pamela Geller and Robert Spencer clearly constitutes a prime example of this “disproportionate extent of restrictions”.

This example of how the British government *hampers* peaceful civic society activity contrasts with this passage from the Annotated Agenda encouraging governments to *empower* civic society:



Civil society should be empowered, and should perform a watchdog function to enhance the accountability of such institutions. These efforts should extend equally to the protection of civil, political, economic, social and cultural rights. It is a multifaceted process which requires efforts of different stakeholders – legislative, executive, judicial branches of government, local and regional authorities, ombudsman institutions and civil society. With regard to the role of civil society actors specifically, the OSCE participating States have underscored “the important role played by civil society [...] in helping us to ensure full respect for human rights, fundamental freedoms, [...] and the rule of law”.

As an example, if it were not for civic society activism, the now-famous sex grooming rings might still not have been exposed, for the authorities had turned a blind eye to them for fear of being labelled “racist”.

Further seeking to hamper the English Defence League, dozens of supporters have received bail conditions that severely limit their supposedly inalienable rights to free assembly and freedom of expression, and several have suffered arbitrary house searches. Their crimes? Dissenting from political correctness, being smeared and assaulted by left-wing extremists and radical Muslims at public events organised by the English Defence League.

In contrast, radical Muslims who seek to destroy democracy and human rights, mock the British soldiers, issue death threats against those who insult Islam, dodge British law and demand Sharia for Britain face no such harassment. Proponents of such views even enjoy lavish state support and police protection, while citizens who protest these views suffer state and non-state harassment, curtailing of their freedoms, and are given no protection, police or otherwise.

While silencing those whose points of view may trigger unrest may be convenient on the short term, this is not a sound strategy. It remains common sense that those causing unrest should be primary targets of policing, while those using their free expression to say controversial or even provocative things deserve protection, as they are merely exercising their fundamental and inalienable rights.

And precisely those fundamental rights, and the protection thereof, are fundamental to upholding a peaceful and secure society, as outlined in the Human Dimension decision, Budapest 1994:

Human rights and fundamental freedoms, the rule of law and democratic institutions are the foundations of peace and security, representing a crucial contribution to conflict prevention, within a comprehensive concept of security.

The British police, which used to be highly respected inside and outside Britain for exemplary policing, is now being mocked on Facebook for enforcing Sharia in Great Britain. The methods employed against those who criticise Islam and mass immigration, in particular letting police tell citizens what they may or may not do – right down to threatening arrest for repeating certain Twitter messages – are showing that Britain is, ever so slowly, sliding towards becoming a police state.

When people are prevented from, or punished for, seeking redress for their grievances, democracy dies.

Recommendations:

BPE reiterates our recommendations from our previously submitted paper “Freedom of assembly, freedom of expression: **New challenges in Western Europe**”, www.osce.org/odihr/97091

Specifically, we call upon the British authorities to:

- - Let an independent party investigate the legality of the June 29th arrests.
- Ensure that peaceful public assemblies can take place without fear of violence and obstruction.
- Repeal the entry bans issued to Robert Spencer and Pamela Geller.
- Undertake an investigation to find whether political decisions have influenced British policing, also in view of the Helsinki Final Act and the 1994 Budapest reaffirmation.
- Make it clear that in Britain, only British law applies, not Sharia or any other foreign law.

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