

# COUNCIL MONITOR

International Service for Human Rights



Human Rights Monitor Series

## ISHR'S SUMMARIES OF DOCUMENTS FOR THE 6<sup>TH</sup> SESSION OF THE COUNCIL

Updated Report by the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance<sup>1</sup>

### Mandate holder

Doudou Diéne

### Mandate

The mandate was created in 1993, based on the recognition of racism and racial discrimination as one of the most serious violations of human rights in the contemporary world, and the continuing and widespread prevalence of these types of practices. The mandate was also established in view of the growing magnitude and changing forms of racism and racial discrimination that require periodic re-examination of the methods used to combat them. The Special Rapporteur monitors incidents of racism, racial discrimination, xenophobia and related intolerance, as well as governmental measures to overcome them, and makes recommendations on specific measures that should be taken at the national, regional and international levels.

### Activities

Follow-up to Human Rights Council Resolution 4/9 of 30 March 2007 (report requested by the resolution)

### Updated report<sup>2</sup>

#### Scope:

The present report is submitted pursuant to Human Rights Council Resolution 4/9 entitled "Combating defamation of religions", in which the Council invited the Special Rapporteur to report on all manifestations of defamation of religions, and in particular on the serious implications of Islamophobia. This report is to be read in conjunction with previous reports submitted by the Special Rapporteur on the issue. In particular the report to the Human Rights Council on "Incitement to racial and religious hatred"<sup>3</sup>, the report to the Commission on Human Rights on "The situation of Muslim and Arab peoples in various parts of the world, with special reference to physical assaults and attacks against their places of worship, cultural centres, businesses and properties in the aftermath of 11 September 2001"<sup>4</sup>, and the report on " Defamation of

<sup>1</sup> Summary prepared by Tina Kristensen, Intern, supervised and edited by Michael Ineichen, Information program, ISHR

<sup>2</sup> A/HRC/6/6, 21 August 2007

<sup>3</sup> A/HRC/2/3

<sup>4</sup> E/CN.4/2003/23, E/CN.4/2005/19, E/CN.4/2006/17

religions and global efforts to combat racism: Anti-Semitism, Christianophobia and Islamophobia.”<sup>5</sup> In accordance with the Councils request the Special Rapporteur focuses on the phenomenon of Islamophobia. However, the report stresses several times that this does not imply the establishment of any hierarchy between in discrimination against different religions.

### **Summary and key conclusions:**

#### **General issues on the manifestation of defamation of religions**

- According to the Special Rapporteur the analysis of the increasing trend in defamation of religions cannot be dissociated from a profound reflection on the trends of racism, racial discrimination, xenophobia and related intolerance that are developing in the current political and ideological context.
- An increasing number of traditional democratic parties are now resorting to the language of fear and exclusion, scapegoating and targeting ethnic or religious minorities in general, and immigrants and refugees in particular, in order to maintain or acquire political power.
- This process is manifested in the refusal of diversity and multiculturalism and promoted by extreme right wing politicians or nationalists in the defence of identity based on intangible values, which may lead to other forms of discrimination, such as discriminatory practises, physical violence, and attacks on their places of worship and culture.
- The interpretation and implementation of human rights is severely affected by this. Cultural, social, and economic rights, especially those who guarantee the rights of minorities, immigrants and foreigners have been violated and marginalised on the grounds of protection of national identity
- Defamation of religion usually takes the form of what the Special Rapporteur calls ‘ideological violence’, and intellectual mindset held by politicians, elites and the media that generally refers to the legitimate expression of ideas but often creates an environment legitimising physical acts of violence.
- One such expression is the concept of Islamophobia. One result is a sense of cultural inferiority and social vulnerability among young Muslims, who are likely to become marginalised and more open to influence by groups who offer them a reaffirmed identity and reason for pride.

#### **Islamophobia**

- The concept of Islamophobia is contemporary, and was invented in response to the increasing discrimination against Muslims that has manifested in recent years.
- Islamophobia refers to a baseless hostility and fear of Islam, and as a result fear of and aversion towards all Muslims.
- Muslims are seen opposed to the so-called Western values and often portrayed as enemies and a threat to national values.
- In the past the driving force of Islamophobia was religion, but it has now taken new forms stemming from societal changes linked with significant waves of immigrations and the growing political and economic assertiveness of Muslim countries.
- It is possible to see Islamophobia as a direct consequence of the Cold war-type of ideology, building on a “clash of civilisations” and religions – “us against them”, “enlightenment against darkness”, “civilisation against barbarism”, which according to the Special Rapporteur is dominant in several political and intellectual circles.
- The legitimisation of Islamophobia also occurs in the media. The way in which the events of 11 September 2001 were treated by news providers did much harm to the image of Arabs and Muslims.
- We are also currently witnessing an ongoing rise of political parties and social movements that are openly Islamophobic and sponsor racist and xenophobic policies in the clout of democratic legitimacy by integrating governing coalitions in a number of countries.
- Other factors have also contributed to the rise in Islamophobia, such as human rights violations by repressive regimes in the name of Islam, political movements that use terrorist tactics to attain their

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<sup>5</sup> E/CN.4/2005/18/Add.4

objectives and claiming to be based on Islam, ongoing instability in the Middle East in particular in Iraq, the Israeli-Palestinian conflict, and of course the global war on terror.

- Political tolerance of hostility and discrimination against Muslims has gained further ground since the Special Rapporteur last reported on this issue. In particular through the growing democratic legitimisation of political parties that have openly racist and xenophobic policies
- Expressions of Islamophobia can take very different forms, including individual acts of discrimination against Muslim populations, verbal and physical attacks, profanation of their places of worship and culture, and predominately institutionalised forms of racism, including social and ideological discrimination.<sup>6</sup>

### **Anti-Semitism**

- Anti-Semitism is characterised by its long existence and capacity to adapt to new social and political contexts.
- Jews have been demonised and persecuted for religious, racial, ideological and political reasons throughout history.
- The Special Rapporteur notes that the interpretation and the impact of the Israeli-Palestinian conflict is linked to the rise of anti-Semitism. However, he states that while anti-Zionism and criticism of the Israeli Government's policy may have an anti-Semitic connotation, reducing these two elements to anti-Semitism could result in the trivialisation of anti-Semitism. The Special Rapporteur indicates a number of factors used to analyse anti-Zionism and anti-Semitism separately.<sup>7</sup>
- In Europe there has been an alarming rise in the number of Neo-Nazi groups, and incidents of acts of physical violence and murder, profanation of Jewish cemeteries and synagogues has also become more common.
- A persistent revisionism manifests itself in the traditional platforms of extreme right wing parties and some states going as far as to deny the Holocaust.
- Anti-Semitism has also experienced a rise in other regions including Asia and India.

### **Christianophobia**

- There has been an undeniable increase in acts of Christianophobia in the past years, which has been fuelled in certain regions by dogmatic secularism and dominant anti-religious ideology.
- The aggressiveness of certain evangelical groups has resulted in reactions of persistence and hostility toward Christianity in South America, Africa, Asia and India.
- In Sudan in particular the situation if Christian minorities has been critical for many years, although the Special Rapporteur notes with satisfaction the improvements brought about by the peace agreement and the new Interim National Constitution.
- Expressions of Christianophobia have also become frequent in certain groups of some predominantly Muslim countries, such as Egypt, Iraq, Indonesia, Nigeria, Pakistan and the Sudan. In the Sudan the Special Rapporteur noted an improvement for Christian minorities in some areas, but added that Christianophobia seemed to be an important factor in the Darfur tragedy.
- This takes form in the incitement to religious hatred, attacks against places of residence and worship, persecutions and killings.
- In Europe the separation of State and Church and the rejection of religion, leads to not only an anti-religious culture, but also to intolerance against any religious practice.

### **Other forms of religion-based discrimination**

Given the limitation of the present study the Special Rapporteur did not analyse other forms of religion based discrimination, but noted that there are also problems in regard to Amerindian religions, Afro-American

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<sup>6</sup> Examples of this could be Muslim women having their hijab forcefully removed in the street, baseless accusations against Muslims in airports. A number of communities in various countries have imposed numerous obstacles to the building of mosques, and have adopted legislation that de facto allows for racial and religious profiling in the context of the fight against terror. The Special Rapporteur gives additional examples in his report, including concrete statements of senior political figures.

<sup>7</sup> On page 13, para 41.

religions, African animist traditions as voodoo, the religions that many tribes in South East Asia practise, Buddhism and in particular Hinduism. He also noted the sometimes aggressive proselytism of evangelical groups reproducing historic rhetoric of the colonisation era.

### **Positive developments**

The report notes several positive steps taken by intergovernmental organisations owing to the growing conscience of the problem of defamation of religion. The organisations include the United Nations, the Organisation of the Islamic Conference, the European Union and the Organisation for Security and Co-operation in Europe.

### **Key recommendations:**

- Member States should continue to work for the implementation of the Durban Declaration and Program of Action, which needs to remain the cornerstone in the combat against racism, racial discrimination, xenophobia and related intolerances.
- Member States should express a firm political will and commitment to combating the rise in racial and religious hatred, namely by not allowing the inclusion of racist and xenophobic platforms in the programs of democratic political parties.
- In the fight against racism and religious hatred the member States should fully abide by their obligations concerning both freedom of expression and freedom of religion, avoiding a polarised and confrontational reading of these rights but instead reflect on their complementarity and interrelation
- The Special Rapporteur strongly recommends that the practices of intercultural and inter-religious dialog start at a national level. Efforts to promote cultural and religious pluralism domestically constitute a necessary and credible first step to providing a long lasting solution to the problem of defamation of religions.
- He also recommends that the Council invite religious communities that are victims of defamation of religions to explore the internal factors in their beliefs and practices which may have contributed to these forms of defamation of religions.

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