Seminar on preventing and combating anti-Muslim racism
and discrimination: Challenges and solutions

Council of Europe

Strasbourg, 7 June 2022

Presentation by Domenica GHIDEI BIIDU

ECRI Bureau member, ECRI member in respect of the Netherlands

Chair of ECRI's Working Group on preventing and combating anti-Muslim racism and discrimination

Ladies and Gentlemen, dear Friends,

It is a great honour to be part of this seminar and I would like to thank Ambassador Breifne O'Reilly who is representing the Irish Presidency of the Committee of Ministers and Daniel Höltgen who is the Special Representative of the Secretary General of the Council of Europe on Antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes for inviting me here today to present you the newly adopted instrument of the European Commission against Racism and Intolerance (ECRI): revised General Policy Recommendation (GPR) No. 5 on preventing and combating anti-Muslim racism and discrimination, which was published in March this year.

ECRI is not only monitoring each and every member State of the Council of Europe. It also issues General Policy Recommendations (GPRs) providing guidance for policy-makers when drawing up national strategies, policies and legislation. ECRI has so far adopted sixteen GPRs in a variety of areas. GPR No. 5 was one of the two revised instruments that ECRI adopted last year. ECRI kept its promise by adopting this new set of standards in accordance with its Roadmap to Effective Equality published in 2019 on the occasion of its 25th anniversary. The other one is ECRI's revised GPR No. 9 on preventing and combating antisemitism.

Why did ECRI decide to revise its major instrument on this matter?

ECRI has worked on anti-Muslim racism and discrimination for a very long time and adopted the first edition of General Policy Recommendation No. 5 back in 2000. Since then, there has been a pressing need in terms of conceptualising new challenges faced by Muslims. This need has clearly been amplified since the 9/11 terror attacks

more than twenty years ago and other horrific terrorist acts that affected European countries, the increase in the number of migrants some years ago, including Muslim migrants, as well as the strengthening of xenophobic, ultra-nationalist populist parties and movements. These trends have led to a significant upsurge of anti-Muslim acts as well as rhetoric, which have become increasingly mainstream. The growing use of social media has also been instrumental on the increase in the prevalence of anti-Muslim hatred. Our country monitoring findings have given us a lot of solid evidence to document these trends. The Special Representative's Survey on online hate conducted last year also confirmed these findings and in fact, we used this survey in the revision of our GPR No 5.

These developments have shown that anti-Muslim racism and discrimination are "multi-layered" and "intersectional". In other words, this phenomenon is not always reducible to hostility towards a "religion" alone but is also intimately linked to other forms of exclusion that can overlap with anti-immigrant sentiments, xenophobia, gender or social class bias. In many instances, refugees, asylum seekers and migrants are viewed as "Muslims" since Muslims are often not only defined in terms of their religious affiliation but also in terms of their presumed ethnic or national background. Black Muslims, for instance, are more exposed to discrimination, hate speech and violence due to the intersection of religion and skin colour.

Reflecting on terminology and concepts in GPR No. 5

In the course of its revision work, ECRI had reflected on the terminology and concepts. Although there has been neither consensus on the terminology nor agreement on definitions describing the phenomenon affecting Muslims at international level, ECRI's own definition of racism includes the ground of "religion". For ECRI, racism is the belief that a ground like religion, "race", colour or ethnic origin justifies contempt for a person or a group of people, or superiority of a person or a group of people. ECRI therefore considered the racism framework as fitting to qualify the phenomena of hatred against Muslims, which is also often referred to as Islamophobia.

Speaking of terminology and concepts, ECRI also noted that anti-Muslim hatred and discrimination should also be viewed through the lens of what is termed as "racialisation". In December 2021, ECRI adopted an opinion on the concept of racialisation - which perhaps merits a separate discussion - before issuing this new

General Policy Recommendation. This opinion recalled that it is a common understanding that "races" do not exist and are purely based on socially constructed ideas. ECRI understands this concept as the social and ideological processes that develop the stereotyping and reductive understanding of diverse human identities in racial terms. It is also applicable to Muslims, who may be turned into an allegedly homogeneous, racialised, group of people in a similar way to Black persons, Roma or Jews. We trust that this concept, when properly used, has the potential to aid understanding of the processes underpinning racism and racial discrimination and to ensure that the voices of racialised groups are heard and taken into account, in particular in the areas of awareness-raising, education and policy making.

What fundamental challenges that Muslims or those perceived to be Muslims experience in their daily lives?

As I often underline, anti-Muslim racism is strongly context-dependent. It can vary over time and across space. As such, there is not one racism but different context-specific racisms. These racisms can manifest not only in individual attitudes and actions, but also structurally. These manifestations include prejudice, stigmatisation, discrimination, hate speech and hate crime, exclusion in key areas of life such as education, employment and housing.

One recurring issue is the growing perception of Muslims as belonging to a "suspect community", that is a community suspected of involvement in violent activities simply because they are Muslims. Depicting Muslims and their beliefs as not being part-and-parcel of the society and as security threats serves to perpetuate anti-Muslim racism. It can only lead to a toxic climate that is likely to give rise to feelings of rejection and hostility towards Muslim communities and to ignore their daily realities.

ECRI also repeatedly observed that Muslim women wearing visible religious symbols have been the focus of intense controversy in European societies. We should not hide the fact that they are vulnerable to discrimination and harassment, on both grounds of gender and religion as well as potentially other grounds such as national or ethnic origin. A major point of difficulty for Muslim women who chose to wear such symbols is the impact of their choice in the fields of education and employment, for instance. Certainly, states have significant discretion on matters pertaining to the manifestation

of a religion and the restrictions that may be imposed thereon. However, the stigmatisation and exclusion of Muslim women can only fuel feelings of isolation within a larger community, deepen divides among people and hinder inclusive societies.

> *The story of one Muslim woman met by ECRI during one of its country visits is quite telling. She was a Muslim woman migrant of African descent wearing a headscarf. She was just sitting with her child on a tram until a man approached her to insult her. She was ashamed in front of her child but decided not to react. The man took off her headscarf, punched her and forcibly took her and her child out of the tram. He shouted that she was a terrorist and that she should go back to her country. She begged him not to do this in front of her child. He then left. The worst thing in this story was not that she was left in blood in the street. It was that nobody in the tram or in the street reacted or said anything.*

What are the main pillars and recommendations of new GPR No. 5?

ECRI's new Recommendation does provide comprehensive guidance to governments on how to address anti-Muslim racism and discrimination through sixty recommendations under four specific areas: i) policies and institutional coordination, ii) prevention, iii) protection, and iv) prosecution and law enforcement.

In the area of **policies and institutional coordination**, governments should give a high priority to combating anti-Muslim racism, including through action plans or, when this makes sense, by appointing coordinators and setting up dedicated independent monitoring bodies. I am very happy to see that Professor Rohe is here with us. He is indeed a member of the independent expert commission on anti-Muslim sentiment in Germany, which is an exemplary initiative, and will surely share his insights and experience later today.

Prevention is also an essential component, and ECRI wished to place particular emphasis on this. For instance, political actors, opinion leaders, and other public personalities should take a firm public stand against anti-Muslim racism. We all know how important counter-speech is. Especially when it comes from the high-ranking officials and leaders. Learning about the diversity of Muslim life and history and the positive contribution of Muslim communities and culture to Europe should be promoted. Governments should stamp out any police action, such as discriminatory

stop and search amounting to profiling practices. This may negatively impact Muslims. It is also important that governments regularly assess the impact of anti-terrorism and anti-extremism laws and policies on Muslim communities, from a human rights perspective. In its GPR No. 5, ECRI also recommends that governments support common anti-racist actions between different ethnic and religious communities and promote intercultural and interreligious dialogue and tolerance. In this context, it is great that l'Amitié Judéo-Musulmane de France is part of today's seminar. ECRI's GPR No. 5 also calls on governments to encourage religious leaders at all levels and scholars to take responsibility for teachings at the grassroots level and avoid fuelling anti-Muslim racism.

Regarding **protection**, the authorities should ensure the safety of Muslims, Muslim communities and their institutions by promoting cooperation between them and law enforcement authorities. In addition, ECRI strongly recommends improving dialogue with Muslim communities when determining and implementing security measures that meet their concerns and needs.

In the field of **prosecution and law enforcement**, anti-Muslim hate crimes committed online should be punished just as crimes offline and perpetrators should be held accountable through effective investigation and prosecution. Last but not least, it is crucial that illegal anti-Muslim hate speech be also removed promptly and consistently by internet service providers. In this regard, I should mention that GPR No.5 also recommends that internet companies, including social media networks, telecom operators and internet service providers are regulated. The aim is to establish effective systems to monitor and stop anti-Muslim hate speech online and engage with social media networks to work together on initiatives, in particular in the field of education, that could help propagate balanced narratives about Muslims and Islam on social media platforms.

I thank you for your attention. I am ready to answer your questions and look forward to the discussion.