

INTOLERANCE AND DISCRIMINATION AGAINST MUSLIMS

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Introduction

It is a fact, but a sad fact that the environment in which Muslims now live, especially in Western countries, has deteriorated considerably in the post September 11 period. Muslims, together with some other minority and foreign groups, have been and still are facing intolerance, discrimination, distrust and hostility.

The so-called “Islamic terrorism or Islamic extremism” is portrayed as the source of all evil, adding fuel to the already existing prejudice and intolerance against Muslims. People of this moral persuasion are stigmatized because of their beliefs, ethnicities or appearances.

This phenomenon has two additional adverse consequences:

First, it undermines efforts of integration and brings about negative trends in attempts to create an atmosphere of harmony.

Second, an even wider fault line between the Muslim world and the West, or if you like the Christian world, emerges.

Therefore, both from a micro-social angle and also from a global perspective it would be wise to address this issue seriously.

As I am sure you are well aware, the common values of the OSCE are based on a firm commitment to human rights and on the recognition of the inherent dignity of all human beings.

In that respect, human rights and fundamental freedoms are recognized as essential safeguards of tolerance and non-discrimination, which are indispensable elements of stability, security and cooperation.

However, despite all efforts for the promotion and protection of human rights, acts related to racist and xenophobic attitudes, and discrimination as well as intolerance against Muslims persists in many OSCE countries. And this situation challenges the exercise of their fundamental human rights and freedoms.

In spite of tangible progress achieved in elimination of institutionalized forms of discrimination, many countries still experience new and mounting waves of bias, exclusion and racist violence against Muslims. And these constitute a major threat to friendly and peaceful relations, not only among states but among peoples as well. Hence, the need to struggle against all forms and manifestations of discrimination and intolerance against Muslims has become more urgent and evident than before.

Just how widespread is the problem of discrimination against Muslims? How frequently are hate crimes committed? Where do they occur, and who are the victims? What steps are being taken by law enforcement agencies and by governments? Answers to such basic questions are needed before anyone can make a serious effort to combat hate in all its manifestations. For that reason, I welcome and support ODIHR's work in collecting and disseminating information on hate crimes, including statistics from states and police agencies, as well as examples of good practices from a wide variety of sources, including governmental and non-governmental organizations.

The collection and analysis of such information has allowed the ODIHR to identify the gaps in implementation of OSCE commitments related to tolerance and non-discrimination.

Having said that, allow me to share with you my observation concerning the Annual Report for 2007 on Hate Crimes in the OSCE Region, expertly prepared by the ODIHR, which is before you. Even a casual glance demonstrates that there is too little data and information concerning hate crimes against Muslims. Of course it is not ODIHR who has willfully omitted such data from the report, but the reason for this is explained clearly in the body of the report: "Hate crime victims often fail to report their cases, as they fear reprisal, distrust the police, or believe that their complaint will not be taken seriously; therefore many crimes never reach the authorities. . . . Hate crimes and incidents motivated by anti-Muslim bias tend to be particularly under-recorded and under-reported." I wanted to underline this observation, since it corroborates my conclusions from country visits.

Personal Representative on Combating Intolerance and Discrimination against Muslims

My mandate as the Personal Representative of the Chairman-in-Office of the OSCE on Combating Intolerance and Discrimination against Muslims envisages promotion of better coordination of participating States' efforts aimed at effective implementation of OSCE decisions in the field of tolerance and non-discrimination, paying special attention to combating intolerance and discrimination against Muslims.

My perception on the implementation of my mandate can be summarized as follows:

a) The historical, cultural and psychological depth of the issue of discrimination and intolerance always needs to be taken into full consideration.

b) A sound normative framework to combat intolerance and discrimination both in the OSCE and in other international and national fora does exist; what is needed is putting this normative framework into full use and implementation.

c) There is also a need for an intellectual and ethical strategy to avoid political exploitation of the issues related to discrimination and intolerance.

d) Discrimination and intolerance against Muslims is not only a matter of discrimination against a specific religious group, but also deeply affects international relations

as well as the internal stability of Western societies. As such, it is a multifaceted question and must be addressed through a holistic approach.

e) Various forms of intolerance and discrimination need not be subject to an artificial hierarchy. Discrimination is discrimination and must be condemned and dealt with whatever the underlying motive might be. Within this framework, there should be synergy in efforts dealing with different forms of discrimination.

f) On the other hand, the following points must be underlined and given prominence:

i. The quality of life of Muslims living in Western societies must be improved. This will lead to better understanding and better integration, thus to lessening of mutual mistrust.

ii. Muslims should not be seen as second-class citizens, must not be demonized, marginalized, feared or despised.

iii. The war on terror must not become a war on Muslims.

iv. It should be recognized that Muslims have the same basic needs and desires as others, which are material well-being, cultural acceptance and religious freedom without political or social intimidation. In that vein, Muslims should not be marginalized or attempted to be assimilated, but should be accommodated. Accommodation is the best strategy for integration.

Additionally, I try to raise awareness on the necessity of tolerance and non-discrimination; stress the importance of social harmony and respect, especially respect for “the other,” whoever this other may be; search for commonalities rather than divisions and promote inter-cultural and inter-religious dialogue.

Stressing the need for sound legal strategies, a sound legal framework and the implementation of that framework (judicial measures), underlining the need for education, not only of law enforcement officials but especially of the younger generation, highlighting good practices and the role of the media are also among my priorities.

With this understanding, within the context of trying to raise awareness to the phenomena of discrimination and intolerance against Muslims, I conducted country visits to Netherlands, USA, France, United Kingdom, Germany, Denmark, Spain, Slovenia, Switzerland, Norway and Finland, upon the invitations extended by the Governments of these countries. During these visits, I met not only high level representatives of the administrations and politicians, but also leaders of relevant institutions and more importantly large segments of the civil society. My activities during these visits, together with my findings, comments and recommendations have been reported to the OSCE participating States through the Chairmanship. On the other hand, I attended relevant OSCE events on tolerance and discrimination and elaborated on my views at these meetings.

Furthermore, together with the ODIHR we organized two Muslim NGO Roundtable Meetings, where quite a number of civil society representatives were actively present. The recommendations that emanated from these meetings were compiled in substantial reports. These meetings were also instrumental in helping to create a data base of relevant NGOs, as Muslim NGOs are not that well organized and represented in the international fora.

Additionally, I represented the OSCE at various international and local conferences, work shops and symposia, where I delivered statements elaborating my mandate, activities, perceptions and recommendations.

To keep the OSCE Permanent Council up-to-date on my activities and views, I reported twice every year to this Council both in writing as well as personally, responding also to the comments and questions raised.

All in all, I believe my activities made the OSCE more visible and contributed to a better understanding of the need to combat intolerance and discrimination against Muslims.

Discrimination and Intolerance against Muslims

Discrimination against Muslims, or Islamophobia as some prefer to say, is a clear manifestation of hate crime and as such generates fear, feelings of stigmatization, marginalization and rejection. The net result is heightened anxiety and rising violence. It is also an assault on identity and human dignity.

What I also notice is a disturbing increase in the proportion of violence targeting people, as opposed to violence targeting or involving only property.

To be brief, let me simply say that the range of discrimination and intolerance against Muslims is dominated generally by:

- a) ancient hatreds and old prejudices,
- b) powerful new trend of anti-immigration,
- c) antipathy towards Muslims in general, believing that Islam is not compatible with democracy, human rights and contemporary values,
- d) political rhetoric, coupled with biased and/or misleading media coverage,
- e) identification of terrorism and violence with Islam.

At this stage, a short analysis of the problems encountered by Muslims especially in the West might be in order:

a) Structural problems:

- Formal relations or lack of such relations between the State and the Muslim communities.
- “Lack of proper knowledge of the language of the country of residence, improper housing, improper or insufficient education, that leads to unequal access to the labor market”, in other words a vicious circle.
- The net result of this situation is a sense of being rejected, stigmatization, marginalization, leading to lack of confidence in the State. (As you know better than me, such people are also more prone to crime and illegal activities, as well as more susceptible to radical propaganda.)

b) Perceptual and behavioral problems:

- prejudice -also against perceived Muslims
- negative sentiments and display of such sentiments
- media coverage –misrepresentation
- political discourse –especially by the far right, but recently by moderates also.

c) Discriminatory practices:

- The first point to be mentioned is that generally there exists no reliable monitoring and in some countries only discrimination related to race is monitored
- A striking example of discrimination is the loyalty (or conscience) tests applied only to Muslims which want to acquire citizenship
- Housing and employment are two major areas where discrimination occurs (not even considering Muslim sounding names for job interviews is an illuminating example)
- Lack of proper places of worship and burial facilities
- Police practices – search and arrest; customs entry procedures, etc.
- Harassment, vandalism and attacks only because he/she is a Muslim or perceived as such.

What to do?

Before trying to underline what is being done to deal with this serious human rights issue, to do justice to my mandate let me first mention what should be done and then lead on to good practices.

First of all, the European and North American countries must recognize the problem and be ready and willing to adopt a multifaceted approach.

Secondly, they must take account of the importance of the intellectual front in the fight against intolerance and discrimination against Muslims and devise a sound strategy in the fields of value systems and perceptions.

Thirdly, they must define hate crimes broadly and address the information deficit. (That is to say, collect, analyze and disseminate information related to hate crimes.)

Fourth, they must enact adequate legislation and implement this legislation effectively. In conjunction with national legislation, they should also implement international commitments and agreed norms.

Fifth, clear criteria for reporting and registering hate crimes must be established and reporting of hate crimes must be encouraged.

Sixth, they should build the capacity of Muslim communities and civil society organizations and try to enable them to work with local and national authorities. In this respect, community outreach programs will be of great use in confidence building and in creating community cohesion and a sense of living together.

Another point that deserves utmost importance is education. Especially younger generations should be provided with educational programs that would foster tolerance, understanding and respect to “the other.” Related to education is of course training of law enforcement officials.

Furthermore, in the field of public discourse related to Muslims and Islam, two points need to be underlined:

a) Political rhetoric: Responsible politicians, both of the government and of the opposition, must underline the importance of correct and unbiased discourse and should also refrain from hate speech and other manifestations of extremism and discrimination. A message of encouraging tolerance, non-discrimination, understanding and respect for all must be voiced.

b) The media: The media can play a very positive role in promoting inter-cultural and inter-religious dialogue and harmony. This is what is expected from responsible journalism. On the other hand, the media may also play a very negative and divisive role in projecting wrong and inaccurate messages. Therefore, with due respect to the freedom of expression, governments can assist or encourage creation of self-regulatory media bodies to deal with manifestations of discrimination and racism.

Finally, integration policies. The more Muslim communities will feel at home and will be truly integrated to the Western societies where they live, the easier it will be to marginalize extremism, to defuse radicalism and to overcome the perceptions of being left-out, being stigmatized and being rejected.

It is argued, and rightly so, that Europe has not been successful in its bid for integration. While the objective was to create multi-cultural societies, instead parallel, but mutually exclusive societies were born. How to remedy this situation, which can also be characterized as cultural ghettos for Muslims? I believe civic and structural integration is the answer. Muslim migrants must have a sense of being part of the larger community in which they live, take part in all spheres of life and participate in the decision making process. In other words, creating cohesive societies, where mutual understanding between diverse groups will facilitate not only the promotion of tolerance, but more importantly mutual respect for differing view points and backgrounds. The key word here is “mutual”.

The Muslim communities, on the other hand, must shoulder their share of the burden, adopt the civic values of their new societies and distance themselves from radicalism, violence and terrorism. Such an attitude will assist in dispelling misunderstandings, leading to respect for diversity.

The real threat to tolerance and to multi-cultural societies emanates from the extremes of both groups. And here the governments and the public must remain vigilant. For peaceful co-existence to become a reality, we must reach those groups who do not wish to engage in dialogue and we must educate those who do not wish to learn or understand or accept the diversity that characterizes the Western societies.

Good Practices

As I see it, the confusion in the minds of Governments, politicians and the public in general on how to deal with Islamophobia and intolerance and discrimination against Muslims has not yet been completely cleared.

It has to be acknowledged that there is a growing awareness of the existence of the problem and of the necessity to overcome it, but as yet a coherent and over-arching policy has not been devised, let alone implemented.

All the points I tried to underline earlier when dealing with what should be done, need to be put into a sound framework to be implemented. As of today, we are far from there.

However, this observation does not imply that nothing has been done. Here, let me try to illustrate some good practices that were brought to my attention during the country visits that I conducted.

a) There exists some kind of legislation in almost all countries to deal with racism and discrimination, but not on Islamophobia. It would be advisable to review existing legislation, to try to standardize them and to include Islamophobia as a specific hate crime.

b) Some European countries have developed specific national action plans to deal with discrimination against Muslims. These are commendable. They should be fully implemented and their results should be reported.

c) Some countries have established special bodies under names such as “Equal Treatment Commissions, Monitoring Centers on Racism and Xenophobia, Community Relations Departments, Councils for Muslim Worship, Councils for Integration, Independent Bodies Against Discrimination, Cohesion and Faith Units, Commissions on Integration and Equal Rights, Faith Communities Capacity Building Funds, etc.” These initiatives are also commendable, although most of them are of a general nature, but do not aim to address discrimination against Muslims specifically. It goes without saying that, what is important will be their effective functioning.

d) There is also growing recognition of the necessity to engage with Muslim communities and to build-up their capacities. In that respect, the increasing interaction with Muslim civil society organizations should also be noted.

e) Governments, at least at a rhetorical level, seem to accept notions such as respect to religious values, inter-cultural and inter-religious dialogue and harmony, value of education and the need for strong political leadership. I hope these will not remain rhetorical statements, but be put into practice.

f) Finally, the intense debate revolving around how true integration can be achieved is a healthy first step. My sincere wish is that the next step will not lead to even more restrictive policies, but to true, structural and civic integration.

In conclusion, let me stress that we may not have all the answers to all the problems we face. This should not lead us to doing nothing. We have to start somewhere. In that regard, the work to be done by civil society organizations is of utmost importance.

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