Input for HRC46 Report: Anti-Muslim Hatred and Discrimination

Islamic Council of Victoria

Submission to the Special Rapporteur on Freedom of Religion or Belief

Office of the High Commissioner of the United Nations for Human Rights

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**Introduction**

1. The Islamic Council of Victoria (ICV) is the peak Muslim body in Victoria, Australia, with more than 70 member societies and representing over 200,000 Muslims, from over 70 diverse ethnic backgrounds. The ICV offers advocacy and social welfare services while leading state and national initiatives on cohesion and harmony through community consultations and advice to the Victorian and Australian Government.[[1]](#footnote-1)
2. The ICV acknowledges and applauds efforts which promote multicultural policies, programs and legislation. There has been significant progress in building social cohesion and contribution amongst faith groups in the State of Victoria, striving for harmony, tolerance and respect.
3. However, the ICV remains deeply concerned that Islamophobia, anti-Muslim hate and vilification is increasing in prevalence. Negative stereotypes of Muslims within the wider Victorian community are fuelled by right-wing media outlets. Often these stereotypes trigger practices and behaviours which discriminate against Muslims as a minority group, as well as Islamophobic incidents which target Muslims. These incidents range from verbal insults to devastating attacks, such as the 2019 Christchurch massacre. The Christchurch massacre serves as a reminder that it is vital a collective effort continues in order to quell anti-Muslim hate.
4. To that end, the ICV is pleased to offer this submission to the Special Rapporteur on Freedom of Religion or Belief. The submission will provide useful information on discrimination, hate speech and disinformation which targets Victorian Muslims, as well as projects and efforts underway which aim to remedy a growing fear and prejudice towards Muslims.
5. The ICV adopts the following meanings and understandings of these key terms:

Racism: May be understood as “that which maintains or exacerbates inequality or opportunity among” groups based on their social, cultural, religious or ethnic identities.[[2]](#footnote-2) It can be expressed through racist emotions (stereotypes), racist beliefs (prejudice) and racist behaviours (including discrimination, harassment, vilification and violence).[[3]](#footnote-3) Racist emotions and beliefs may be unwitting and stem from ignorance, misunderstanding, unfamiliarity and “inflexible” ideas about “the traditional way of doing things”.[[4]](#footnote-4)

Islamophobia: Islamophobia is “rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”.[[5]](#footnote-5) Very simply, Islamophobia “is anti-Muslim racism”.[[6]](#footnote-6) Islamophobia involves the “rejection of Islam, Muslim groups and Muslim individuals on the basis of prejudice and stereotypes. It may have emotional, cognitive, evaluative as well as action-oriented elements”.[[7]](#footnote-7) Islamophobia is complex but can be measured in the following ways: a) the experiences of anti-Muslim discrimination, marginalisation, harassment, vilification and/or violence; and b) the negative evaluations, attitudes and emotions of non-Muslims in relation to Muslims and Islam.

1. There are several causes for Islamophobia including historical causes. As the ICV noted in its Islamophobia Position Statement published in July 2020, Orientalist thinking and stereotypes about Islam and Muslims has shaped western attitudes for many centuries and continues to do so today.

More recent causes include the “War on Terror”, media reporting, and right-wing groups and politicians across the globe, not just in western countries but in places such as Myanmar and India, that spread false and malicious rhetoric to whip up anti-Muslim sentiment. These far-right groups are often networked and share information online to amplify their messages. In fact, much of the worst forms of Islamophobia and anti-Muslim incitement happens online.[[8]](#footnote-8)

1. Islamophobic incidents in Australia are mostly unreported and untracked, however, there exists an Islamophobia Register where incidents can be reported and analysed. The Register has produced two reports which have documented how anti-Muslim prejudice and hate results in attacks and abuses on Muslims.[[9]](#footnote-9) The reports together are telling of trends in Islamophobic incidents: the frequency of these incidents is increasing, and majority of these incidents are targeted at vulnerable groups within the Muslim community, such as Muslim women who wear the hijab.[[10]](#footnote-10) According to the more recent 2017-18 *Islamophobia in Australia Report,* 79.6% of incidents targeted women and girls wearing the hijab, with abuse ranging from insults to physical intimidation and threats, to assault. It is clear that the majority of victims are women who are visibly Muslim, wearing religious clothing.
2. The report also demonstrates that anti-Muslim abuse is becoming increasingly normalised in recent years. As hate speech increases, negative attitudes towards Muslims become the norm, and anti-Muslim sentiment becomes acceptable.[[11]](#footnote-11) The *Mapping Social Cohesion Report,* produced by the Scanlon Foundation, provides statistical data which demonstrates the prevalence of negative perceptions of Muslims.[[12]](#footnote-12) Findings from national surveys included in the 2019 report indicated that 21% of respondents had a *somewhat negative* or *very negative* “personal attitude” towards Muslims.[[13]](#footnote-13) Findings also illustrated that overall *negative* personal attitudes towards Muslims (21%) were higher than those towards Christians (4%) and Buddhists (4%).[[14]](#footnote-14)
3. Negative stereotypes are reinforced when political leaders fail to acknowledge hate speech and condemn it. Public desensitization to anti-Muslim sentiment forms tacit approval of abuse towards Muslims. One of the first public reports to list cases of growing anti-Muslim public harassment in Melbourne was the ECCV Social Cohesion Report: On the Road with Muslim Mothers[[15]](#footnote-15) that listed typical incidents as:

* “I took my daughter for a drive in the car and we had to stop at a red light but the car behind us kept tooting the horn. The driver wound the window down and shouted abuse about Muslims and migrants.”
* “My daughter was coming home from university in the train and ... a man wearing a nice suit sitting near her... said some bad words to her. She was wearing a headscarf.”

1. The Victoria Police reports instances of prejudice motivated crime (PMC). The PMC data is published and processed by the *Crimes Statistics Agency*. A review of the “offences recorded where offence was flagged as a prejudicially motivated crime based on religion” and the victim was identified as Muslim, showed:[[16]](#footnote-16)

* 39 recorded offences between April 2015 and March 2016.
* 46 recorded offences between April 2016 and March 2017.
* 34 recorded offences between April 2017 and March 2018.
* 55 recorded offences between April 2018 and March 2019.
* 34 recorded offences between April 2019 and March 2020.

1. The rise of right-wing extremist political rhetoric, political parties with overt anti-Muslim policies and federal legislation disproportionately targeting Muslim communities has created a culture of surveillance for our families. This phenomena has been demonstrated in research: in one 2017 article produced by Auckland, Otago and Victoria universities, data collected from their 20-year New Zealand Attitudes and Values Study proved that media outlets produce more disproportionally violent stories about Muslims, resulting in greater rates of Islamophobia.[[17]](#footnote-17) Additionally, the study confirms feedback at a 2016 ICV community consultation with Muslim youth in Melbourne presented to the Office of Prime Minister Malcolm Turnbull on the role of the media in inciting hatred of Muslims. The ICV sees Australian television programs such as A Current Affair and newspapers such as The Herald Sun as examples of systemically negative media. Research by All Together Now, an independent not-for-profit organisation that conducts media monitoring, found that “Most race-related media pieces were about Muslim Australians (63)”[[18]](#footnote-18)

These findings were consistent with a study conducted by OnePathNetwork in 2017 called “Islam in the media” which found that almost 3,000 articles that referenced Islam or Muslims were accompanied by negative terms such as violence, extremism, and terrorism.[[19]](#footnote-19)

1. The effects of prejudiced reporting on Muslims are not limited to those external to the Muslim community: many Muslims, and particularly Muslim youth, report that they feel alienated and emotionally overloaded as a result of being negatively represented to the Australian community. Most of the young Muslims who attended the ICV’s 2016 community forum commented in some way on the “dehumanization” of Muslims by the media. Dehumanization emerges as a recurring theme when reflecting on media portrayals. Muslim Victorians definitely find that the media’s demonising of Muslims restricts their freedom to enjoy their religion.
2. The Internet and various social media platforms also act as hubs and carriers of Islamophobic narratives, ideas and messages. Online hate can and does lead to violence in the offline world. Social media companies such as Facebook and Twitter have been complacent when dealing with the increasing use of their platforms to spread extreme hate and incitement to violence, most by groups and individuals that espouse far right ideology. Research by *Victoria University* highlighted that dangerous narratives that thrive on digital platforms without detection.[[20]](#footnote-20) For example, the narrative that Muslims are 'inferior, sub-human, and inherently incompatible with Western liberal norms and values' is widely repeated.[[21]](#footnote-21)

Construction and Use of Mosques

1. Mosques play a vital role for the Victorian Muslim community. Beyond being spaces for worship, they also serve as community centres with numerous functions. In a joint study by the ICV and Victoria University, it was found that mosques played an essential role not only in bolstering Muslim social identity and wellbeing, but also increasing social cohesion among faith groups and within wider society.[[22]](#footnote-22) Mosques provide not only religious services, but also training programs, youth counselling, and employment opportunities.[[23]](#footnote-23) The study concludes, “The above discussed survey findings clearly show that Muslim community organisations in Victoria do not seek to establish themselves in opposition to the wider community nor do they promote exclusionary values or goals among their community members. To the contrary, in most cases, their agenda is primarily driven by a commitment to strengthening Australia’s multi‐ethnic and multi‐faith society, where Islam is fully accepted as an inherent part.”[[24]](#footnote-24)
2. Nevertheless, there are widespread views against the use and construction of mosques within the backdrop of growing anti-Muslim sentiment. For example, in one survey of a representative sample of Australians, 11.9% of respondents strongly agreed, and 12% agreed with the statement: “I would support the policy that would stop the building of a new mosque”.[[25]](#footnote-25) Thus, there remains a great need for greater public awareness as to the importance of mosques and their role within exercising freedom of religious practice for Muslims.
3. Prejudiced views with regard to mosques are perhaps best evidenced in the *Bendigo Mosque case*, where large-scale protests and legal challenges were mounted in response to Council approval for the building of a community centre and mosque for the Victorian regional town of Bendigo.

In one instance, three men carried out “a mock beheading on a dummy with fake blood outside the Bendigo council offices”.[[26]](#footnote-26) Eventually, approval for the mosque to be built was given, but the controversy surrounding the mosque’s construction demonstrates Islamophobic attitudes towards Muslim places of worship, and potential barriers to exercising freedom of religion.

Preventing Violent Extremism Legislation

1. In Australia, efforts to “prevent processes of radicalisation leading to violent extremism, including terrorism, and where possible to help individuals disengage from a preparedness to support or commit acts of violence to achieve political, social or ideological ends” are known as “Countering Violent Extremism”, or CVE.[[27]](#footnote-27) While CVE programs intend to engage in community outreach, working with community and religious leaders, social workers and other personnel in order to identify and prevent potential extremism, the programs are inherently discriminatory in nature.

They are not ideologically neutral. Policing practices and counter-extremism efforts rely on identifying certain ‘indicators’ of extremism behaviour in individuals, which often are not evidence-based. Further, these indicators almost exclusively target Muslims, and therefore reinforce suspicion of Muslims in the wider community.

1. In the ICV’s 2020 Islamophobia Position Statement, we note how the wider Muslim community has been constructed as a ‘suspect community’who is “singled out” as “problematic” not due to “suspected wrong-doing” but because of their “presumed membership”[[28]](#footnote-28) Surveillance, raids, informal questioning and political rhetoric, have contributed to feelings of stigmatization, being “unfairly singled out” and “under siege" within the community.[[29]](#footnote-29)
2. Discriminatory programs such as CVE not only have direct effects on the Muslim community, but they also provide a false premise for anti-Muslim sentiment. CVE programs coupled with counter-terrorism legislation are a pernicious form of institutionalised anti-Muslim racism and drive Islamophobic sentiment.
3. Effective monitoring, reporting and analysis of anti-Muslim hatred and discrimination, including hate speech, attacks and violence against Muslims. The monitoring, reporting and analysis of anti-Muslim incidents is essential for understanding the nature, scope and impacts of Islamophobia. The way Islamophobia is codified in law, and the extent to which this provides protections, can influence both community reporting behaviours and the recording of incidents. Unfortunately, in many jurisdictions, there are significant deficiencies between the way the laws offer protections and the lived experiences of Muslims.[[30]](#footnote-30) Therefore, community-led initiatives occupy an important space for reporting and recording Islamophobia. For example, the [Islamophobia Register Australia](https://www.islamophobia.com.au/resources/) provides a safe and trusted place for reporting Islamophobic incidents. The Register periodically presents a multi-faceted academic report, which systematically analyses incidents that occur both online and offline.
4. Successful programmes in providing legal, psychosocial and economic support to victims of anti-Muslim hatred, discrimination and violence. Successful responses for those who experience Islamophobia should focus on listening, understanding and collaborating. As such, communities and institutions offering support should aim to provide options and help that reflects the unique needs of each individual. Particularly noteworthy programmes have been delivered by MEND’s ([Muslim Engagement and Development](https://www.mend.org.uk/report-islamophobia/report-an-incident/)) Islamophobia Response Unit (IRU) and the Collective Against Islamophobia in France (CCIF). The IRU offers legal support and advice, emotional support and counselling, and referral services. They also monitor data and work in collaboration with Police and local councils.

The CCIF team of jurists, lawyers, legal assistants and case workers provided support to those who experienced Islamophobia in France. In addition, CCIF offers the provision of referrals to trusted psychologists and would work in collaboration with Police.

1. Drawing inspiration from organisations like MEND and CCIF, the ICV has recently developed a specialised service called Islamophobia Support. This service provides information, advice, referrals and ongoing care to individuals and communities across Victoria. The service works purposefully with many institutions, including Victoria Police and the Victorian Equal Opportunity and Human Rights Commission, to support individuals with options for redress and recourse. The service has also established an Islamophobia Support referral network, which includes psychologists, counsellors, health services, lawyers and legal services, who are all committed to providing professional and culturally sensitive care.

1. For more information, see the ICV website: www.icv.org.au [↑](#footnote-ref-1)
2. Gabrielle Berman and Yin Paradies. “Racism, disadvantage and multiculturalism: towards effective anti-racist praxis,” *Ethnic and Racial Studies* 33, no. 2, (2010): 217, DOI:10.1080/01419870802302272. [↑](#footnote-ref-2)
3. Berman and Paradies, “Racism, disadvantage and multiculturalism: towards effective anti-racist praxis,” 217. [↑](#footnote-ref-3)
4. Sir William Macpherson, *The Stephen Lawrence Inquiry,* 4262-I (United Kingdom, Secretary of State for the Home Department by Command of Her Majesty, 1999), 44. [↑](#footnote-ref-4)
5. All Party Parliamentary Group on British Muslims, *Islamophobia Defined: The inquiry into a working definition of Islamophobia*,(Britain, 2018), 50. [↑](#footnote-ref-5)
6. Farah Elahi and Omar Khan, *Islamophobia: Still a challenge for us all,* 978-1-909546-25-7 (London: Runnymede, 2017), 7. [↑](#footnote-ref-6)
7. Jörg Stolz, “Explaining Islamophobia. A test of Four Theories Based on the Case of a Swiss City,” *Swiss Journal of Sociology* 31, no.3 (2005): 548. [↑](#footnote-ref-7)
8. Dr Mario Puecker, Dr Debra Smith, & Dr Muhammad Iqbal, ‘Mapping Networks and Narratives of Far-Right Movements in Victoria’ (Project Report, Institute for Sustainable Industries and Liveable Cities, Victoria University, November 2018 [↑](#footnote-ref-8)
9. See Iner, Derya. *Islamophobia in Australia Report II.* 978-0-6480651-1-1. Sydney: Charles Sturt University and Islamic Science and Research Academy), 2019, http://www.islamophobia.com.au/wp- content/uploads/2019/11/Islamophobia-Report- 2019-2.pdf. [↑](#footnote-ref-9)
10. Ibid. [↑](#footnote-ref-10)
11. Ibid. [↑](#footnote-ref-11)
12. 1Andrew Markus, *Mapping Social Cohesion 2019: The Scanlon Foundation Surveys*, 978-0-6486654-0-3 (Melbourne: Scanlon Foundation, 2019), 62, <https://scanloninstitute.org.au/sites/default/files/2019-11/Mapping%20Social%20Cohesion%202019.pdf> [↑](#footnote-ref-12)
13. Ibid. [↑](#footnote-ref-13)
14. Ibid. [↑](#footnote-ref-14)
15. On the Road with Australian Muslim Mothers, ECCV Social Cohesion Policy Brief, Ethnic Communities Council of Victoria 2015 at https://apo.org.au/sites/default/files/resource-files/2015/11/apo-nid58313-1122731.pdf. [↑](#footnote-ref-15)
16. Crimes Statistics Agency, *Table 1. Offences recorded where offence was flagged as prejudicially motivated crime based on religion, April 2015 - March 2020,* (Melbourne, 2020), <https://www.crimestatistics.vic.gov.au/crime-statisticslatest-crime-data/recorded-criminal-incidents>. [↑](#footnote-ref-16)
17. Shaver JH, Sibley CG, Osborne D, Bulbulia J (2017) News exposure predicts anti-Muslim prejudice. PLoS ONE 12(3). [↑](#footnote-ref-17)
18. All Together Now, UTS, Circa “Social commentary and racism in 2019”, p.15 [↑](#footnote-ref-18)
19. OnePathNetwork, “2017 a year in review: Islam in the media” (2018) [↑](#footnote-ref-19)
20. Dr Mario Puecker, Dr Debra Smith, & Dr Muhammad Iqbal, ‘Mapping Networks and Narratives of Far-Right Movements in Victoria’ (Project Report, Institute for Sustainable Industries and Liveable Cities, Victoria University, November 2018). [↑](#footnote-ref-20)
21. Ibid [↑](#footnote-ref-21)
22. Dr Mario Puecker, The Centre for Cultural Diversity and Wellbeing (CCDW), ‘The Civic Potential of Muslim Community Organisations for Promoting Social Cohesion in Victoria’, Victoria University, January 2017. [↑](#footnote-ref-22)
23. Ibid. [↑](#footnote-ref-23)
24. Ibid, 48. [↑](#footnote-ref-24)
25. Andrew Markus, *Mapping Social Cohesion: The Scanlon Foundation Surveys 2017*, 978-0-9945960- 5-5 (Melbourne: Scanlon Foundation, 2017), 69, [https://scanlonfoundation.org.au/wp- content/uploads/2018/10/ScanlonFoundation\_Ma ppingSocialCohesion\_2017-1.pdf](https://scanlonfoundation.org.au/wp-%20content/uploads/2018/10/ScanlonFoundation_Ma%20ppingSocialCohesion_2017-1.pdf), 9. [↑](#footnote-ref-25)
26. Larissa Romensky and Natalie Kerr, “Bendigo mosque construction begins as Premier Daniel Andrews turns first sod”, *ABS News*, July 26, 2019. [↑](#footnote-ref-26)
27. Department of the Prime Minister and Cabinet, Review of Australia’s Counter-Terrorism Machinery, 978-1-925237-37-5 (Commonwealth of Australia, 2015), 16, https://www.homeaffairs.gov.au/nat- security/files/review-australia-ct-machinery.pdf. [↑](#footnote-ref-27)
28. Pantazis and Pemberton, “From the ‘Old’ to the ‘New’ Suspect Community,”649. [↑](#footnote-ref-28)
29. Pantazis and Pemberton, “From the ‘Old’ to the ‘New’ Suspect Community,”649. [↑](#footnote-ref-29)
30. Katharine Gelber and Luke McNamara, “Anti-vilification laws and public racism in Australia: mapping the gaps between the harm occasioned and the remedies provided,” UNSW Law Journal 39, 2 (2016): 488. [↑](#footnote-ref-30)