

**OUTCOME DOCUMENT OF THE 5TH INTERNATIONAL SEMINAR
OF THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION**

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

ISTANBUL, 17-18 OCTOBER 2018

OIC Independent Permanent Human Rights Commission (IPHRC), in collaboration with the Republic of Turkey, held its 5th Annual Seminar on the subject of “*Islamophobia: A Human Rights Violation and a Contemporary Manifestation of Racism*” in Istanbul from 17-18 October 2018. Besides Commission Members, the event brought together relevant experts from academia and international organizations such as the Office of the UN High Commissioner for Human Rights (OHCHR), Organization for Security and Co-operation in Europe (OSCE), European Commission (EC), and the OIC Women Advisory Council. A large number of OIC Member and Observer States and representatives of their National Human Rights Institutions (NHRI) also participated in the Seminar.

Both the experts and participants discussed the complexities, dilemmas, and paradoxes of Islamophobia in the context of racism with a view to proposing possible remedies to combat Islamophobic discrimination and racism. After an in-depth, comprehensive and inclusive discussion, the Commission concluded the following key points as the outcome of the Seminar:

Affirmed that Islam strongly stands against all forms of racism, discrimination and intolerance. In Islam people are equal and they enjoy equal rights regardless of their caste, creed, color or belief.

Recognized that respect for diversity, multiculturalism, inclusiveness, democracy and rule of law is at the core of human rights and fundamental freedoms as well as affirmed that the intellectual and political resistance to multiculturalism is one of the underlying causes of the resurgence of racism and xenophobia, including their contemporary manifestations such as Islamophobia or discrimination against any religion, which are against the norms and obligations of International Human Rights law.

Defined the concept of Islamophobia as a condition of unfounded fear, based on ignorance or misperception vis-a-vis Islam as a religion and Muslims resulting in biased and discriminatory behavior, attitudes and practices, including verbal and physical abuse and human rights violations against Muslims, their scripture, holy personalities and symbols such as mosques, cemeteries and religious sites etc.

Highlighted that the incidents of violence and hate crimes against Muslims and non-Muslims, who appear to be Muslim due to their physical and cultural appearance, are on the rise, especially in the aftermath of 9/11 and significant increase in the migrant/refugee flows.

Further highlighted that the surge in Islamophobic hate crimes and discrimination against Muslims across the world is associated with the fact that Muslims are being portrayed as racially distinct, which has become evident in the case of Rohingya Muslims of Myanmar. Consequently, Islamophobia, as a form of racism, is being developed by the same means as all the social structures that involve race has been built into the mindset of people. Therefore, any effective understanding of Islamophobia must consider the full spectrum of racism and religion.

Stressed the need to address the root causes of extremism which inter-alia include foreign occupation that impinge upon all human rights of the affected populations, such as people of Palestine and Kashmir, that at times lead to mounting feelings of injustice, anger and violent responses, which are then used to negatively stereotype the involved individuals, their communities and religion.

Further stressed that Islamophobia does not belong to the realm of “rational” criticism of Islam or Muslims. It is plain discrimination against people who look different, and fuses racial and religious bias, largely because the stereotypical Muslim has been construed as an ominous figure. Based on these realities, including racial profiling of Muslims, Islamophobia has become a form of racism mixed with social, economic and cultural intolerance as a whole.

Rejected the stereotypical association of Islam with violence and terrorism - an association which is bolstered by misperceived intellectual constructs; used by right wing political rhetoric and exaggerated in the sensational media, thus creating a negative image that impacts the public mindset and opinion. Hence, identification of terrorism and extremism with religion, particularly Islam and Muslims, must be firmly and explicitly rejected.

Expressed concern that efforts to combat racism, racial discrimination, xenophobia and related intolerance are encountering a number of serious challenges, including the political trivialization, intellectual and democratic legitimization and institutionalization of racism and xenophobia, resulting in particular from the pervasiveness of racist and xenophobic platforms in the political programs of political parties, and some intellectual and media circles, which has created a deeply detrimental context, characterized by intolerance, indifference, connivance and even acceptance of racism, especially in connection with issues relating to migration, asylum, and terrorism.

Stressed that international developments, such as conflicts, socio-political and economic issues cannot justify intolerance, discrimination or violence. Guaranteeing fundamental freedoms and rights to all individuals and groups without discrimination is a precondition for effectively combating all manifestations of racism, discrimination and ethnic, cultural or religious intolerance.

Highlighted that hate speech motivated by racism, xenophobia and intolerance, coupled with impunity for perpetrators creates a climate of fear and social exclusion of the targeted persons and groups, which is anathema to the ideals of pluralism and democracy. Hence, the need for responsible use of freedom of expression to ensure protection of the rights of others, in line with the parameters set forth in Articles 19 & 20 of International Covenant on Civil and Political Rights (ICCPR).

Further highlighted the deep historical and cultural roots of racism and xenophobia; and opposed the use of freedom of expression as intellectual justification for these phenomena, or as a screen for incitement to racial and religious hatred. In this regard, recognized the complementarity, balances and limitations meticulously established by the relevant international human rights instruments, in particular the ICCPR and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)¹.

Recalled the important contributions made by UN Human Rights Council Resolution 16/18 and the Rabat Plan of Action in promoting steps needed to evaluate and combat incitement to hatred,

¹ Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and corresponding General Comment No. XV also dwell on the importance of combating and proscribing hate speech.

discrimination and violence resulting from negative stereotyping, xenophobia, stigmatization and hate speech, while promoting the values of freedom of expression.

Further recalled the important role of UN Alliance of Civilizations initiative and other local/international dialogue networks, which aim at facilitating harmony through dialogue by underlining the common denominator of different cultures and religions. To this end, **emphasized** the importance of pursuing and encouraging interfaith and intercultural dialogue at all levels, including between religious communities and civil societies to improve understanding, respect and coexistence in the multicultural societies.

Further emphasized that any intellectual and cultural strategy to combat racism must focus on the acceptance and promotion of a democratic, egalitarian and interactive multiculturalism. Integration should be conceived not as a rejection of diversity and undermining of identity, but as a dialectical process of various communities getting to know each other and interacting peacefully.

Encouraged all Muslim communities to engage interactively within their host societies, especially to enhance their participation in social and political life through, inter alia, representative organizations. Political, religious, and community representatives can play a crucial role in the fight against intolerance and discrimination against Muslims. Political, religious and community leaders have a crucial role in combating all forms of racism, incitement to hatred, discrimination and violence as well as promoting awareness and improved understanding of the common values shared by all humankind.

Stressed the crucial role of media in combatting religious hate speech and racism and urged all stakeholders to work together to prioritize advocating respect for human rights, preventing hatred, discrimination, inequality and violence while building trust and promoting reconciliation through effective media strategies. The media must also work zealously to counter all manifestations of racism, discrimination, and hate speech in all media frameworks, by promoting ethical standards, while maintaining respect for freedom of expression.

Reiterated that the primary responsibility for addressing acts of Islamophobia rests with the States. Strong legislation and law enforcement are basic tools to combat crimes, including hostile and violent manifestations of intolerance and discrimination based on one's race or religion. To this end, **urged** all States, as a minimum, to apply the existing legal measures and best practices used by different countries to address hate crimes, incitement to hatred, discrimination and violence based on one's religion, in a universal manner to provide equal protection to all targeted groups and individuals, including against Muslims and Islam.

Further urged all States to promote and facilitate open and transparent interfaith and intercultural dialogue and partnerships towards tolerance, mutual respect and diversity by fighting prejudice, intolerance and marginalization. To this end, States must work together with political, religious and community leaders to promote better understanding of the common values shared by all humankind.

Encouraged all States to develop legislations and other measures to fulfill their obligations under the international law, international human rights law, including ICERD, which correspond to the concerns expressed in the Durban Declaration and its Program of Action. To this end, **requested** all States to develop effective political, legal and cultural frameworks and strategies to identify and combat the root causes of old and new forms of racism and xenophobia, including Islamophobia.

Further encouraged all States to create and strengthen national mechanisms to combat all forms of racism and hate speech in close cooperation with media, religious leaders and institutions and civil society and to report on their efforts to relevant UN Human Rights Treaty Bodies through periodic reports as well as during their Universal Periodic Review in the Human Rights Council.

Called upon the international community to: (i) transform the focus of countering Islamophobia strategies from theology to ethics and values as well as from ideology based approach to human rights based approach; (ii) formulate additional legally binding instruments to cover the new manifestation of racism involving affirmative punitive action; (iii) criminalize certain manifestations of hate speech such as incitement to hatred and violence as provided in the article 5-f of the UN HRC Res.16/18, (iv) build the capacity of national authorities, security officials and media to prevent acts of incitement to hatred; (v) intensify efforts to bridge the implementation gaps which exist within the prevailing normative frameworks including reactivation of Istanbul Process; (vi) establish an observatory within OHCHR to monitor and report on incidents of hate speech and incitement to religious hatred including in the print and social media as an early warning mechanism; (vii) mainstream human rights education in national curricula with emphasis on tolerance and respect for cultural sensitivities; (viii) formulate and implement integration policies for migrants and refugees enabling them to integrate into the local societies and contribute to their respective communities; and (ix) address the gender dimension of hate crimes against Muslim women through creation of awareness and ensuring adequate protection guaranteed by International Human Rights law.

Further called upon the OIC Member States to: (i) show unity and solidarity to resort to “collective action” in the form of protests or boycotts against countries, which promote, encourage or tolerate acts of Islamophobia and discrimination against Muslims (ii) undertake serious introspection of national policies, legislations and administrative actions to bring them in conformity with their relevant international human rights obligations for providing protection against all forms of discrimination based on race and religion; (iii) employ different media platform to effectively promote the Islamic values and its rich cultural heritage to counter misperceptions and stereotypes about Islam and Muslims.

Recommended that OIC General Secretariat to (i) formulate a comprehensive strategy for Muslim minorities/communities in non-Muslim countries to shun the victimhood narrative and address the challenge of Islamophobia by encouraging them to be good law abiding citizens while actively employing all legal means to claim their due rights; and (ii) activate and strengthen OIC Groups at UN in New York and Geneva to effectively highlight and deal with the incidents of Islamophobia as well as to promote effective implementation of Res 16/18 and Rabat Plan of Action; and (iii) strengthen and empower the OIC Islamophobia observatory to work comprehensively both on raising awareness on Islamophobic manifestations as well as combating misperceptions in close cooperation with its counterpart organizations within the UN and other regional settings.

Appreciated the commendable role played by the Republic of Turkey in the field of human rights and emphasized the need to develop collaborative linkages among all OIC Member States and IPHRC for promoting better understanding of human rights perspective of Islam in accordance with Islamic teachings and international human rights law.
