



**5<sup>TH</sup> INTERNATIONAL SEMINAR OF THE OIC  
INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION  
(IPHRC)**

**CONCEPT PAPER ON:**

***“ISLAMOPHOBIA: A HUMAN RIGHTS VIOLATION AND  
A CONTEMPORARY MANIFESTATION OF RACISM”***

*17-18 October 2018  
Istanbul, Republic of Turkey*

## ISLAMOPHOBIA: OVERVIEW & UNDERSTANDING

The concept of Islamophobia is commonly known as a condition of phobia vis-a-vis Islam and Muslims, which develops into hostile behavior, including verbal and physical abuse against Muslims, their scripture, holy personalities and symbols including assault against mosques, cemeteries and religious centers. The Runnymede Trust, a British think-tank, holds that the *“animosity harbored against Islam and Muslims in Western societies is unique and can only be grasped using an equally unique concept, hence the justification of the term Islamophobia”*<sup>1</sup>.

Since 9/11 terrorist incident, Islamophobia is no longer a spontaneous expression of emotions, instead, it turned into an ideology that found its way into the political agendas of right-wing extremist groups, seeking to make political gains by promoting hatred against Islam and Muslims. This systematic effort to distort the image of Islam and Muslims continues to worsen. The unfortunate increase in terrorist activities, socio-political and economic problems resulting in greater refugee crisis has further exacerbated the propaganda against Islam by the far right-wing politicians, public figures and media in many countries. Consequently, the number of hate crimes committed against Muslims, or even those who “look Muslims” (based on their physical or cultural appearance) have increased manifold.

## ISLAMOPHOBIA AS A CONTEMPORARY MANIFESTATION OF RACISM

The markers of identification of communities have clearly moved from just race, colour and national or ethnic origin to include religion. The understanding of racism has moved from a definition of “prejudice based on (now disqualified biological notions of) race” to a recognition of various forms of racism as: (i) an individual’s discriminatory attitudes and behaviours (individual racism); (ii) policies and practices of organizations, which directly or indirectly operate to sustain the advantages of peoples of certain “social races” (institutional racism); (iii) a value system, which is embedded in society and supports and allows discriminatory actions based on perceptions of racial difference, cultural superiority and inferiority (cultural racism)<sup>2</sup>.

Placing Islamophobia into the well-worn context of racism provides clear illustrations to study and understand the multi-dimensional manifestations of the phenomenon in the social and political spheres, and makes it less anomalous and less mysterious. While racism has always been present in the history of human being, Islamophobia has been playing an increasing role in the social construction of racism, with roots that extend far deeper in history than 2001. It should go without saying that the world’s 1.6 billion Muslims span the full range of human appearance, and there is no way to actually “look Muslim.” Nevertheless, race operates at the very core of Islamophobia<sup>3</sup>. In the aftermath of 9/11, in America and beyond, repetitive

---

<sup>1</sup> The Runnymede Trust, “Islamophobia: A Challenge for Us All”, London 1997

<sup>2</sup> Anti-discrimination Laws, Islamophobia, and Ethnicization of Muslim Identities in Europe and Australia. **Article** in Journal of Muslim Minority Affairs · April 2008 by Rachel Bloul

<sup>3</sup> Love Erik: Islamophobia and Racism in America, NYU Press, New York 2017

violent attacks have been reported against non-Muslims, such as Sikh Americans, Indians, South Asians, and others<sup>4</sup>, and everyone hurt or killed in these attacks were vulnerable to Islamophobia because they “look Muslim”— because of their racial appearance.

Furthermore, it is important to highlight that Islamophobia does not belong in the realm of “rational” criticism of Islam or Muslims in any ways; it is often discrimination against people who look different; it also often fuses racial and religious bias, largely because the stereotypical Muslim has been constructed as an ominous figure: the bearded, dark-skinned, turban-wearing terrorist guided by perceived archaic religious practices<sup>5</sup>. Even those not falling in this stereotypical appearance are subjected to discrimination as soon as their religious identity is known manifested in some manner.

The social construction of racial categories is at the heart of the process by which Islamophobia came to affect anyone who “looks Muslim”, hence, racialization of Muslims. The extraordinary surge in Islamophobic hate crimes and discrimination across the world cannot be disassociated from the fact that Muslims are being portrayed as racially distinct, inferior, savage and anathema to modern pluralist culture. Consequently, Islamophobia, as a form of racism, is being developed by the same means as all the social structures that involve race, and have been built into the mindset of people. Therefore, any effective understanding of Islamophobia must take into account the full scope of race and racism.

### **ISLAMOPHOBIA FROM THE PERSPECTIVE OF HUMAN RIGHTS: A FORM OF RACISM MIXED WITH CULTURAL AND RELIGIOUS INTOLERANCE**

In many parts of the Western world, the offensive stereotypical and distorted discourses against Islam and Muslims established a collective mind-set that is difficult to uproot, and is invoked whenever clashes occur, which happen to involve Muslims. The political reasons of Islamophobia are represented by many right-wing extremist movements, which employ Islamophobia as a means to gain popularity by intimidating Muslims and promising their electorates, if elected, to enact strict laws against Muslims. Based on these realities, including racial profiling of Muslims, Islamophobia has become a form of racism mixed with cultural intolerance as a whole, rather than simply intolerance of Muslims and Islam.<sup>6</sup>

While the international community has made a lot of efforts to combat racism, racial discrimination, xenophobia, and related intolerance, including the UN Convention Against Elimination of Racial Discrimination (CERD) and the agreement on the Durban Declaration

---

<sup>4</sup> Since 9/11, There have been multiple well documented incidents of hate crimes against non-Muslims who were shot, injured and sometimes killed because they “looked” Muslims, these include Mr. Balbir Singh Sodhi who was killed in Arizona in 2001 and Mr. Cameron Mohammed who was badly injured in Florida in 2013.

<sup>5</sup> Singh, Jaideep. 2016. The Death of Islamophobia: The Rise of Islamo-Racism. Race Files. February 23. Available online: <http://www.racefiles.com/2016/02/23/the-death-of-islamophobia-the-rise-of-islamo-racism/>

<sup>6</sup> Craig Considine, “The Racialization of Islam in the United States: Islamophobia, Hate Crimes and ‘Flying While Brown’” The Journal of Religions, Rice University 2017

and its Program of Action<sup>7</sup> (DDPA), these initiatives are encountering a number of serious challenges manifested by the worrying trends discussed above.

In traditional Western legal discourse, anti-Semitism is included in various racial discrimination laws under the category of ethno-religious prejudice. On the contrary, it is held that since Muslims are not a race, therefore, racially based anti-discrimination legislations are insufficient or restrictive to counter Islamophobic discrimination.

In the 1997 Treaty of Amsterdam, the European Union asserts the principle of non-discrimination on the basis of religion in Article 13. The United Nations has developed a number of instruments, including treaties, conventions and protocols with regards to religious discrimination. The International Covenant on Civil and Political Rights (1966) prohibits more specifically religious discrimination while the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, adopted in 1981, provides a comprehensive list of rights regarding freedom of thought, conscience and religion. The World Conference on Human Rights in 1993 in Vienna reiterated the importance of taking all appropriate measures to counter intolerance and related violence based on religion or belief, and invited all States to put into practice the provisions of the 1981 Declaration on Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The 1993 Vienna Conference also set the speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance as priority task for the international community. The 2001 World Conference against Racism clearly recognized the increase in anti-Semitism and Islamophobia in various parts of the world and urged all States to take effective measures to prevent the emergence of movements based on racism and discriminatory ideas concerning these communities<sup>8</sup>.

While these proposed refinements are gradually becoming part of Member States policies and anti-discrimination legislations, the surge in Islamophobia, as a form of racial discrimination, continues to threaten the effectiveness of these strategies in tackling the negative manifestations of racism. In addition, we continue to witness the resurgence of racist and xenophobic violence directed mostly against Muslims, a general increase in manifestations of racial and religious intolerance/hatred, reflected mainly in manifestations of Islamophobia as well as the increased importance in identity constructs of a rejection of diversity and resistance to the process of multi-culturalization of societies<sup>9</sup>. Again, the growing political trivialization of racism and xenophobia, demonstrated by merger of racist, far-right and xenophobic platforms with democratic parties, further exacerbate the ideological, scientific and intellectual legitimization of racist and xenophobic discourse and rhetoric, which favors an ethnic or racial interpretation of social, economic and political problems and immigration. To deal with these evolving realities, a well-worn civil rights strategy should be developed to advance reforms, both at the legal and political levels, for the protection of minorities and communities affected by all contemporary forms of racism, including Islamophobia.

---

<sup>7</sup> Details on the DDPA can be found here: <http://www.un.org/en/durbanreview2009/ddpa.shtml>

<sup>8</sup> Paragraph 61 and 150 of Durban Declaration and Program of Action.

<sup>9</sup> UN HRC Report on Racism A/HRC/7/19 submitted by Mr. Doudou Diène, Feb 2008.

## **CONTEXT AND AIMS OF THE SEMINAR:**

The intended aim of this Seminar is to establish a multi-stakeholder' dialogue to objectively analyze Islamophobia and discuss the crucial questions about complexities, dilemmas, and paradoxes of racial identity and Islamophobia, and the disturbing implications of rising Islamophobia for the persistence of racism in modern societies. This approach seeks to apply the tools developed for understanding racial discrimination to analyze Islamophobia. Moreover, shining a light on the intrinsically dehumanizing elements of racism enables an understanding of connections between hate crimes and discriminatory “counterterrorism” policies<sup>10</sup>. All of these flow directly from the same source: Islamophobic racism.

The Seminar will also seek to trace the roots and practices of discriminatory behavior and policies against Muslim communities, to understand the context in which Islamophobic racism developed and the role it plays today in undermining their human rights. Furthermore, the Seminar will discuss best practices in confronting various forms of racial and religious discriminations across the globe, which can be promoted for universal guidance and application at different levels, both by the State and non-State actors to accord needed protections to the Muslim minorities and communities in affected societies. An important element of the discussion would be to focus on how to effectively combat hate speech (both through legal and non-legal measures) that is often based on misperceptions, xenophobia and stereotypes but have far reaching negative consequences against the targeted communities.

## **FORMAT / METHODOLOGY:**

The Seminar will be held on 17-18 October 2018 in Istanbul, Republic of Turkey. It will be jointly organized by the OIC-IPHRC and the Government of Turkey. As per standard practice, IPHRC Members, relevant international experts on the subject, representatives of OIC Member and Observer States as well as their NHRIs will participate in the event. Participants are expected to have an open and in-depth discussion on existing practices, policies and behaviors that have led to increased discrimination against Islam and Muslims. Together with the manifestations, the Seminar will reflect on protections accorded by relevant international law regime and the scope and nature of existing universal civil liberties to combat all forms of racism, including its contemporary form i.e. Islamophobia. The Seminar will also seek to provide insights on how to improve the legal and political strategies, with concrete recommendations to enhance the civil rights protections to combat all forms of racism, in particular hate crimes, discrimination, and social exclusion against minorities, based on their race and religion.

The first official plenary/inaugural session will be addressed by the IPHRC Chairperson, Secretary General of the OIC, and the Turkish Minister of Justice. The inauguration will be followed up with substantive sessions, which will be moderated by the IPHRC Chairperson. Panelists (recognized international experts on the subject) will make their presentations on

---

<sup>10</sup> Love Erik: Islamophobia and Racism in America, NYU Press, New York 2017

various aspects of the Seminar theme, following which IPHRC Commission Members and later on OIC Member and Observer States as well as their NHRIs will make interventions on the subject including specific recommendations or possible questions to the panelists.

Invited panelists and IPHRC Members are expected to focus on the legal and conceptual dimensions of the Seminar theme including specific suggestions on how to combat this contemporary manifestation of racism at different levels by using existing legal protections and best practices. They may also suggest additional measures that can pave the way for addressing this scourge in a comprehensive manner at different levels. Participants of the Seminar from OIC Member and Observer States and their NHRIs, on the other hand, will provide a situational analysis on the present state of affairs. They may also ask questions to the panelists and based on their experiences, make specific recommendations for policy formulation and action by different stakeholders at the national and international levels.

In the last substantive session, the Chairperson will lead a wrap-up meeting and present the key findings of the Seminar in the form of an Outcome document.

#### **OUTCOME:**

The seminar aims first and foremost at highlighting that the existence and continued rise of Islamophobia represents a clear violation of human rights. The increased incidents of violence and hate crimes against Muslims (whether practicing or non-practicing, including non-Muslims who appear to be Muslims due to their physical and cultural appearances) further underscore the need to deal with the cases of Islamophobia as a form of racism. The Seminar will discuss existing legislations and best practices at the national, regional and international levels to combat discrimination based on one's race, religion and origin, including lacunae in their implementation with a view to providing requisite safeguards to all minorities against all forms of racial and religious discrimination. In addition to discussing best practices from across the globe, in confronting and combatting discrimination based on one's race or religion in particular Islamophobia, the Seminar will make specific suggestions to contribute positively to the ongoing discussions on the subject at the UN, and at the Istanbul Process<sup>11</sup>.

\*\*\*\*\*

---

<sup>11</sup> The Istanbul Process is the follow up mechanism of regular international meetings surrounding how to implement the UN Human Rights Council Resolution 16/18 dedicated to "combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief."