Following the call for submission of inputs on anti-Muslim hatred and discrimination, the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is hereby submitting its

**Input on Anti-Muslim Hatred and Discrimination to Special Rapporteur on Freedom of Religion or Belief Mr. Ahmed Shaheed as a contribution to the drafting of the Report for the 46th Session of Human Rights Council**

**PLEASE PROVIDE INFORMATION ON WHAT YOU UNDERSTAND BY THE TERMS ISLAMOPHOBIA AND ANTI-MUSLIM HATRED; ON THE INTERSECTION BETWEEN ANTI-MUSLIM HATRED, RACISM AND XENOPHOBIA AND ON THE HISTORICAL AND MODERN CONTEXTS, INCLUDING GEOPOLITICAL, SOCIO-AND RELIGIOUS FACTORS, OF ANTI-MUSLIM HATRED**

OSCE Ministerial Council decisions and commitments[[1]](#footnote-1) speak of “intolerance against Muslims.”[[2]](#footnote-2) The OSCE/ODIHR Hate Crime Reporting platform describes anti-Muslim hatred in the following way: “Anti-Muslim rhetoric often associates Muslims with terrorism and extremism, or portrays the presence of Muslim communities as a threat to national identity. Muslims are often portrayed as a monolithic group, whose culture is incompatible with human rights and democracy. ODIHR's reporting suggests anti-Muslim hate crimes and incidents increases following terrorist attacks, and on the anniversaries of such attacks. Attacks against mosques – particularly on Fridays and religious holidays – including leaving the remains of pigs outside mosques, community centers and Muslim families’ homes, as well as attacks against women wearing headscarves, are among the anti-Muslim hate incidents commonly reported.”[[3]](#footnote-3)

OSCE/ODIHR also has a Panel of Experts on Freedom of Religion or Belief. It is set up to help protect the rights of individuals and religious groups, including Muslims. The Panel also includes a number of legal experts on freedom of religion or belief issues. The Panel serves as a consultative body that can be used by participating States, OSCE field missions, and civil society stakeholders.[[4]](#footnote-4)

**SOCIAL ATTITUDE, HATE SPEECH, ATTACKS AND VIOLENCE AGAINST MUSLIMS - PLEASE PROVIDE DESCRIPTIONS, REPORTS OR DATA OF**

* **Disinformation and harmful stereotyping of Muslim communities by State media or private/social media outlets, including in the context of COVID-19 pandemic;**

A recent report by OSCE/ODIHR[[5]](#footnote-5) confirms that “toxic narratives espoused by state and non-state actors in certain participating States have emerged, blaming Jews and Muslims, in particular, for the spread of the virus.”[[6]](#footnote-6) It also shows that the pandemic has exacerbated “existing discrimination and intolerance on grounds of religion or belief, fuelling an upsurge in incitement to hostility or violence, conspiracy theories and scapegoating.”[[7]](#footnote-7) Such examples include shaming Muslims for allegedly failing to adhere to lockdown measures. Muslim minority communities, such as ethnic Turkish minorities in Western Europe, as well as Muslim migrants and foreign Muslim students, were blamed for the spread of the virus in some participating States with majority non-Muslim populations.[[8]](#footnote-8) In Serbia and the United Kingdom, untruthful claims and old video clips were circulated claiming that Muslim communities violated physical distancing measures to attend prayer and communally break the fast during the holy month of Ramadan.[[9]](#footnote-9)

Women were also victims of pandemic-related gender-based hate crimes, with single and multiple bias motivations in which gender intersects with race/ethnicity and religion.[[10]](#footnote-10) Women were also affected by hate crime in different ways than men. For women from Muslim communities in Austria, France and Canada, which ban the face coverings typically used by Muslim women, the mandatory use of face masks created a paradoxical situation where the type of behavior that was banned for them now became obligatory for all.[[11]](#footnote-11)

In the area of addressing intolerance and discrimination in the context of the pandemic, some participating States recognized the need for special support to minority communities by announcing new health-care support for, *inter alia,* indigenous communities amid the pandemic or carried out other symbolically important acts to signal inclusiveness and tolerance. In this regard, for instance, national or local authorities in Canada, France, Germany, the Netherlands and the United States temporarily allowed public playing on loudspeakers of the Muslim call for prayer from local mosques or prayer facilities as a sign of support for Muslim communities during the pandemic.[[12]](#footnote-12)

One of the recommendations from the report is: for countries banning face covering typically used by Muslim women, banning or restricting the Muslim call to prayer, or requiring mandatory handshakes in some formal contexts, to consider repealing such policies and legislation, in the light of the changes brought about by the pandemic that proved these bans and obligations unfounded.[[13]](#footnote-13)

* **Attacks on places of worship, sites of Islamic cultural heritage, madrassas, and desecration of cemeteries and Quran or holy books as well as killings and blasphemy charges against converts, dissenters, or followers of different Muslim sects;**

The largest online data base on hate crimes is maintained by OSCE/ODIHR and is available at <https://hatecrime.osce.org/>. It presents information from 57 OSCE participating States, including official government data, as well as data from civil society and inter-governmental organizations. When it comes to the spectrum of criminal offences motivated by anti-Muslim hate, OSCE/ODIHR data shows that this spectrum is broad, ranging from high profile attacks to minor incidents, which — if not addressed properly — can escalate. For 2019, OSCE/ODIHR received the official data specifically on hate crimes against Muslims from 15 states. For the same year, OSCE/ODIHR also received information from civil society and inter-governmental sources from 29 states. The latter were: attacks against property 45.4%; violent attacks against people 32.2% and threats 22.3%.

OSCE/ODIHR continues to remind the participating States of its recommendation to collect and submit hate crime data disaggregated by bias (anti-Muslim in this case) as well as sex. Detailed overview of cases from 2009 to 2019 available here: <https://hatecrime.osce.org/what-hate-crime/bias-against-muslims>.

OSCE/ODIHR published a fact sheet on anti-Muslim hate crimes available here in 4 languages: <https://www.osce.org/odihr/373441>.

OSCE/ODIHR published a practical guide: “Understanding Anti-Muslim Hate Crimes - Addressing the Security Needs of Muslim Communities”, available here: <https://www.osce.org/odihr/muslim-security-guide>. The guide consists of three parts dedicated to understanding the challenge of anti-Muslim hate crimes, including international standards on intolerance against Muslims, possible responses to anti-Muslim hate crimes and the security challenges of Muslim communities. The guide also contains annexes which include case studies, suggested actions for key stakeholders, and an introduction to Islam and Muslims for police officers.

*Attacks against individuals*

Criminal acts motivated by intolerance against Muslims also target people who are perceived to be Muslim or associated with Muslims/Islam. Anti-Muslim attacks can target activists or experts, both offline and online, who fight against intolerance against Muslims or raise awareness of Islamic history and culture without being Muslim. Based on ODIHR’s hate crime reporting, the following sections provide some examples of anti-Muslim hate crimes and incidents against individuals observed in the OSCE region.[[14]](#footnote-14)

1. Murder

* *Canada* On 29 January 2017, a gunman opened fire at a Quebec City mosque, killing

six and injuring 19, shortly after evening prayers. The perpetrator was charged with six counts of murder;

* *Sweden* On 22 October 2015, a 21-year-old perpetrator entered a school wearing a mask and killed three people with a sword in the deadliest attack on a school in Swedish history. The perpetrator is alleged to have targeted the school due to its large immigrant population;

1. Other violent attacks

Other violent anti-Muslim attacks occur frequently in OSCE participating States, like:

* The use of weapons, such as firearms, explosive devices, knives and baseball bats;
* Attempting to run over victims with a vehicle;
* Beatings;
* Pulling at or attempting to remove a victim’s clothing;
* Grabbing, pushing, slapping, spitting or similar assaults; and
* Attacking crowds at Muslim facilities, such as mosques, when people are inside or nearby.

The following examples are from the OSCE region:

* *Bosnia and Herzegovina* In 2015 in the Entity of Republika Srpska, a Muslim Bosniak returnee was attacked when unknown attackers engraved “four Cyrillic S letters” (the Serbian cross) on his stomach;
* *France* On September 11, 2019, a man stabbed a women and removed her veil in front of her two young daughters. After the event the attacker chanted “This is our home” and “It’s not over”;

1. Threats

Anti-Muslim threats have been directed at individuals, community leaders, Muslim institutions and Muslim-owned businesses. Threats of violence can include various forms of threatening behavior, death threats and bomb threats.

The following are real examples from the OSCE region:

* *Austria* In 2017 a Tunisian woman was repeatedly subjected to anti-Muslim insults and
* written threats left in her post box;
* *Czech Republic* In June 2016, an Ambassador was threatened because of his Muslim faith.
* *Greece* In March 2016, a pig’s head was thrown at a bus carrying refugees;
* *United States of America* In February 2016, a Muslim family was threatened at gun point while looking at a house for sale;

**Attacks against property**

Any case where an anti-Muslim slogan or symbol is used to damage and vandalize property may be considered an anti-Muslim incident, regardless of whether or not the property concerned is affiliated with the Muslim community, a Muslim institution or individual.

Anti-Muslim attacks against property can take the following forms:

* + Arson;
  + Throwing stones through windows;
  + Drawing graffiti on walls, doors or graves;
  + Damaging mosques, cemeteries or commemoration sites; etc.

The following are real examples of attacks against property from the OSCE region:

* *Bulgaria* In 2018, a Muslim cemetery in Dobrich was desecrated. The gravestones of nearly 40 graves were overturned and damaged;
* *Estonia* In 2018, an anti-Islam slogan was written on the façade of an Islamic Centre in Tallinn. The slogan contained the message “Bomb it! Isolated Islam, don´t remember their sins? In God we trust. Why?”;
* *Poland* In November 2017, a group of vandals attacked a Muslim cultural center and mosque smashing a dozen windows;

**MULTIPLE DISCRIMINATION AND HATRED SUFFERED BY MUSLIMS IN VULNERABLE SITUATIONS**

OSCE/ODIHR applies an intersectional lens in its work on intolerance and discrimination, including against Muslims[[15]](#footnote-15) and has noted that in order to “effectively address the root causes of discrimination, exclusion and violence, participating States and CSOs must take a grassroots, bottom-up approach that speaks to and includes individuals and groups representing multiple categories of marginalization. This victim-centred, OSCE-wide approach would enable relevant actors to address hate crime and discrimination against vulnerable groups in an inclusive and holistic manner.”[[16]](#footnote-16)

**GOOD PRACTICE IN IDENTIFYING AND TACKLING ANTI-MUSLIM HATRED, UNDERTAKEN BY CIVIL SOCIETY AND INTERNATIONAL ORGANISATIONS:**

* **Examples of the use of educational curriculum and institutions of learning to combat anti-Muslim hatred, negative stereotyping and stigmatization.**

OSCE/ODIHR published “Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education” available here in 6 languages: <https://www.osce.org/odihr/84495>.

* **Effective monitoring, reporting and analysis of anti-Muslim hatred and discrimination, including hate speech, attacks and violence against Muslims;**

*Bias indicators*

OSCE/ODIHR developed bias indicators that help the understanding of how a crime may have been committed with a bias motivation. Such bias indicators provide objective criteria by which to judge the probable motive, but do not necessarily prove that an offender’s actions were motivated by bias. Police agencies should record and note these bias motivations and indicators when interviewing and engaging with victims of intolerance against Muslims.[[17]](#footnote-17) A non-exhaustive list of bias indicators is listed in our publication ”Understanding Anti-Muslim Hate Crimes - Addressing the Security Needs of Muslim Communities: A Practical Guide for hate crimes against Muslims.”[[18]](#footnote-18)

*Victim, witness or expert perception*

If a victim or witnesses perceives that a criminal was motivated by anti-Muslim prejudice, the incident should be investigated as a hate crime. A third party, such as a civil society or Muslim community organization, which records anti-Muslim incidents or an independent expert might also be able to identify a bias motivation that was not evident to the victim or witnesses. Where this is the case, the officer’s own perception that the offence as a potential hate crime could be included as a bias indicator.[[19]](#footnote-19)

*Comments, written statements, gestures or graffiti*

Perpetrators of hate crimes frequently make their prejudices clear before, during or after the act. The crucial evidence in most hate crimes consists of the words or symbols used by the perpetrators themselves. Those who commit hate crimes generally want to send a message to their victims, their victims’ communities and to society at large. These messages, from shouted insults to graffiti, are powerful evidence of bias motivation.

*The context of the crime*

Religious or other differences between the perpetrator and victim are not, in themselves, a bias indicator.

*Organized hate groups*

While not all hate crimes are perpetrated by organized groups, members or associates of such groups are often involved in the commission of such crimes.

*Location and timing*

The location and timing of a crime can also be an indicator of anti-Muslim bias.

*Patterns or frequency of previous crimes or incidents*

Hate crimes are sometimes not single events but form part of a broader pattern.

*Nature of the violence*

As hate crimes tend to be message crimes, the degree of violence, damage and brutality tend to be serious.

*Coalition building*

OSCE/ODIHR considers coalition building as a way in which individual organizations can amplify their voices by working together. “By bringing together groups with different skills, experiences, resources and connections, coalitions can be a powerful ways to bring about large-scale, enduring changes to address issues of discrimination. ODIHR’s guide offers community leaders and civil society organizations in the OSCE region a human rights-based approach and practical basis for building successful coalitions aimed at addressing discrimination and fostering more tolerant and peaceful societies.”[[20]](#footnote-20) The “Coalition Building for Tolerance and Non-Discrimination: A Practical Guide” publication is available in 5 languages.[[21]](#footnote-21)

*Hate crime reporting platform*

ODIHR/OSCE also launched a hate crime reporting platform to support civil society organizations throughout the OSCE region in recording and monitoring incidents of hate crimes and discrimination. With the platform, victims and witnesses are able to submit reports directly to a local civil society organization using an online form, and civil society organizations are able to maintain a local database of reported cases.[[22]](#footnote-22)

* **Successful programs in providing legal, psychosocial and economic support victims of anti-Muslim hatred, discrimination and violence;**

OSCE/ODIHR considers hate crime victim support as an essential and often overlooked component of a comprehensive hate crime response. OSCE/ODIHR published a Guide focusing on “Hate Crime Victims in the Criminal Justice System,” available in 3 languages. The Guide “advances the fulfilment of the OSCE commitments to assist hate crime victims. It addresses gaps in integrating assistance efforts with criminal justice processes and is designed primarily for hate crime victim support practitioners, criminal justice officials and policymakers responsible for developing and maintaining victim support systems.” [[23]](#footnote-23)

ODIHR is currently implementing a project on Enhancing Stakeholder Awareness and Resources for Hate Crime Victim Support (EStAR) that will equip state and non-state actors with the necessary tools and resources to ensure that hate crime victims are protected, enjoy full access to justice and receive tailored specialist support.[[24]](#footnote-24) The two currently available outputs of the project are a guidance on “Understanding the Needs of Hate Crime Victims”[[25]](#footnote-25) and a baseline report on “The State of Support Structures and Specialist Services for Hate Crime Victims.”[[26]](#footnote-26)

* **Effective protection of women and girls as well as LGBT+ persons from anti-Muslim hatred;**

The report from a recent OSCE/ODIHR event that focused on “Intersectionality and Hate Crimes” (mentioned under response to subheading 5 above) lists some good practices in using an intersectional approach to address hate crimes, as follows:[[27]](#footnote-27)

* + The recording by Dutch police of discrimination on multiple basis.
  + Using narratives and conceptualization (inclusive) of hate crime bases.
  + The collaboration of the Turkish Ombudsperson’s office with various social groups.
  + The creation of specialized units to deal with hate crimes in an intersectional manner.
* **Awareness-raising, training and strict enforcement of ethical guidelines to all public and private sectors employees in relation non-discrimination principles based on religion or belief;**

OSCE/ODIHR offers regular trainings and capacity building to law enforcement, prosecutors and civil society on hate crimes, including against Muslims. Detailed description of programs offered and delivered is accessible here: <https://hatecrime.osce.org/odihrs-capacity-building-efforts>.

1. OSCE Human Dimension Commitments: Volume 1, Thematic Compilation (third edition), (Warsaw: OSCE/ODIHR, 2011). <https://www.osce.org/files/f/documents/5/d/76894.pdf>. The OSCE official commitments and documents do not contain a definition or further explication of the terminology used. [↑](#footnote-ref-1)
2. Understanding Anti-Muslim Hate Crimes Addressing the Security Needs of Muslim Communities, (Warsaw: OSCE/ODIHR, 2020), p. 90. <https://www.osce.org/files/f/documents/9/0/448696.pdf> [↑](#footnote-ref-2)
3. OSCE ODIHR Hate Crime Reporting, Bias against Muslims, <https://hatecrime.osce.org/what-hate-crime/bias-against-muslims> [↑](#footnote-ref-3)
4. ODIHR Panel of Experts on Freedom of Religion or Belief, <https://www.osce.org/files/f/documents/6/f/25454.pdf> [↑](#footnote-ref-4)
5. OSCE Human Dimension Commitments and State Responses to the Covid-19 Pandemic (Warsaw, OSCE/ODIHR, 2020), <https://www.osce.org/files/f/documents/e/c/457567_0.pdf> [↑](#footnote-ref-5)
6. Ibid. p. 117. [↑](#footnote-ref-6)
7. Ibid. [↑](#footnote-ref-7)
8. This has been reported from Austria, Belgium, Georgia, Greece, Hungary, Poland, the United Kingdom and the United States. Ibid., footnote 609, p. 129. [↑](#footnote-ref-8)
9. Ibid. p. 129. [↑](#footnote-ref-9)
10. Ibid. p. 127. [↑](#footnote-ref-10)
11. Ibid. p. 130. [↑](#footnote-ref-11)
12. Ibid. p. 133. [↑](#footnote-ref-12)
13. Ibid. p. 135. [↑](#footnote-ref-13)
14. All examples are taken from the ODIHR Hate Crime Reporting website. For more information and examples, see: <<http://hatecrime.osce.org/what-hate-crime/bias-against-muslims>>. [↑](#footnote-ref-14)
15. A report of a recent event that focused on “Intersectionality and Hate Crimes” is available here: <https://www.osce.org/odihr/444790> [↑](#footnote-ref-15)
16. Roundtable Summary “Against a Silo Approach: Intersectionality and Hate Crimes”, Copenhagen, Denmark

    17 October 2019, <https://www.osce.org/files/f/documents/e/2/444790.pdf>, p. 12. [↑](#footnote-ref-16)
17. For more information, see: “Improving the Recording of Hate Crime by Law Enforcement Authorities: Key Guiding Principles”, <<https://fra.europa.eu/sites/default/files/fra_uploads/ec-2017-key-guiding-principles-recording-hate-crime_en.pdf>>. [↑](#footnote-ref-17)
18. Understanding Anti-Muslim Hate Crimes - Addressing the Security Needs of Muslim Communities (OSCE/ODIHR, Warsaw, 2020), p. 12. [↑](#footnote-ref-18)
19. European Commission against Racism and Intolerance (ECRI) Standards, “General Policy Recommendation No.11 on combating racism and racial discrimination in policing, adopted on 29 June 2007, <<https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.11>>. [↑](#footnote-ref-19)
20. <https://www.osce.org/odihr/385017> [↑](#footnote-ref-20)
21. Coalition Building for Tolerance and Non-Discrimination: A Practical Guide (Warsaw, OSCE/ODIHR, 2018) [↑](#footnote-ref-21)
22. ODIHR presents pilot version of its platform for hate incident reporting to Polish and Hungarian NGOs, https://www.osce.org/odihr/359591 [↑](#footnote-ref-22)
23. Hate Crime Victims in the Criminal Justice System (Warsaw, OSCE/ODIHR, 2020), <https://www.osce.org/odihr/447028> [↑](#footnote-ref-23)
24. <https://www.osce.org/odihr/hate-crime-victim-support> [↑](#footnote-ref-24)
25. Understanding the Needs of Hate Crime Victims (Warsaw, OSCE/ODIHR, 2020), <https://www.osce.org/files/f/documents/0/5/463011.pdf> [↑](#footnote-ref-25)
26. The State of Support Structures and Specialist Services for Hate Crime Victims, Baseline Report (Warsaw, OSCE/ODIHR, 2020), <https://www.osce.org/files/f/documents/4/3/467916.pdf> [↑](#footnote-ref-26)
27. Roundtable Summary “Against a Silo Approach: Intersectionality and Hate Crimes”, Copenhagen, Denmark

    17 October 2019, <https://www.osce.org/files/f/documents/e/2/444790.pdf>, p. 12. [↑](#footnote-ref-27)