

independence of judges and lawyers

special rapporteur

promotion of truth, justice, reparation and guarantees of non-recurrence

extrajudicial, summary or arbitrary executions

democratic and equitable international order

violence against women

older persons

slavery

health

water

environment

internally displaced persons

human rights defenders

indigenous peoples

independent expert

enforced or involuntary disappearances

sale of children

freedom of religion or belief

freedom of opinion and expression

special rapporteur

working group

racism

adequate housing

trafficking in persons

human rights and transnational corporations

women in law and in practice

independent expert

torture

extreme poverty and human rights

working group

freedom of peaceful assembly and of association

cultural rights

persons with disabilities

education

solidarity

foreign debt

substances and wastes

working group

Arbitrary Detention

terrorism

minority issues

mercenaries

# MUSLIMS IN EUROPE

MUSLIMS IN EUROPE:  
 THE ROAD TO SOCIAL HARMONY  
 Proceedings of the UN Geneva Side Event  
 Held on 19 September 2016 and Lessons Learned



GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE  
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 CENTRE DE GENÈVE POUR LA PROMOTION DES DROITS DE L'HOMME ET LE DIALOGUE GLOBAL









The Geneva Centre for Human Rights  
Advancement and Global Dialogue

**MUSLIMS IN EUROPE:  
THE ROAD TO SOCIAL HARMONY**

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GENEVA, 19 SEPTEMBER 2016  
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## INTRODUCTION

I am pleased to present the summary record of a panel discussion that took place in Geneva on 19 September 2016, organized by the Geneva Centre for Human Rights Advancement and Global Dialogue, on the study prepared by Dr. Zidane Meriboute entitled “Muslims in Europe: The Road to Social Harmony”. The panel discussion, including Ambassadors, Permanent Representatives of Missions in Geneva and renowned international experts, provided a unique opportunity to have a free and frank exchange on the findings of the study and to examine possible ways forward. Towards this end, the present publication includes a section on the lessons learned from the panel meeting and concrete proposals for future steps.

Indeed, as the study supported by the panel discussion stresses, solidarity is the only way to address the challenges flowing from violent extremism and xenophobia, faced by the European and Muslim communities alike. The issue is complex, encompassing multiple dimensions of a historical, political, economic, social, psychological and religious nature. Nonetheless, all religions of the world bear a unique fundamental message of peace, harmony, tolerance and compassion. However, beliefs are manipulated by radical groups, the media and political entities. They are instrumentalised to promote fear as a stepping stone to access power then countered by the spread of hatred itself conducive to social phobias detrimental to universal social harmony. There is therefore an urgent need to break this vicious circle and correct distortions of belief, through concerted action.

As the section on lessons learned from the panel highlights, there is need to promote and ensure collective responsibility to fight the distortion and manipulation of all religions. This means resorting to awareness promotion via the media and public discourse, of course. It also means addressing the issue at the source, as it were. Required action would include rolling back socio-economic marginalization through an inclusive and participatory process and a consensual approach. Only through dialogue between populations and regions of all cultures and religious faiths can all build bridges of understanding and tolerance between them, thereby fostering universal social cohesion and harmony.

In an innovative approach, this section of the present publication suggests, among others, the convening of an international conference representing States, international organizations and regional bodies, to chart the way forward. The draft agenda proposed for the conference thus includes crucial themes for discussion, notably with a view to dispelling prevailing misunderstandings and misconceptions, the marginalization of religious minorities and its consequences, the conflation between religious beliefs and violent extremism. It also suggests that the conference adopt proposals for concrete action to promote social cohesion, identify responsibilities at various levels and establish follow-up mechanisms.

I take this opportunity to reiterate the commitment of the Geneva Centre to this noble endeavour.

**Hanif Hassan Ali Al Qassim**

*Chairman of the Geneva Centre for Human Rights  
Advancement and Global Dialogue*

## **SUMMARY RECORD OF THE PANEL MEETING**

The present report provides a summary record drawn up by the Geneva Centre on the discussions which took place during the panel meeting. It does not commit the authors of the remarks themselves whose statements which were recorded are reproduced in full in the annex to the report.



A panel discussion entitled “*Muslims in Europe: The Road to Social Harmony*”, took place at the UN HQs in Europe, in the Palais des Nations, Geneva, on 19 September 2016. It was organized by the Geneva Center for Human Rights Advancement and Global Dialogue, as a side-event to the then on-going 33<sup>rd</sup> session of the UN Human Rights Council. The partners of the Geneva Centre in the organization of this event were *the Permanent Mission of Algeria to the UN in Switzerland and the Independent Permanent Commission on Human Rights of the Organization of Islamic Cooperation*. The discussion was intended to provide an opportunity to present and discuss the findings of a study, bearing the same name as the event, mandated by the Geneva Centre to the renowned Swiss-Algerian intellectual, **Dr. Zidane Meriboute**.

The panel was composed of **Dr. Zidane Meriboute**, author of the study; **H. E. Ambassador Abdul Wahab**, Chairperson of the Independent Permanent Human Rights Commission of the OIC; **Ms. Gloria Nwabuogu**, Human Rights Officer, Anti-Discrimination Section, Office of the UN High Commissioner for Human Rights; and **Dr. Fawzia Al Ashmawi**, President of the Forum for European Muslim Women. **Ms. Bariza Khiari**, member of the Senate of France, representing the city of Paris, and member of the Foreign Affairs, Defence and Armed Forces Committee of the Senate, had also submitted a written statement.

The discussion was moderated by H. E. Idriss Jazairy, Executive Director of the Geneva Centre.<sup>1</sup>



1. The Summary Records have been drawn up by the Geneva Centre and do not commit the speakers whose full statements when provided are included in the Annex.

In his opening remarks, H. E. Dr. Hanif Al Qassim, the Chairman of the Geneva Centre's Board of Management, highlighted the importance of showing solidarity towards all the victims of terrorism, the majority of which happen to be Muslims, he noted. For him therefore, solidarity was the best and only way to address the common challenges to both, the European and Muslim communities, which were terrorist crimes, violent extremism and xenophobia.



Dr. Al Qassim observed that all the world's religions are in fact vehicles for peace and harmony, and warned against the growing tendency of distorting the message of Islam, by nurturing an assimilation of the Muslim faith with terrorism. He deplored the media manipulation that ironically provided violent extremists unfounded religious legitimacy and unsolicited propaganda, and quoted His Holiness Pope Francis, who had also condemned, in August 2016, the erroneous association between Islam and violence. Dr. Al Qassim concluded his intervention by stating that the Muslim communities were caught between hammer and anvil, facing, on the one hand the imminent threat of terrorist groups, and, on the other hand, a growing trend of Islamophobia and the emergence of xenophobic populism.



H. E. Ambassador Boudjemâa Delmi, Ambassador and Permanent Representative of Algeria to the UN Geneva, observed that the relations between Muslims and the populations of European countries had not always followed a positive trend. Flowing from this has emerged a disturbing tendency leaning towards provocative actions, stigmatization and segregation. The underlying cause seemed to be a conflation between the presence of Muslim populations in Europe and the challenges, in terms of security, faced by the international community since the tragic events of 11 September 2001. In the eyes of those espousing such a conflation and the resulting stigmatization, Islam would be allegedly a religion based on concepts and practices entirely incompatible with European values such as democracy, human rights, freedom of thought, conscience and religion, the rights of women.

Ambassador Delmi spoke of the need to find adequate answers to questions such as how to avoid such an amalgamation. He averred that this was leading to acts of stigmatization and racism. The challenge was to appease fears on all

sides. This would provide a climate conducive to building and strengthening social cohesion by fighting against marginalization and discrimination founded on race, religion or culture. The desired outcome would be to adopt appropriate political measures to suppress islamophobia and promote intercultural harmony. In his opinion, answers to these problems would necessitate reflection in two domains. One would be to explore the possibilities and advantages of adopting and implementing policies favouring integration of Muslims in European countries. A second would consist of seeking a right balance between values of European citizenship and the exigencies of cultural and religious diversity.

Ambassador Delmi stressed that integration did not entail assimilation. Hence its major interest as a policy and approach favouring social cohesion and harmony within the overarching framework of respect for diversity. Integration was a progressive process, beginning with preliminary contact, leading to subsequent phases of transition and adaptation. Social integration, which is the ultimate objective, ought to be perceived as a dynamic process, built upon a conducive social, economic and political environment. Such an environment is created constantly through the positive effects of cultural diversity, citizens' values, and the fight against discrimination, social intermingling and participation of all components of the body politic in local and national governance. Civil society has an extremely important role to play in supporting the actions taken by States with regard to social harmony, and media in particular can play a vital role in countering exclusion, intolerance and social discrimination. These inclusive and participatory processes would lead to the development of a new social balance based on recognition and acceptance of religious and cultural diversity, respect for political principles and universally recognized rights, and a feeling of belonging to one society wherein the contributions of all are perceived as factors of collective enrichment.

Ambassador Delmi formulated a set of recommendations for a better integration of the Muslim dimension in the context of the European identity. These were: integrate the Muslim dimension in all reflections on European identity; demonstrate objectivity in dealing with the social and political aspects of the reality which is European Islam; favour equity between those of Muslim and of other faiths; raise awareness among non-Muslim Europeans of the true message of Islam; incite citizens of the European Union to accord due importance to the religious dimension in public space; promote the emergence and development of authentic Islam as a religion of tolerance, through a free and liberal exchange of ideas; and, initiate serious and serene discussions and

debate even on controversial themes. All of these would represent proactive steps towards the promotion of a truly inter-cultural society.



In his intervention, H. E. Ambassador Abdul Wahab underlined the important role played by the Independent Permanent Human Rights Commission of the OIC in the promotion of human rights and of interreligious and inter-cultural dialogue. IPHRC is an independent expert body established by the Organization of the Islamic Cooperation (OIC). Launched in February 2012, it is relatively new. It is also somewhat unique by way of being a transregional body spanning the globe and has a multidimensional mandate.

The Commission focuses on the promotion and protection of human rights and fundamental freedoms. Relevant to today's topic are IPHRC's mandates pertaining to (i) monitoring the observance of human rights of Muslim communities and minorities in non-Member States; and (ii) promoting inter-civilizational and inter-religious dialogue.

Dr. Abdul Wahab commended Dr. Meriboute for his study which he considered a meticulous presentation of thorough research of the historical and philosophical background as well as of contemporary developments. He equally thanked the Geneva Centre for commissioning the study, thereby rendering another valuable service for promoting mutual understanding and cooperative relations across cultures, regions and sectors.

He insisted that the panel discussion was not an occasion to play the blame game, as blame-games were always counter-productive, but rather an opportunity to invoke the collective responsibility to promote mutual understanding, harmony and stability, as influential voices in the field of human rights.

Ambassador Abdul Wahab outlined several ways to go about this task effectively. In this regard, he recalled the consensus that led to the adoption of the important Human Rights Council resolution 16/18 in 2011 which was a comprehensive framework for tackling the problems of discrimination and violence based on religion or belief. The follow-up meetings, called the Istanbul Process, represented a useful way of keeping this consensus alive, but this was not an end in itself. He insisted on the urgency of implementing and taking concrete actions to follow up on this framework, which assigns responsibilities to stakeholders at all levels, from the local upwards.



Dialogue among various religions and cultures is of utmost importance. This dialogue has indeed been going on for some time and with some positive results. However, considering the formidable challenges, there is an urgent need for enhancing, broadening, deepening and fine-tuning the dialogue. It has to be result-oriented. It has to be serious enough to strictly avoid blamegames. It has to be undertaken at all level – from the top down to the grass roots. It has to build bridges at all levels.

Dr. Abdul Wahab drew attention to the fact that the issue of terrorism needs to be understood in the correct perspective. To begin with, terrorism and terrorists have no religion. Islam certainly does not condone violence. If the perpetrator of a heinous crime claims to be a follower of a particular religion, that cannot be a justification for any negative treatment of other followers of that religion. Islam is a pristine religion; it stands for peace and harmony. Unfortunately, some Western voices conflate Islam with terrorism and violence. This feeds the machination of some political parties and politicians, who thrive on exploiting xenophobia and Islamophobia. A full and genuine implementation of resolution 16/18 can pave the way for tackling this issue.

Dr. Abdul Wahab noted that Muslim citizens of European States are legitimate members of the societies they live in. Their basic human rights must not be violated. Discriminating against Muslims is not the solution to existing problems. The solution lies in promoting and protecting the human rights of all members of society; and doing so without any discrimination.

Similarly, the Muslims do not only have rights; they also have responsibilities. They must fulfill their responsibilities as citizens of the States that they live in. By proving themselves as exemplary members of their societies, they would be doing a great service by way of facilitating the promotion of harmony at local, State and international levels.



The author of the study subject of the panel meeting, Dr. Zidane Meriboute, presented the principal elements of his research, findings and analyses, as well as certain recommendations.

There is a community of some 20 million Muslims in Western Europe, together with other minorities. The Muslim population is drawn from a wide variety of backgrounds, including to a greater or lesser extent all the nationalities and religious schools of the Muslim community worldwide. This community has been systematically subjected to

discrimination and harassment, though in some states to a greater extent than in others. As the writer Edwy Plenel has said, however, the language of exclusion is no more than the language of prejudice.

From the perspective of history, racism in Europe was a phenomenon that related mainly to the perception of Jews and to a lesser extent Gypsies as a threat to the fabric of society. This has been transformed into the new phenomenon of religious racism, which is directed against Muslims and against the ethnicities associated with the Muslim faith. Europe has never been homogeneous and there have been unceasing struggles for hegemony between various groups.

The archaeology (to use Michel Foucault's expression) of the intellectual case for racial theory in the writings of such theoreticians as Gobineau (1816-1882), described by Claude Lévi-Strauss as the father of racial theoreticians) offers a perspective on its rhetoric. Gobineau in turn inspired three key theoreticians to whom modern racial movements trace back their ideas: Houston Chamberlain (UK/Germany; 1855-1927), Édouard Dumont (France; 1844-1917) and Heinrich von Treitschke (Germany; 1834-1896).

The views of Gobineau and of his followers are crucial to the understanding of the 20th century racists: particularly the German 20th century leader Adolf Hitler in *Mein Kampf* and the French nationalist theoretician Charles Maurras (1868 – 1952). Gobineau's biological racism led directly to the anti-Semitism of the earlier part of the 20th century and then to the modern phenomenon of the identification of Arabs and other Muslims as a scapegoat for society's ills. Gobineau's claim was that there was what he called a "reciprocal repulsion" between Muslims and Europeans.

What underlies and sustains racism against Arabs and Muslims today is what may be characterised as "Contemporary European Phobic Discourse" (CEPD), which was developed in the classic period of anti-Semitism in the Nazi and Fascist countries before World War II and is in turn, consciously or not, founded on the racist doctrines of the writers cited above.

After the events of 11 September 2001, anti-Muslim racist ideas in Europe gained ground and the extreme right-wing movements in Europe have profited from the new anti-Muslim mood to propagate their ideas. There is a distinction to be made, however, between three areas of Europe, each characterised by its own religious background with the association of a specific nexus of social and political ideas in each case. These are the Latin zone, where France and Italy are the salient examples; the Anglo-Saxon/Protestant zone, characterised by the specific situations in the United Kingdom and in the Netherlands; and the

Orthodox zone.

In the Latin zone, a principal source of influence was Charles Maurras (1868 – 1952). He was instrumental in setting up the movement Action Française, whose objective was the restoration of the French nation to the twin principles of legitimate monarchy and Catholicism. Maurras regarded democracy as repressive and inequality as the natural state of affairs. He regarded Jews, Communists, Protestants, freemasons and Mediterranean foreigners as France’s principal enemies.

Meanwhile, the Muslim population of France exceeds 4 million, a figure reached in 2007, currently more than 5 million according to official data, while that of Italy stands at some 1.5 million. The vast majority of these are Sunni Muslims, though there are also Shi’a Muslims inter alia from Iran, India and Pakistan and Ismailis from India and East Africa. They can be categorized into a number of groups.



There are those who take philosophical positions, Islamic free-thinkers as it were, who are exploring new directions in Islam, as well as so-called “tajdidis” who are attempting to renew Islam on the basis of traditional practice. Those who have come most to the attention of the West are the Muslim Brotherhood and the Salafists. The Muslim Brotherhood originated in Egypt. They tend to resort to “ijtihad” i.e. to the interpretation of Islam to adapt it to contemporaneous imperatives of life in societies. The Salafists, who originated from the Arabian Peninsula, purport to adhere to Islam as it originally existed before interpretation or adaptation. These groups are in general quietist, or they may be activists who adopt a politicised interpretation of Islam. Violent extremist groups such as Al-Qaida and its imitators, or the so-called Islamic State have attempted to hijack Islamic dogma to usurp some kind of religious legitimacy for their crimes which violate the teachings of the three Abrahamic faiths including Islam. Western politicians and media have provided them with a huge public

relations boost. Indeed the latter have readily conferred on them the seal of legitimacy: that of belonging to one of the world's second most representative religion. They have done so by readily accepting their claim to be "Islamist" or violent "Muslim" groups and by bestowing off their own accord this usurped identity on such groups.

In both France and Italy, everyday racism is commonplace. Phobic acts against Muslims are encouraged by the contemporary European phobic discourse (CEPD) practised initially by the far-right parties but which is increasingly mainstreamed in common parlance. In 2014, in France, 764 anti-Muslim aggressions were enumerated. Many other such acts have taken place. There have also been incidents of anti-Muslim violence on the part of the police which have been documented. Similar phenomena are reported in Italy.

In Belgium, where 75 % of the population is Catholic, the ideas of Charles Maurras have also found their resonance. The Muslim community, though very substantial, representing some six per cent of Belgium's population of 11 million, has become alienated on account of the absence of sufficiently effective state action. This situation has been thrown into relief by recent terrorist incidents.

In the countries where Protestantism and Catholicism are equally represented, such as Germany and Switzerland there is a specific situation. In the Catholic zone of Switzerland there has been sympathy for the ideas of Charles Maurras and the stirrings of anti-Muslim far-right sentiment. Successive far-right parties have gained in influence. In 2009, a bizarre piece of constitutional legislation was passed banning the construction of minarets for mosques, while public opinion has been aroused against what is alleged to be the threat of mass Muslim immigration.

In Germany, on the other hand, it is no exaggeration to say the country has been a model of tolerance. Nevertheless, there are today the stirrings of extreme right wing movements that run counter to the mainstream. Certain influential politicians have begun to lend their voices to extremist sentiments that were hitherto the preserve of fringe right-wing movements. This has been associated with the mass migration into Germany of refugees, especially Syrians fleeing combat zones and also unemployment resulting from the stringent coercive measures/unilateral sanctions targeting the economy.

Meanwhile, in the Protestant zone, represented by the UK, the Netherlands and Scandinavia, the situation is different yet again. In these countries, there appears to be an innate disposition to accommodate diversity.

There is a range of right-wing movements in Britain which subject Muslims to abuse and discrimination. These include the English Defence League and the British National Party (BNP). Despite the spread of racism, however, the UK remains the European country where Muslims are best protected by the law and by the activities of the police. In October 2015, the government announced the establishment of a new community forum to assist Muslims to express themselves and declared hate crimes against Muslims a specific offence. Success in relations with Muslim populations in the UK is symbolised by the presence of Muslims in administrative and political positions up to the highest levels. Since 2007 Muslims have served as ministers in governments of all political persuasions in Britain.

The Netherlands resembles the UK in many respects. Respect for the multicultural nature of society is enshrined in law and equal status for migrant communities including Muslims was well established. There has, however, been at the same time an outburst of racist activity in the 21st century, following the murder of a right-wing politician, Pim Fortuyn, in 2002 and the subsequent killing by a Muslim of a Dutch film maker, Theo van Gogh, in 2004. The anti-Muslim political party, the PVV, has since been highly active. Between 2005 and 2010, there were 117 attacks on mosques in the Netherlands. A recent report has drawn attention to discrimination against Muslims in the fields of employment, housing and services.

In Denmark and Norway, where there are very small Muslim populations, a relatively stable situation was upset by the affair of the “cartoons”, when a Danish publication insisted on maintaining its freedom to publish by including insulting drawings of the Prophet Muhammad. There has also recently been an outbreak of extreme anti-Muslim rhetoric in Norway, orchestrated by the so-called Progress Party. The tragic event of Anders Breivik’s killing spree in Norway in July 2011 reveals that his militant ideology laid out a worldview encompassing opposition to Islam, calling Islam and Cultural Marxism the enemy and advocating the deportation of all Muslims from Europe.

In the Orthodox community of Greece, the central role of the Greek Orthodox Church is unchallenged. This has led to an institutional tendency to ignore any difficulties presented by the presence of a Muslim population amounting to 6 % of the population, most of them ethnic Turks of indigenous origin. Recently, the massive arrival of Muslim migrants fleeing Syria and other conflict zones has introduced new tensions.

Multiculturalism has broadly been the response of countries of Protestant and

northern culture to the issue of relations with Muslim immigrant communities. On the other hand, the Catholic southern countries have opted for assimilation. Europe's Muslims have not as a whole rejected either of these solutions although the latter may turn out to be problematic.

Across Europe, Muslims continue to be the victims of ethnic profiling, leading to police harassment and discrimination. A range of international organisations has expressed concern over this issue. In addition, Muslims are over-represented in prisons across Europe.

In terms of international law, there has been a consistent effort, by the United Nations and other bodies, to establish the illegality of racism, xenophobia and religious intolerance. Numerous reports<sup>2</sup> have been devoted to the issue and there has been a concerted movement to show that such hostile actions are intrinsically illegal. Specifically, it is argued that incitement to religious hatred should contravene international law. The principle is that international practice should enjoy legal status within the penal codes of individual countries.

There is also an argument that Islamophobia should specifically be the object of sanctions under international law. The difficulty is that this may contradict legal arguments that appear to be equally forceful that free speech should not be restricted. The Organisation of Islamic Cooperation (OIC) has made particularly strenuous efforts to obtain the prohibition of Islamophobic statements. The Council of Europe has also campaigned against Islamophobia.

The United Nations has also increasingly concerned itself with the issues of Islamophobia and discrimination against Muslims. The UN Commission on Human Rights and since 2006, the UN Human Rights Council which replaced it is evidently the most appropriate UN organ to occupy itself with the subject. In 2007, the representative of the OIC introduced the concept of "defamation of religion", which represented in its view a new form of racism, at a session of the UN General Assembly.

In the decade to 2010, the OIC campaigned to obtain the adoption of resolutions condemning the "defamation of religion", both at the UN General Assembly and the UN Human Rights Council. The concept of defamation of religion was first adopted by consensus on 8 March 2010 then set aside after gradual withdrawal of support from Western countries, in favour of other ideas relating more to the struggle against intolerance. The same year, later on, took place the so-called Istanbul Process, an international consultation overseen by Professor

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2. Such as, "Report of the Special Rapporteur on freedom of religion or belief" A/HRC/28/66/Add.1, 23 December 2014.



Ekmeleddin İhsanoğlu, Secretary-General of the OIC, after which the OIC adopted a twin track strategy, on the one hand seeking to promote a consensual strategy in favour of the fight against religious intolerance, while on the other hand conducting a dialogue with Western nations.

Speaking to the 15th session of the UN Human Rights Council in September 2010, Professor İhsanoğlu proposed an eight-point programme, of which the most salient points were the following: 1) speak out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence; 2) adopt measures to criminalise incitement to imminent violence based on religion; 3) underscore the need to combat denigration to negative religious stereotyping and incitement to religious hatred.

Finally, following the abandonment of the idea of focusing the OIC's efforts on the defamation of religion, a resolution (16/18) was passed at the 16th session of the UN Human rights Council which embodied much of what the OIC now sought to obtain in the way of placing a prohibition on the incitement of religious hatred and violence.

The five recommendations of the study may be summarised as follows. These are to be drawn to the attention of European governments and international bodies.

1. To reach a definition of “confessional racism”
2. To create within each National Human Rights Commission a sub-Commission representing civil society and those state services which specialize in the struggle against racism and discrimination.
3. To enhance further the awareness of the European public.
4. To undertake radical reform of the Islamic educational system in Europe.
5. To prioritize individual liberties.

In his opening remarks, Ambassador Idriss Jazairy, Executive Director of the Geneva Centre and Moderator of the panel, stated that the object of the panel was to discuss the issue of promoting social harmony in the context of European citizenship enriched by diversity. All world religions encourage peace and harmony, but there are attempts to distort their messages to use them as instruments of conflict. Thus, it is essential that believers of each religion, as well as human beings in general, react strongly against the hijacking of the Muslim faith and its instrumentalization for the purpose of justifying violence.



The understandable public outrage across Europe in the wake of terrorist attacks is unfortunately manipulated by the media and certain political elements to nurture the conflation of Islam with terrorism, providing violent extremists unfounded religious legitimacy and unsolicited propaganda. This represents a challenge to, and needs to be addressed by, both, Europeans and Muslims in the region. The denunciation of these dangerous phenomena is at the core of the Geneva Centre’s activities and the panel meeting is part of a series of events that seek to raise awareness and promote interreligious and intercultural dialogue based on tolerance and mutual respect. Indeed, the horrors of terrorism affect the Muslim community as much, if not more, than the others. Excessive and repetitive use of phrases such as “Islamic militants” to refer to terrorists today would be tantamount to identifying as “Christian militants” the Nazis whose belt buckles carry the logo “God is with us”.

Muslim communities today are caught between the hammer of the imminent danger of terrorist groups such as Daesh and Boko Haram, on the one hand, and the anvil of growing Islamophobia and the emergence of xenophobic populism in some European countries and in the US, on the other. The panel discussion is therefore an opportunity to think about how to pave the way towards social harmony in Europe and beyond. In so doing it serves the Geneva Centre’s mission to foster interreligious and intercultural dialogue while combating discrimination and Islamophobia.



Ambassador Jazairy noted that the leader of one of the European Union States had asserted recently that Islam did not belong spiritually in Europe, as it was allegedly incompatible with Christian values. Underlining, on the contrary, the long history of Islam in Europe, as continuator of the other two Abrahamic religions (Judaism and Christianity), Ambassador Jazairy recalled that Islam was the second religion in France after the Christian faith. He deplored the tendency in Europe to reduce all persons associated with the Islamic sphere to their religious identity dimension, whilst downplaying their professional abilities, or the role they play in their family, neighborhood and wider social circle. Having passed his childhood under Nazi occupation in France, he said this was exactly what was then said regarding the Jews. “Never again this” it was later proclaimed, but the economic crisis, unemployment, military operations in the Middle East, have led former hatreds to be rekindled but now redirected against Muslims.

As the theme of the panel indicated, its purpose was to seek to chart “the road to social harmony”, through appropriate and adequate political and pragmatic measures in Europe, in a bid to move from the Nation-State towards the European Unity wherein diversity would represent a social force and a promoter of progress. True social harmony begins in schools and extends beyond into the awareness of citizenship. It immunizes people against social viruses by vaccinating them against contemporary phobic European discourses.



Ms. Gloria Nwabugu, Human Rights Officer at the Anti-Discrimination Section of the Office of the UN High Commissioner for Human Rights, observed that religious intolerance remains a priority that needs to be urgently dealt with. It needs to be considered globally as its manifestations are many and are not limited to Islamophobia. Hate crimes are on the rise, racial profiling in public and work places continues to prevail. The international community is cognizant of these issues and the UN is according increasing attention to religious intolerance and violence based on religious belief. In this regard, she welcomed this side-event panel discussion organized by the Geneva Centre. She observed that, overall, there is an increase worldwide of religious intolerance, not just in Europe and not against Islam alone but concerning other, different groups. Many UN resolutions, actors and human rights mechanisms currently deal with Islamophobia, discrimination and related violence. Such intolerance is also integrated into other issues such as gender and the plight of migrants. Often,

public discourse exacerbates Islamophobia and negative stereotyping against many religious groups. Some political parties build upon these, peddling fear and contribute to tearing up the social fabric, contributing to mistrust and social instability.

Human Rights Council Resolution 16/18 represents a huge and practical step forward, offering guidance on several measures that can be adopted, at the administrative, legislative, policy and practical levels. In terms of general trends in this regard, she noted that States report that they are in the process of taking measures at the constitutional and legal levels to ensure respect for human rights. Monitoring at the national and local levels of hate crimes contribute considerably towards strengthening both, legal protection and outreach to victims.



Dr. Fawzia Al Ashmawi, President of the Forum for European Muslim Women, retraced the arrival of Muslims in Europe to the Second World War, when they arrived, principally from North Africa and former Yugoslavia, to replace mobilized workers. Their families followed exercising their right to family reunification under the Universal Declaration of Human Rights and various texts elaborated under the auspices of the International Labour Organisation.

Later followed young Muslim men and women, who came to Europe for higher education and elected to stay there, becoming doctors, lawyers, professors. This generation is integrated into European society.

There remain the other Muslim immigrants who enter clandestinely, without visas or residence permits, and often find themselves behind bars for illegal entry and stay. Currently, discrimination against Muslims deprives them of education, employment opportunities, pushing them towards illegality. Women find themselves doubly discriminated against, as they, on the one hand, cannot get themselves educated as their husbands are poor workers, and on the other, as a result, cannot find jobs other than menial ones. Even certain requests for citizenship are rejected on the grounds of the limited means of the applicants or of the fact that women wear a headscarf.

In a written statement, Ms. Bariza Khiari, member of the Senate of France, representing the city of Paris, and a member of the Foreign Affairs, Defence and Armed Forces committee of the Senate, observed that since the past few years, Islam has become a political subject, making it lose its spiritual and religious dimensions. Regarding Islam in Europe, she underlined its diversity.

Between Eastern Europe in general and France or the United Kingdom, there are to be found a whole range of varying situations that renders any generalization difficult. One would also need to consider separately the situations in Albania and Bosnia, where Islam has a specific status due to history. Thus, there isn't a single Islam in Europe but many different expressions of Islam in European countries. And the relation that the different populations of these countries have with Islam also varies significantly. Ms. Khiari therefore argued that she was wary of a simple reference to the "Muslim community", which she considered reductionist in the face of the variety of individual profiles.

That being said, Europe is currently going through a wave of rising radical populism, with Islam as target, equated with violence and terrorism. The French population, itself comprising 4 million Muslims, is demonstrating increasing defiance towards them, and for some today, Islam would be incompatible with the Republic. This is unfortunately being exploited to the hilt by populist political candidates, notably during election periods. On the other hand, the structures responsible for representing French Islam systematically represent the national interests of their countries of origin. Ms. Khiari observes that Islam in France has been brought to the status of a foreign religion, ill integrated and not prone to integration in its environment. This is further compounded by the fact that most imams function within the framework of the social codes of their countries of origin, which moreover finance the concerned places of worship.



To roll back the growing hatred, there is an urgent need to promote the notion that Islam is a genuinely national religion and not an expression of foreign desires and motivations. In this respect, Ms. Khiari said she could not but agree with all the recommendations in Dr. Meriboute's study. Addressing the social aspect of the question remains of paramount importance, in particular the status

of women, for Islam contains the fundamentals of equality, if one were to appropriately contextualize its scriptures.

H. E. Ambassador Obaid Salem Al Zaabi, Permanent Representative of the United Arab Emirates, delivered a statement from the floor during the debate with the audience. He highlighted the importance of the theme and the need for a multi-sector, comprehensive approach to formulate recommendations aiming at social harmony. Ambassador Al Zaabi quoted Sheikh Mohammed bin Zayed, who during a recent visit to the Vatican, emphasized the urgent need for stronger cooperation between countries and organizations to adopt policies that promote, tolerance, dialogue and constructive communication between civilizations.

Ambassador Al Zaabi mentioned the UAE's success in creating a model of coexistence and tolerance, illustrated by the recent establishment of a Ministry of Tolerance. He encouraged Muslim communities in Europe to participate more proactively in the economic, social and cultural activities of the European countries concerned to encourage intercultural cooperation. He also underlined the important role played by the media and civil society in the promotion of multiculturalism and tolerance.



This statement was followed by several interventions from the floor. One questioned whether Islam as a religion belongs to the personal sphere or to the public sphere as a religion of the State. Egypt in particular is grappling with this issue. Another aspect raised is the attempt by Muslims in Europe to seek common ground with the treatment meted to Jews in the past. However, the only point in common is the relegation to ghetto communities. An intervention underlined that the current Islamophobia is in fact a reaction to what is perceived as a practice rather than a doctrine, such as the FIS in Algeria or Daesh in Iraq. The



panel conceded that the political agenda of certain Islamic groups does indeed fuel fear in the West but pointed out that extremists are isolated even within their own Islamic countries and hence are not representative. The overwhelming majority of Muslims in Europe favour harmony and are themselves victims of terrorist attacks. One ought therefore to avoid an amalgam between Islam and violent extremism.



The Ambassador of Oman thanked the Geneva Centre for its past and ongoing work, including this panel discussion and observed that the objective has to be harmony between Muslims themselves and between Muslims and Europeans. Everybody should contribute to this effort and work hand-in-hand to bring to the forefront real Islam which is by essence peaceful. This could be done, inter alia, through seminars, workshops, conferences. Oman is active in such efforts, which also require the support of the media. The Ambassador suggested that the Permanent Missions of Arab countries in Geneva encourage the holding of women's exhibitions, fashion shows, concerts, with a maximum of media coverage. This would contribute to the creation of an open space for dialogue and lead to a serene understanding of the true, peaceful Islam, whose fundamental values are love, tolerance, equity, justice.

In this context Ambassador Jazairy observed that the Emir Abdelkader the Founder of contemporary Algeria said already a century and a half ago that love of God and compassion for His creatures are basic to all religions. They only differ on the path that takes one there.

One participant raised the issue of the treatment of non-Muslims in Muslim countries as second-class citizens, citing the examples of Christians and non-Shias in Iraq, Pakistan. He therefore suggested that all Muslim States

also treat non-Muslims equally, otherwise the fear of religious domination will continue to exist.

In response and conclusion, Ambassador Jazairy noted that the problem of discrimination, be it in relation to religion, race, gender, exists everywhere in the world. He proposed that Europe set the example in suggesting ways of moving forward, that there be an open, serene debate and in-depth discussion with the European Union, Germany and France whose representatives are present in this panel discussion but who haven't spoken. He put forth the idea of organizing another meeting to enable a constructive discussion on all issues in an effort to foster harmony and encourage diversity as a strength, thereby leading to better integration. The meeting could come up with a strategy to assist societies in Western Europe in particular, to enable all to work together better in this noble endeavor.



## **DRAWING LESSONS FROM THE PANEL MEETING**





Both, the study by Dr. Zidane Meriboute and the panel presentations as well as ensuing discussions, clearly illustrate how complex and urgent the issue under consideration is, encompassing multiple dimensions of a historical, political, economic, social, psychological and of course religious nature.

As a preliminary step in reflecting on the theme of the workshop, one could perhaps cite three writings.

First, the Scriptures. It is clearly stated in the Holy Koran that to kill wantonly a single soul is like killing the whole of humanity (5, 32). So much for terrorism and Islam!

With regard to concepts, as the intellectual and cleric Sheikh Ahmadou Bamba (1853-1927) eloquently put it, “You are right in saying that I do jihad, I indeed lead a jihad for the love of God, my holy war consists of spreading science and piety”. So much for jihad and terrorist attacks!

In terms of biased perceptions, as Jacques Berque (1910-1995) observed, “There are no underdeveloped societies. There are societies that are under analyzed, under estimated, under -appreciated”. So much for labeling Islamic societies as intrinsically incompatible with Western societies!

One of the fundamental aspects of this controversial subject is the widespread misinterpretation or misconception of Islam, which leads to stigmatization, discrimination and assimilation with extremist violence directed against the Christian and Jewish West – as well as against Muslims themselves.

There is an overtly prevailing conviction that Islam as such advocates violence, preaching the annihilation of all infidels or non-Muslims. Within this distorted vision, the idea of jihad is held up as a banner, rallying the cause of Muslim radicals, totally deviating from its original and authoritative connotation of an internal struggle to get closer to God, a struggle against the evil one does not wish to do but does! It is therefore of fundamental necessity to collectively, and universally, examine and delve into the different holy texts without prejudices and assumptions.

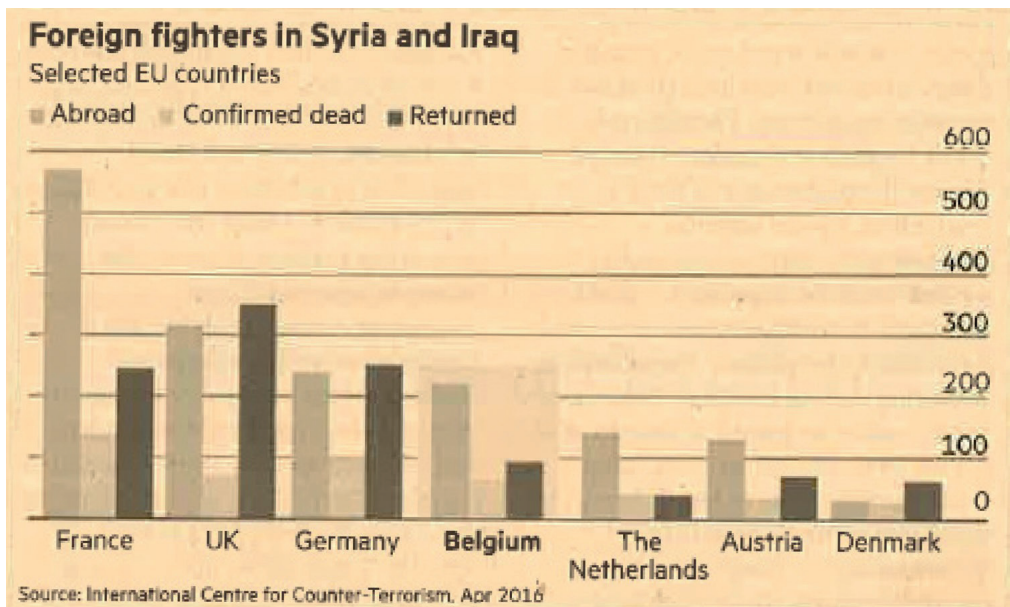
Such a reading demonstrates that the Koran talks about Adam and Eve, Abraham, Solomon, Moses, Judgement Day, John the Baptist, the Virgin Mary in an entire chapter. And Jesus, or Issa, is mentioned over a hundred times, as the Righteous, the Word of Truth, a witness for Allah.

Current views and prejudices are thus totally out of step with the Scriptures. And

in the context of the current debate, it is particularly worthwhile noting that both the New Testament and the Koran speak repeatedly of compassion, forgiveness and reconciliation and that we should love one another, but especially our enemies, unconditionally, to the point of blessing them and praying for them.

Stepping away from the holy texts and into the real, modern world, one finds that quite a lot of Westerners and Muslims in the European Union do not really know, respectively, the Bible and the Koran well at all. With regard to modern day Muslims, most rely on their religious and political leadership to explain to them what the Koran preaches. Second or third generation Muslims in Europe often know precious little about Islam. They are no different from the angry youths of European extraction and those aspiring for adventure who are attracted by enticing messages spread across the Internet by criminal groups.

From the table hereunder, one can draw interesting comparisons on the relative performance of European countries in addressing the new-age phenomenon of the “angry youths” going to fight with Daesh. From it, one could develop best practice as to how best to roll back violent extremism.



*Quoted by the Financial Times of 2 November 2016, page 9.*

As is characteristic of social media today in the age of Twitter, such messages appeal no more to reason but to emotions. These messages carry purposefully distorted notions of “jihad” luring adventurous young men and women to an illusionary paradise of virgins and wine beyond self-immolation to murder the innocent while the Prophet demanded that compassion prevail even in war; he

prohibited the killing or ill-treatment of women and children and even forbade the cutting down of trees!

This sums up the tragedy of the ambivalence of the Sacred which has blighted the world from time immemorial. From the Crusades to the Wars of Religion, to the “Gott mit Uns” (God is with us) of the Nazis, to the “Lord’s Resistance Army” killers in Northern Uganda and to Daesh, history has witnessed arrogant human attempts to make world religions subservient to their earthly criminal ambitions.

One way to redress this lamentable situation would consist in the short term in challenging more effectively the hijacking of religion to serve criminal purposes. Such an approach could stress that, in fact Islam does not claim to be a new religion but simply to complete the Divine Message that Moses, Moussa, and Jesus, ‘Issa brought to humanity. Thus a Jew or a Christian is, in essence or spiritually, no foe of a Muslim, imbued with a sense of humility toward God and the universe. This calls into question the credibility of a certain view held in some Western quarters, of Islam as a mysterious, incoherent and distant religion bent upon the destruction of the West, just as would the opposite view of a modern Crusade by a militaristic, expansionist Christian and Jewish West be seen as threatening Islam. In the specific context of Europe, it is worthwhile noting here that, on the one hand, Judaism and Christianity were also born outside of contemporary Europe, and on the other, Islam was present and practiced in Europe ever since the Eighth century, in Andalusia, Sicily, and a little later in the Balkans.

Thus, let the vehicle of European unification continue to progress but let it not do so by using Islam as its combustible!

In practical terms, one would need to get across the above messages and truisms to movers and shakers, to opinion-leaders in various communities, key businessmen, religious leaders, the media people, demonstrating and convincing them of the common ground between the different faiths and cultures, in an attempt to improve their understanding. Some of course will be unswayed: those that use Islamic specificity simply to legitimize racial prejudice or the hatred of diversity.

But over the longer term, it ought not to be ignored that economic and social marginalization and deprivation remain among the fundamental causes of the rise of modern day violent extremism. Unemployed and listless youth, injustice, food insecurity, illiteracy, represent a social cancer and provide fertile ground for indoctrination, witch-craft and violence not excluding the search for Rambo-style intrusion into a virtual paradise that will turn out to be hell. And

for those who promote it to reap its benefits, terror is becoming a moneymaking franchise and violence, an attractive economic sector with a globalized and competitive world market (e.g. currently between Daesh and Al Qaeda).

As the interventions by the panelists pointed out, contemporary European phobic language needs to be considered within the broader framework of discrimination against all minorities world-wide, be they Muslims, Jews, or others. Such discrimination and the subsequent socio-economic marginalization and physical violence flow from a fear of what is different. And it is in the nature of politics to exploit this fear to political benefit and ends. It is therefore essential to attempt to gain acceptance of, and tolerance towards, diversity, which needs to be rightly considered as an enrichment of society at large. Unfortunately, current trends in Europe seem to run in the opposite direction. In a recent article, the author cites the case of a high school student in Denmark, born to a Danish mother and an Iranian father and brought up in the country, whom a far-right member of the Danish Parliament denigrated by declaring that this is not how one becomes Danish. Indeed, such an attitude, denying the possibility of becoming Danish even down several generations, delivers a fatal blow to all attempts to foster integration of immigrants and of diverse faiths<sup>3</sup>. In the USA, the FBI reported in November 2016 that attacks against American Muslims surged in 2015. The data, which is the most comprehensive concerning hate crimes in the country, showed an alarming rise in some types of crimes tied to the year's presidential campaign and the terrorist attacks within the US and abroad since 2015. Attacks against Muslim Americans witnessed the biggest surge in 2015, with a jump of about 67 percent over 2014<sup>4</sup>.

### **Conclusions and recommendations**

Dr. Meriboute's study, the thought-provoking panel presentations and the rich and constructive discussion that followed offer various perspectives for future steps and concrete action, as briefly sketched below.

A fundamental premise of all these perspectives, highlighted in the study and equally stressed by the distinguished panelists, is an approach based on tolerance and collective responsibility, with the sole aim of promoting dialogue between populations and regions of all cultures and religious faiths, building bridges between them and thereby fostering, strengthening, universal social cohesion and harmony.

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3. Ravinder Kaur, "Who says you're a Dane?", The New York Times, October 17, 2016

4. Eric Lichtblau, "Attacks on Muslim Americans Fuel Increase in Hate Crimes, FBI Says", The New York Times, November 15, 2016

More specifically, there is a need to show solidarity towards all victims of terrorism, without distinction; recognize that terrorism, violent extremism and xenophobia are common challenges to both European and Muslim communities, and address them accordingly; fight the distortion and manipulation, particularly by the media and in public discourse, of the true message of Islam as also of other religions; put a stop to the socio-economic marginalization of certain communities, through an inclusive and participatory process and a consensual effort.

An eight-step approach is recommended to address current challenges:

1. As a first step towards achieving this, one could envisage the holding of an international conference, bringing together scholars, religious and community leaders representing the main religions and regions of the world. And within the overarching framework of such an endeavor, it would be crucial to explore the road to social harmony of religious minorities, whether this refers to Muslim minorities in WEOG States, Christian minorities in Muslim States, Muslim minorities in Hindu and Buddhist States or to denominations, orders or distinct followings within religious groups (Protestants in Catholic majority States and vice-versa, Shias in Sunni governed States and vice-versa). This would be aimed at devising policies whereby the religious minority groups can allay fears due to misunderstandings of diversity and foster acceptance thereof while States can promote dialogue and bridge-building as well as special representative conciliatory mechanisms to address minority claims.

Such a conference would need complex and meticulous preparation and organization, in terms of participants, financing, agenda-setting, rapporteurs, press coverage and follow-up, if it is not to remain a one-time event.

With regard to its agenda, the conference would need to propose specific and practical solutions to appease fears on all sides, undo the conflation between the presence of religious minorities and the security challenges, reverse the ongoing marginalization of religious communities and minorities, promote a better integration of the religious minority dimension in the States' identity e.g. of the Muslim dimension in the European identity. The conference could propose the establishment of an institutional framework to promote a continuous dialogue among various religions and cultures, through a free and liberal exchange of ideas and serious but serene discussions and debate even on controversial themes. It could identify concrete actions to constitute a follow-up, assigning responsibilities to stakeholders at all levels of society and governance, propose the creation of necessary structures, and suggest

ways and means of sensitizing and educating influential media with regard to this issue.

To avoid confusion and deliberate exploitation by the ill-intentioned, terminologies need to be clarified and contemporary European phobic language could be unpacked. This could also be put on the agenda of the aforementioned international conference<sup>5</sup>.

The international conference could come up with a set of recommendations, a draft plan of action, addressed to the various actors involved, and establish follow-up mechanisms in terms of monitoring, reporting and evaluation.

With regard to the preparation and organization of such a conference, a preliminary step would be for the Geneva Centre, the European Commission against Racism and Intolerance (ECRI, Council of Europe) and the Office of the UN High Commissioner for Human Rights, to constitute a group of experts. The group could also include one or two governmental or regional representatives from each of the five regions (WEOG, Africa, Eastern Europe, Asia, Latin America), one each from the African Union, the OIC, the European Union and the Council of Europe.

This group of experts could draw up a plan of action based on the panel interventions and discussions, Dr. Meriboute's study and the present reflections. Upon this basis, the Geneva Center, ECRI and the Office of the UN High Commissioner for Human Rights could convene an international conference to discuss the plan of action and propose concrete measures for its implementation.

2. Governments need to go beyond the security aspects of de-radicalization and of uprooting extremist violence, to address the root causes, mentioned earlier. The ultimate objective would be to adopt a holistic approach taking into consideration the various social, economic, food security, education and employment factors. A first and very important step was made in this direction by the Geneva Conference on Preventing Violent Extremism organized by the United Nations in partnership with the government of Switzerland on 7-8 April 2016. It requires intensive follow-up.
3. The police and security forces could be instructed to contribute increasingly to upholding the respect for universal human rights and to ensuring the overall protection of the civilian population, of all religions and/or beliefs,

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5. See for instance: "*Petit lexique pour comprendre l'islam et l'islamisme*" published by Eric Bonnier under the direction of Hasni Abidi (2015)



as much from terrorist attacks as from xenophobia, incitement to hatred and violence based on religious and racial discrimination. All States would be invited to include reports on their annual action plan every 4 years in the context of the Universal Periodic Review of their country.

4. An important pillar of all such efforts would consist of steps to overturn the prevailing socio-economic marginalization of minority groups. Various means could be envisaged in different domains: promoting employment, through training and other measures such as ensuring a minimum access to employment opportunities, concerning unemployed youth in particular; promoting accessible housing for the poor; ensuring access to education, public health services and justice, as a basic right.
5. Religious leaders of all communities also have a crucial role to play. They need to develop new approaches in their religious education, taking into account the diversity of cultures of the people they address, providing insights into the authentic meanings of the Scriptures, traditions and their meanings, advocating openness and plurality of approach towards other faiths, promoting fundamental messages of peace and social harmony, philosophical rather than conflict-oriented dialogue, inducing greater interaction with civil society. Nor should social integration in this context be taken to mean assimilation. No durable peace or harmony, no pursuit of human commonality can be predicated on the obliteration of some key aspects of specific identities such as cultural background as shaped by religion or belief. This can only generate social disability, not social empowerment. Such is the underlying message of Article 18 of the Universal Declaration on Human Rights.
6. There is an acute need to include representatives of the mass media in the process of promoting social cohesion and harmony. Their outreach is indispensable to furthering appropriate and understandable messages that would contribute to reducing social tensions and misunderstandings concerning diversity. A separate approach needs to be developed toward the social media. The rise of extremism and populism in the MENA region and on both sides of the Northern Atlantic are now inconvertible realities which result from the States distancing themselves from their people. The hall-mark of this emerging trend is unrestrained hate-speech on the Internet and the replacement of arguments by images appealing not to reason but to emotions and which can convey poisonous messages spread at the speed of light. This appears like a tendency to move away from the gains of the Age of Enlightenment and return to rudimentary, emotional communication

through reductionist images. Social media, in and as of themselves, have indeed been a breakthrough in terms of freedom of opinion and of expression. Yet they can, in the context of anonymity, become a liability for social harmony. It is therefore urgent to devise an ad hoc policy at the UN level to plug what could be an ominous protection gap for minorities. An obvious solution would consist at least in adopting at the UN level the equivalent of the Council of Europe Additional Protocol dealing with hate-speech committed on-line, to the Convention on Cybercrime (also referred to as the Budapest Convention).

7. In this context, the Permanent Representative of Oman suggested during the panel discussion that a concerted effort to be undertaken by the Permanent Missions of Arab countries in Geneva to encourage, facilitate and support the holding of women's art and handicraft exhibitions, fashion shows, music concerts, ensuring wide media coverage. This would strikingly offset western perceptions of the low status of women in Islamic societies. It would furthermore contribute to the creation of an open space for dialogue and lead to a serene understanding of the true Islam, a word pregnant of the concept of "salaam" meaning "peace". Among its fundamental values figure tolerance, respect and equity. The Geneva example could then be emulated by Embassies of Arab countries in other European capitals and cities.
8. All of the above efforts require the support of the authorities and of the different segments of the international community at large, a support which needs to be harnessed in a coherent, systematic and efficient manner.

The formation of Nations throughout history has been a long-drawn and often painful process. The role, fate, plight of minorities has most often not been enviable going from genocide at worse to marginalization at best. No region can be exempted from criticism. The promotion of social harmony between minorities and the mainstream needs to be addressed in every region, not just in the Middle East where the issue of coexistence of different religious denominations and schools of thought within Islam as well as relations between Islam and non-Islamic minorities are problematic. Even in Myanmar persecutions of Rohingya Muslims are occurring under the eyes of the Buddhist majority, whose faith is known world-wide as peace-loving.

Human rights obligations make it a duty for States to respect, and to impose respect of, the dignity of all those who live within its borders. Already a few



years before the advent of Islam; the Koreichi inhabitants of Mecca adopted a Treaty called “the Treaty of the Virtuous”

(“Hilf al Foudhoul”) whereby the parties to it committed themselves to giving to the aliens in Mecca the same rights as to the natives of the City. That was a millennium and a half ago...

Long-term prospects make this a smart political and economic decision as well, since the countries which have successfully promoted social harmony in diversity are the ones which have grown to be the richest and the more powerful.

*Geneva, 19 December 2016*



**ANNEX I**  
**FULL STATEMENTS OF PANEL MEMBERS**



## **Opening Remarks by H. E. Dr. Hanif Hassan Ali Al Qassim**

*Chairman of the Geneva Centre for Human Rights Advancement and Global Dialogue's Board of Management*

**Excellencies,  
Distinguished panellists and participants,  
Ladies and Gentlemen,**

It is my honour and great pleasure to open this panel discussion entitled “Muslims in Europe: the road to social harmony”. I wish to express my gratitude and thanks to the Permanent Mission of People’s Democratic Republic of Algeria, as well as to the Organization of Islamic Cooperation’s Independent Permanent Commission on Human Rights, for their valuable support in organizing this meeting.

The purpose of our meeting comes as an expression of solidarity with all victims of blind terrorism, which now also targets diverse European citizens, including a high proportion of Muslims as well as citizens throughout the Muslim world, comprising Muslim majorities and religious minorities living there. Through resorting to our solidarity we can roll back all forms of violent extremism that equally threatens our societies, whether Western or Arab.

We are assembled today to discuss the issue of promoting social harmony in the context of European citizenship enriched by diversity. It is noteworthy to mention that the title of our panel, “Muslims in Europe: the road to social harmony”, refers to that of a study by that the Geneva Centre entrusted to Dr. Zidane Meriboute, whom we have the pleasure of counting among the panellists.

All world religions encourage peace and harmony, but distorting their message in order to use them as instruments of conflict is a sham. Thus it is essential that believers of each religions, as well as all human beings, react strongly against the hijacking of the Muslim faith and its instrumentalization for the sake of violence. Justified tensions and public outrage across Europe have reached their apex following recent terrorist attacks. In this context, media manipulation nurtures the conflation of Islam with terrorism, providing violent extremists unfounded religious legitimacy and unsolicited propaganda. The time has come to address this challenge common to both the European and the Muslim regions, namely terrorist crime. To this end, we should overcome ignorance of the other, which is a fertile ground for the increase of violence

and Islamophobia. The denunciation of these dangerous phenomena is at the core of the Geneva Centre activities, and today's meeting is part of a series of events that seek to raise awareness and promote interreligious and intercultural dialogue based on tolerance and respect for others.

Power vacuums caused by the various foreign military interventions in the Middle East and North Africa have created fertile ground for the proliferation of terrorist groups seeking to monopolize power. In the globalized world, terrorist activities do not stop at borders of destabilized Arab countries. They cross geographical boundaries and extend their scope to encompass innocent people in countries involved in military interventions.

Taking a stance following the same lines as the positions of the highest Islamic authorities, His Holiness Pope Francis said in August 2016: "It is not right to identify Islam with violence. This is not right and this is not true". Yet, manipulation of Islam nowadays is perpetuated by many so-called "experts", by politicians, as well as by the media who refuse to understand that the horrors of terrorism affect the Muslim community as much or more than the others. In the case of the recent Nice attack, for instance, more than a third of the victims were Muslims.

Excessive and repetitive use of phrases such as "Islamic militants" to refer to terrorists today would be tantamount to identify as "Christian militants" the Nazis whose belts buckles carried the logo "Gott mit Uns", "God is with us", or the terrorists of Uganda's Lord Resistance Army.

In conclusion, Muslim communities are today being caught between a hammer of the imminent danger of terrorist groups such as Daesh and Boko Haram, on one hand, and the anvil of growing Islamophobia and the emergence of xenophobic populism in some European countries and in America. In the US, the promotion of anti-Muslim sentiments has become an election issue in the campaign for the presidential election. In France, despite the decision of the State Council to suspend a ban on wearing the so called "burkini", the mindset that created an environment conducive to the adoption of such a measure remains an indicator of societal drift resulting from the rise of Islamophobic discourse. The UN Office of the High Commissioner for Human Rights said in this regard, on 30 August 2016: "these decrees do not improve the security situation but rather fuel religious intolerance and the stigmatization of Muslims in France, especially women. By stimulating polarization between communities, these clothing bans have only succeeded in increasing tensions and as a result may actually undermine the effort to fight and prevent violent extremism (...)".

Our meeting today should be an opportunity to think about how to pave the way towards social harmony in Europe and beyond. I believe that this debate, through the interventions of our distinguished panellists and audience, will contribute effectively to the success of the Geneva Centre's mission to foster interreligious and intercultural dialogue while combating discrimination and Islamophobia.

Thank you for being here and I wish you a successful and productive meeting.





**Opening remarks by H. E. Mr. Abdul Wahab**

*Chairperson of the Independent Permanent Human Rights Commission of the OIC*

On behalf of OIC's Independent Permanent Human Rights Commission, and on my own behalf, I would like to extend warm welcome to all of you to this important event that we have the pleasure of cosponsoring with Geneva Centre for Human Rights Advancement and Global Dialogue.

It is also with great pleasure that we present to you the highly enlightening study on the subject of "Muslims in Europe: The Road to Social Harmony". Addressing one of the burning issues of today, this study has come out at the right time.

The author – Honourable Dr Zidane Meriboute – deserves our utmost appreciation for his efforts. The study is a meticulous presentation of thorough research of the historical and philosophical background as well as of contemporary developments. The author's recommendations speak for his grasp of today's global environment and his sincere wish for judicious solution to the problematic state of affairs. Thank You – Dr Meriboute – for this excellent work.

By commissioning this study, the Geneva Centre has rendered yet another valuable service for promoting mutual understanding and cooperative relations across cultures, regions and sectors. The active and constructive role that the Centre plays for the promotion and protection of human rights through global dialogue is highly commendable. We wish the Centre success in the pursuit of its noble objectives.

Ladies and Gentlemen!

The topic of today's event is of close relevance to the work of Independent Permanent Human Rights Commission (IPHRC) that I have the honour to represent. To begin with, let me briefly introduce the Commission. IPHRC is an independent expert body established by the Organization of the Islamic Cooperation {OIC}. Launched in February 2012, it is relatively new. It is also somewhat unique by way of being a trans-regional body spanning the globe and has a multidimensional mandate.

The Commission focuses on the promotion and protection of human rights

and fundamental freedoms. Relevant to today's topic are IPHRC's mandates pertaining to (i) monitoring the observance of human rights of Muslim communities and minorities in non-Member States; and (ii) promoting intercivilizational and inter-religious dialogue.

IPHRC has been working diligently on matters related to the promotion of human rights for all and for facilitating mutual understanding, peace and harmony. We stand ready to work with all concerned for the successful pursuit of these common objectives. I thank you all!

**Opening remarks by H. E. Mr. Boudjemâa Delmi,**

*Ambassador and Permanent Representative of Algeria to the UN Geneva and other international organizations in Switzerland*

**M. le Président du Centre de Genève pour les droits de l'homme,**

**Mesdames et messieurs les panélistes**

**Ambassadeur Jazairy,**

**Mesdames et messieurs**

**Souhais de bienvenue**

**Remerciements**

Au cours des dernières décennies, les rapports entre les musulmans et les populations des pays européens ont connu des évolutions qui n'ont pas été toujours positives. Cette nouvelle réalité a totalement bouleversé la perception que se font les européens de la présence de communautés musulmans en Europe. Il en a découlé d'émergence d'un amalgame et la multiplication des actes de provocation, de stigmatisation et de ségrégation.

Amalgame d'abord, entre la présence de populations musulmanes en Europe et les défis sécuritaires liés au contexte international actuel, notamment depuis les événements du 11 septembre 2001.

Provocation ensuite, avec des atteintes répétées aux valeurs sacrées des musulmans ;

Stigmatisation et ségrégation enfin, en raison de prétendues menaces qui découleraient de la présence de musulmans en Europe.

Selon les porteurs de cet amalgame et de cette stigmatisation, l'islam serait une religion fondée sur des concepts et des pratiques qui seraient totalement incompatibles avec les valeurs européennes que sont : la démocratie, les droits de l'homme, la liberté de pensée, de conscience et de religion, les droits de la femme....

Cette multiplication des manifestations d'islamophobie soulève plusieurs questions :

- Comment éviter l'amalgame, les actes de stigmatisation et de racisme ?
- Comment apaiser les craintes des uns et des autres ?
- Comment construire et renforcer une cohésion sociale en luttant contre la

marginalisation et la discrimination fondées sur la race, la religion ou la culture ?

- Quelles sont les mesures politiques à prendre par les pays européens pour lutter contre l'islamophobie et pour promouvoir la cohésion sociale, condition essentielle à la promotion d'une harmonie intercommunautaire ?

Pour répondre à ces questions deux champs de réflexion méritent d'être explorés :

- le premier s'intéressera aux avantages des politiques d'intégration des musulmans dans les pays européens pour favoriser l'harmonie et le vivre ensemble;
- le second portera sur la combinaison des valeurs de citoyenneté européenne avec les exigences des diversités culturelle et religieuse.

Il convient d'abord de préciser que l'intégration n'implique pas forcément l'assimilation et de ce fait, l'intégration reste une réponse adéquate pour favoriser la promotion d'une atmosphère de cohésion sociale et d'harmonie entre les différentes composantes de la société.

Les processus d'intégration se déclinent en phases d'accueil, de transition et d'adaptation. Ce qui suppose un accompagnement pour une mise en adéquation avec les droits et les devoirs des citoyens, une insertion sociale (scolarité, apprentissage, linguistique, aide sociale, prise en charge médicale, logement, emploi...).

L'intégration sociale ne doit pas être perçue comme une situation figée, elle mériterait plutôt d'être conçue comme un processus, une dynamique et une interaction qui se nourrissent d'un environnement social, économique et politique propice.

Cet environnement se construit au quotidien par les effets positifs de la diversité culturelle, les valeurs de la citoyenneté, la lutte contre les discriminations, la mixité sociale et une participation de toutes les composantes de la collectivité nationale aux processus de gouvernance locale et nationale.

Même si le processus d'intégration relève des politiques et programmes arrêtés et initiés par les gouvernements, il reste que la société civile a un rôle important à jouer en appui aux actions déployés par les pouvoirs publics. A cet égard, les médias peuvent jouer un rôle crucial pour lutter contre l'exclusion, l'intolérance et la discrimination sociale.

A travers ce processus, qui peut parfois prendre du temps, les musulmans qui sont placés dans un environnement propice seront plus à même de combiner

leur mode de vie avec la culture, les valeurs et les modes de vie de la société d'accueil. De ce fait, ces musulmans enrichiront aussi cette société de leurs apports.

De telles pratiques amèneront les différentes composantes de la collectivité à modifier leur façon de penser et d'agir pour créer les conditions propices à une coexistence pacifique basée sur la combinaison des normes et valeurs de tout un chacun.

Ce processus aboutira inmanquablement à la construction d'un nouvel équilibre basé sur la reconnaissance des diversités religieuse et culturelle, le respect des principes politiques et des droits universellement consacrés et un sentiment d'appartenance à une même société ou les apports de chacun sont considérés comme facteurs d'enrichissement collectif.

Il faut à cet égard se féliciter du fait que le Conseil de l'Europe a agi dans ce sens en décidant de mener une campagne avec le slogan « Tous différents, tous égaux ».

Cette initiative, qui mérite d'être saluée, est susceptible de contribuer à créer les conditions d'une harmonie sociale au sein d'une collectivité en réunissant sur les éléments différents qui la composent autour de valeurs et de normes communes, donnant ainsi la possibilité à chaque musulman de prendre sa place dans le pays d'accueil et d'en être un acteur à part entière.

Ce slogan et cette campagne du Conseil de l'Europe sont en parfaite adéquation avec la définition et la portée du concept "d'harmonie sociale".

En effet, les sociologues définissent l'harmonie sociale « comme étant l'ensemble des éléments et processus qui tendent à renforcer la capacité d'une société à assurer de manière durable le bien-être de tous ses membres, cela inclut un accès équitable aux ressources disponibles, le respect de la dignité de chacun dans la diversité, une autonomie personnelle et collective et une participation responsables »

L'harmonie implique donc la reconnaissance, par les populations des pays d'accueil, des spécificités des musulmans pour autant que les règles d'intérêt général soient respectées par tous.

Cette harmonie sociale exige aussi des musulmans, qui résident dans les pays européens, qu'ils agissent selon des normes convenus.

Eléments de réflexion et Conclusions :

- intégrer la dimension musulmane dans toute réflexion sur une identité

européenne;

- faire preuve d'objectivité dans la gestion sociale et politique de la réalité de l'islam européen ;
- Favoriser les facteurs d'équité entre les croyants de foi musulmane et les fidèles d'autres religions;
- Le désir d'harmonie implique la prise en compte des attentes des musulmans dans l'espace européen, mais également la sensibilisation des citoyens européens non-musulmans sur le vrai et authentique message de la religion musulmane ;
- Les citoyens de l'Union européenne, quelle que soit leur religion, devraient s'accorder sur l'importance de la citoyenneté et des fondements démocratiques, mais aussi sur la place de la dimension religieuse dans l'espace public. ;
- Promouvoir le développement d'un islam tolérant et ouvert par des activités d'élaboration et de diffusion d'idées ;
- Initier des débats responsables qui n'hésitent pas à aborder des thèmes susceptibles d'irriter. Ces débats doivent être conduits dans un esprit d'objectivité, d'ouverture et de liberté d'expression, sans limites, dans un climat de respect mutuel et de réciprocité, ainsi que de «co-inclusion réciproque»;

L'objectif ultime de l'ensemble de ces actions est de dépasser le cadre d'une cohabitation relativement passive pour réinventer et rendre opérationnelle la promotion de l'inter culturalisme, qui se limite actuellement souvent à des formes expressives et culturelles, voire folkloriques.

Ce n'est qu'en faisant face à la réalité et en mettant en évidence les évolutions positives, que pourrait enfin être possible ce que nous suggère le livre de Zidane Meriboutes : "les musulmans en Europe, la voie vers l'harmonie sociale".

Je vous remercie pour votre aimable attention.

## **Statement by Ambassador Idriss Jazairy**

*Executive Director of the Geneva Centre for Human Rights Advancement and Global Dialogue*

**Mr. President,  
Excellencies,  
Ladies and Gentlemen,**

I have the pleasant task of moderating a panel organized by the Geneva Centre in cooperation with the Permanent Mission of Algeria and the OIC Independent Permanent Human Rights Commission. The theme that brings us together today is of an extreme topicality, namely: Muslims in Europe: the road to social harmony. For this purpose, the Geneva Centre asked a renowned intellectual, Mr. Zidane Meriboute, to write an eponymous book that can feed our reflection and thus our discussion.

Paris Senator Ms. Bariza Khiari, Member of the Foreign Affairs, Defence and Armed Forces Commission who wished to be with us, sent a written contribution, which is available in the room. I highly recommend you read it.

Let me dwell ever so slightly on the theme of our debate:

First: “Muslims in Europe”

I have read a statement made by an EU official from Eastern Europe criticizing Islam “that does not spiritually belong to Europe and which is incompatible with Christian values”. This is quite precisely the antithesis of our conference.

I spent my childhood under Nazi occupation in France and that is exactly what was said at the time about the Jewish religion. “Never again” has been proclaimed thereafter. Yet, fate has decided otherwise. With the economic crisis, underemployment and the backlash of foreign military operations in the Middle East, societies around the Mediterranean are moving towards disorder. Old hatreds persist but metamorphose taking now Muslims as target. The latter are therefore, at the same time victims of terrorism in the Arab world and alongside with other innocents in Europe, where they face the rise of populism that create fear of the Other, the Muslim, in the pursuit of electoral advantage.

Islam is presented by the European official as alien to Europe.

It is true that the unavailability of imams in Europe in sufficient numbers led to

the sending of imams that have insufficient knowledge of French from North Africa. This is a problem shared with the Christians: the drying up of priestly vocations. In the Savoyard village where I live, the mass is rarely held. But when this happens, it is said by a roaming Cameroonian priest who does not master French well. We need to find appropriate solutions to local recruitment of imams and priests.

There are some unfortunate cases where foreign funding to build mosques in Europe were accompanied by politicization of sermons, which is incompatible with the principle of purity of the Faith. Should we prohibit foreign funding...? When the South wanted to ban foreign funding for associations, major Western NGOs have mobilized to denounce worldwide violations of the rights of associations.

All that does not mean that Islam is a foreign religion in Europe. Islam has the same geographical origin of Judaism and Christianity. Moreover, it is the simple continuation of Abrahamic faith. Being arrived to Europe a few centuries after Christianity, in 711 AD, Islam can hardly be called a newcomer!

Furthermore, 75% of Muslims in France are French as the recalls Ms. Khiari, Senator of Paris in his address that was distributed to you.

The Senator also underlined the term “Muslim” covers a multitude of rites, various religious practices schools, and practicing and non-practicing people. Any generalization about “Muslims” can generate errors. Even when referring to Salafis, a rigorous school of Islam, one should not ignore that this practice must have” the laic principle “of the Universal Declaration of Human Rights, Article 18 on freedom of religion and belief.

There is compatibility found between Salafism and quietist. Who would dream of banishing the Amish US? While claiming to be wrongly of Islam today as elsewhere or in other times of Christianity, heretical preachers incite violence or terrorists commit crimes, it is not Islam, nor Christianity or the believers that should be condemned, but the perpetrators of such criminal behaviour or criminal.

Given the diversity of circumstances of those associated with the Islamic world, it is convenient somehow to denounce the trend of essential zing Muslims in all circumstances by only focusing on the dimension of their religious identity. Why not seeing in the other the engineer, the administrator, a comely neighbour or a housewife rather than being obsessed with his only identification with Islam? This should be considered an unhealthy attitude if it were of Judaism,



for example. It is however not least in this case.

The second part of the theme of our panel discussion on “the road to social harmony”.

Given the diversity covered by the term “Muslim”, it is normal that some policies in some European communitarianism societies are more appropriate than in others where integration is preferred.

Hence, the title of this panel discussion: “the road to social harmony” is beyond the patterns that are set up to avoid quarrels in schools. In other word to search for natural policies and practical measures to restore European social harmony. Around a citizenship on the way of expansion from the nation state to the European nation. Inclusive citizenship is based on the “coexistence” where diversity becomes a force for progress.

Social harmony begins at school.

It continues in the concept of citizenship that should be the carrier coexistence.

It consolidates into the openness to the other; the withdrawal is the result of the feeling of exclusion.

It immunizes against social viruses through vaccinating European peoples against the contemporary European phobic discourse, carrying a ready-to-wear Islamophobia, which are the preferred by the populists of all sorts. “Misnaming things” recalls the Senator of Paris, quoting Albert Camus, “is participating in World woes.

Social harmony is the jewel of the Enlightenment, the bearer of a rich civilization in Europe as illustrated in the words of Voltaire when he said: “I do not agree with what you say but I will fight to the death for that you have the right to say it.” Faced with the absurd campaign against the headscarf or the “Burkini” on European beaches this summer, we expect that if Voltaire had been alive he would have said: “I do not agree on what you wear but I fight to the death for that you have the right to wear.”

Social harmony is eventually these beautiful words spoken by roughly the same era when the Emir Abdelkader el-Jazairy said: “If Muslims and Christians had wanted to lend me their attention, I would have stopped their quarrels. They would have become externally and internally brothers.”

For various reasons, religion through the bias of greater visibility of Islam in Europe has a growing impact on political discourse. There are concerns about the politicization of Islam, which is actually problematic. No less worrying

however are the abuses by political “freedom to manifest his/her religion or belief alone or in community with others and in public” I emphasize “public” in private “as stipulated in the Universal Declaration of Human Rights.”

For various reasons, through the bias of greater visibility of Islam in Europe religion has a growing impact on political discourse. There are concerns about the politicization of Islam, which is actually problematic. No less worrying however are the abuses by political “freedom to manifest his/her religion or belief alone or in community with others and in public” I emphasize “public” in private “as stipulated in the “Universal the Declaration of Human Rights.”

The theme of this panel discussion in a nutshell is to advocate for an inclusive secularism in Europe mindful of human rights and to not a marginalizing secularism as Edwy Plenel described the misdeeds in his fine book “To Muslims.”

### **Statement by Dr. Zidane Meriboute**

*Author of “Muslims in Europe: the Road to Social Harmony”, published by The Geneva Centre for Human Rights Advancement and Global Dialogue*

Au nombre de vingt millions, les Musulmans d'Europe occidentale sont originaires pour l'essentiel de pays membres de l'organisation de la conférence islamique et se rattachent à différents courants religieux : sunnites, chiites, soufis. A l'origine, l'installation de ces Musulmans soulevait tout au plus de l'indifférence, voir l'exotisme et, parfois, une inimitié « contrôlée ».

Avec le choc de la Révolution iranienne (1978-79) on assista à un changement de paradigme dans l'attitude européenne envers leurs minorités. Ensuite, tout a basculé avec les attentats du 11 septembre 2001 à New-York, puis Paris et Bruxelles en 2015/2016.

Les mass média occidentaux se focalisèrent sur de nouveaux boucs émissaires: les Arabes et les Musulmans. Ils ont progressivement construit une inquiétante islamophobie.

L'analyse de l'ensemble du phénomène est complexe.

Selon mon expérience, dans une organisation internationale humanitaire pour laquelle j'étais chargé des relations avec les communautés musulmanes, je butais parfois sur l'obstacle des approches parcellaires (exemple : choix d'études pays par pays). C'est pour cette raison que j'ai choisi d'examiner la situation des minorités musulmanes de manière plus globale et ce, dans trois espaces géoculturels européens souvent caractérisés par des passés religieux et socio-politiques différents.

Dans le premier groupe dit latin d'Europe du Sud, de sensibilité à majorité catholique, privilégiant l'assimilation, l'intégration culturelle et le centralisme jacobin, j'ai sélectionné la France et l'Italie.

Pour le deuxième groupe anglo-saxon et de culture à majorité réformiste (protestante) du nord de l'Europe, avantageant le multiculturalisme, la diversité religieuse et le brassage des identités, l'Angleterre, la Hollande, le Danemark et la Norvège ont été sélectionnés.

Enfin, le troisième groupe, de confession orthodoxe, est essentiellement composé de la Grèce et de l'attitude complexe des Orthodoxes à l'égard des Musulmans.

Dans ces trois espaces socio-culturels, l'hostilité comme la marginalisation des communautés musulmanes obéissent à deux phénomènes :

L'un lié à la nature du pouvoir et à l'hégémonie des groupes majoritaires, l'autre relève du racisme dit biologique et confessionnel.

Dans le premier phénomène, dit hégémonique, ce que les historiens du XVIII<sup>e</sup> siècle comme Augustin Thierry ont qualifié de « lutte des races » ou « antipathie des races », ce qui a souvent servi à certains groupes ethniques et sociaux (ex. les Francs) de prétexte pour contrôler les plus importants leviers du pouvoir. En d'autres termes, les « antipathies de races » que connut l'Europe d'alors, étaient essentiellement liés à l'exercice du pouvoir, aux privilèges, aux coutumes et à la fortune. Elles n'avaient pas une signification raciste au sens pseudo-biologique

Historiquement, dans le cas de la France, cette domination s'est particulièrement illustrée par l'hégémonie des Francs germains (...) envers la population « subalterne » gallo-romaine » soumises à leur joug. Et plus récemment les populations immigrées italiennes et espagnoles jouèrent ce rôle subalterne.

Aujourd'hui les minorités ethniques et religieuses notamment d'origine musulmane jouent à leur tour ce rôle de subalternes. Elles sont systématiquement discriminées, absentes des hautes fonctions étatiques, tenues complètement à l'écart de toute représentation nationale parlementaire et presque inexistantes dans les services diplomatiques européens.

A titre d'exemple, aujourd'hui en France, sur la liste des 577 députés français, on ne compte que quatre représentants issus de la minorité musulmane et sur 348 sénateurs, seuls 3 sont de confession musulmane. Quant à la liste officielle des 630 députés italiens qu'on a examinée, on constate avec regret qu'un seul représentant musulman a été élu. Et de la liste officielle des 315 sénateurs italiens, on note qu'aucun n'est issu de la minorité musulmane.

Enfin, les enfants issus de l'immigration, notamment de confession musulmane sont, « trop peu nombreux » dans la fonction publique et, contrairement aux minorités de confession juive ou d'origine arménienne, ils n'ont aucune « visibilité » dans les médias, ou les partis politiques.

Le deuxième phénomène dit de racisme « biologique » à caractère confessionnel s'inscrit dans une logique de défense culturelle prétendument « raciale » des partisans extrémistes européens, contre un prétendu péril des races noires, asiatiques ou arabo-musulmanes.

Les racistes en question se réfèrent à la doxa des « théoriciens des races » qui se targuent d'expliquer les phénomènes sociaux par l'influence héréditaire

et raciale. Parmi ces théoriciens citons Arthur de Gobineau que Lévi-Strauss qualifie de « père des théoriciens racistes » (...). Le discours des théoriciens racialistes a été adapté aux communautés musulmanes d'Europe. Il se manifeste de trois façons:

1. Par un discours européen incitant au racisme confessionnel anti arabomusulman, que je dénommerais discours ou « Langue instigatrice des phobies européennes contemporaines» (ci-après « discours phobique européen »). Il s'agit d'une langue particulière développée dans le but d'humilier volontairement les arabo-musulmans. En effet, les extrémistes de la droite européenne font usage d'un langage instigateur de phobies contre cette communauté musulmane et, plus généralement, contre les immigrés. Plus précisément, dans les médias occidentaux, lorsque des faits répréhensibles sont rapportés et que les suspects ou coupables sont d'origine arabe ou musulmane, cette origine est systématiquement mentionnée (par exemple, il est toujours précisé : le Français « d'origine arabe », « marocaine », « algérienne », « tunisienne » ou « égyptienne », etc...)
2. Par le profilage ethnique. Dans l'ensemble des 27 pays membres du Conseil de l'Europe, les forces de l'ordre contrôlent, interrogent, fouillent, humilient et arrêtent souvent des personnes ou des groupes d'individus en raison de leur appartenance ethnique, raciale, religieuse ou de leur origine nationale supposée: c'est ce que l'on appelle le profilage ethnique, racial ou contrôle au faciès. L'Open Society de G. Soros nous précise que dans « cinq lieux répartis entre les gares parisiennes et leurs abords immédiats » les individus qui semblaient « arabes », sont contrôlés en moyenne huit fois plus fréquemment que les « blancs ». Le profilage ethnique est pratiqué comme on l'a déjà dit dans tous les pays membres du Conseil de l'Europe. Il est particulièrement généralisé « dans les attitudes ou les comportements des policiers européens». Des résultats statistiques montrent clairement que parmi les groupes minoritaires interrogés dans dix États membres (UE), il ressort que les Roms, ainsi que les Maghrébins de type arabe et, dans une moindre mesure, les Turcs sont les groupes les plus fréquemment contrôlés. Ils font plus souvent l'objet de contrôles que les groupes majoritaires sur une période de 12 mois, soit 2 à 3 fois, voire 5 fois plus de contrôles.
3. Par une surreprésentation des Musulmans dans les prisons européennes Les détenus de religion musulmane sont surreprésentés par rapport aux autres religions dans la plupart des établissements pénitentiaires d'Europe (britanniques, français, belges, hollandais, allemands et même suisses).

Au Royaume Uni, un rapport du Ministère de la Justice établit que: « Le nombre de prisonniers se déclarant musulmans a augmenté de 141 pour cent entre 1997 et 2007 ». En France, une étude indique que « la proportion de détenus musulmans oscille entre 50% et 80% dans les établissements proches des grands centres urbains (...) ». Aux Pays-Bas, 20% des détenus sont musulmans alors qu'ils représentent 5,5 % de la population, et, à Genève, plus de 57% de la population carcérale est musulmane. Les pratiques discriminatoires, les confinements dans les banlieues-dortoirs se sont révélées néfastes pour l'intégration et ont mené à la marginalisation, à l'appauvrissement et surtout à l'enfermement d'une frange de cette population dans des activités illicites (trafic de drogue, d'armes, de marchandises et radicalisation sectaire); à ces minorités on reproche souvent d'exercer des activités dans le marché clandestin, sans se rendre compte qu'on les a cantonné dans ces « métiers » maudits en les excluant de fait d'autres, beaucoup plus honorables;

Le fort pourcentage de Musulmans dans les prisons européennes n'est pas lié à la religion, mais à l'échec des politiques d'intégration et à la « déshérence sociologique » à laquelle les minorités musulmanes ont été soumises. Celles-ci ont été entassées dans des quartiers insalubres, sans eau courante ni électricité, ni même de réseau sanitaire et d'égouts. La grande pauvreté, l'isolement et la précarité financière ont engendré un haut niveau de délinquance au sein des communautés musulmanes, mais cela n'a aucun rapport avec leur religion. Cette situation est très semblable à la question de la surreprésentation des Africains dans les prisons américaines qui s'explique par ces mêmes facteurs économiques et sociaux, et bien évidemment pas par leur couleur de peau ou leur religion.

Réflexions sur le droit international contemporain et les notions de haine raciale et religieuse versus la liberté d'expression

Nous nous proposons de focaliser l'essentiel de notre démonstration sur la nature juridique de trois concepts: l'incitation à la haine raciale et religieuse, l'islamophobie et la diffamation des religions.

### **Le concept de l'incitation à la haine raciale et religieuse**

les Pactes relatifs aux droits civils et politiques (1966) et les conventions des Droits de l'homme instituent une règle cardinale qui oblige les Etats parties à sanctionner les discours de nature à diffuser une propagande de guerre ou inciter à la haine raciale ou religieuse.

Plusieurs indices fournis par la doctrine, par la pratique des Etats, par les

décisions du Comité des Droits de l'Homme de l'ONU et du Comité de l'ONU pour l'élimination de la discrimination raciale, attestent que l'article 20 du Pacte relatif aux droits civils fait désormais partie du droit coutumier auquel aucun Etat ne peut déroger.

### **L'islamophobie et le droit international**

Le concept d'islamophobie demeure souvent présent dans l'esprit des juristes, même si ces derniers utilisent plutôt une terminologie juridique plus générale. Mais quelle est actuellement la nature exacte de l'islamophobie en droit international? S'agit-il d'une coutume en « formation rapide » ou d'une « coutume instantanée »?

Les instruments relatifs au concept d'islamophobie inaugurent une véritable évolution des droits de l'homme. En d'autres termes, le concept d'islamophobie est progressivement précisé et reconnu à travers, des convictions universellement acceptées par les Etats par le biais des résolutions et déclarations au sein des organisations régionales ou des organisations internationales, reflétant ainsi une *opinio juris* universelle. Ce phénomène représente précisément ce que le professeur Bin Cheng appelle le droit coutumier instantané. Il se manifeste surtout dans le domaine où la pratique est inconstante, ou éparpillée, voire fragmentaire, mais où l'on peut discerner un accord général quant à un comportement souhaitable, ce qui est le cas de l'islamophobie.

### **Le concept de « Diffamation des religions » à l'ONU et à l'OCI**

En 2007 déjà, les pays musulmans et le groupe de l'OCI ont défendu le concept de « diffamation de l'islam » comme une nouvelle forme de racisme, mais les pays occidentaux l'ont vivement rejeté, lui reprochant de répondre à des objectifs politiques et de limiter le droit à la liberté d'expression.

La réticence des pays occidentaux a considérablement entravé la formation de l'élément psychologique (*opinio juris*) au sein de l'ensemble de la communauté internationale. Par conséquent, il serait difficile d'invoquer une quelconque coutume universellement établie dans le domaine de la « diffamation des religions ». Dans ce dernier cas de figure, il convient de se référer plutôt à la coutume régionale (liant un groupe d'États) et locale (ou bilatérale). Pour identifier ce type de coutume, il faut admettre naturellement un usage constant et uniforme de la pratique des États. Comme pour la coutume générale ou universelle il s'agira ici aussi de vérifier si la pratique avait été acceptée, ne fût-ce que tacitement, par chacun des États prétendument liés par ladite coutume; c'est le cas pour les Etats des pays musulmans membres de l'OCI. La coutume

régionale apparaît, en général, comme une sorte de règle spéciale dont le fardeau de la preuve revient toujours à l'Etat (ou au groupe d'Etats) qui cherche à s'en prévaloir. En l'occurrence, la charge de l'existence de cette coutume reviendrait aux pays musulmans membres de l'OCI qui s'en prévalent. Si l'existence de celle-ci n'est pas prouvée, le juge doit appliquer le droit général. Signalons que même si les pays musulmans gardent tactiquement en réserve la notion de « diffamation des religions », ils se gardent toutefois de l'utiliser dans les instances internationales.

En effet, à partir de 2010, suite à un processus de réflexion engagé à Istanbul (« Istanbul Process »), l'OCI a adopté la double stratégie qui consiste, d'une part à abandonner, toute référence au concept de « diffamation des religions » pour le remplacer par la notion consensuelle de « combat contre l'intolérance, les stéréotypes négatifs et la stigmatisation (...) fondées sur la religion ou la conviction », et d'autre part à poursuivre, dans le cadre du « processus d'Istanbul », la discussion avec les pays occidentaux sur la lutte contre le racisme confessionnel et l'islamophobie.



**Statement by H. E. Mr. Abdul Wahab**

*Chairperson of the Independent Permanent Human Rights Commission of the OIC*

The scholarly study by Dr Zidane Meriboute has covered all aspects of the subject. Also, I am sure that each one of us here has a fair idea of the complex situation that we are addressing today. I would, therefore, try to keep my presentation brief and to-the-point.

As we talk about this subject, we are not getting into any blame game; blame games are counter-productive anyway.

We are talking about the fact that European States of today have a significant number of human beings who are citizens of those States but who stand out as different for being the followers of a different faith - Islam. We are talking about the fact that this difference remains a source of real and serious tensions; these tensions have local and international ramifications.

There is a general recognition that any negative treatment of Muslims and their religion is no more a local issue; its impact is deeply felt in the Muslim majority countries and that this generates tensions in international relations.

There are multiple theories as to why the current state of affairs in European societies with Muslim population has reached such a dangerous degree. All theories and all angles point to the urgent need for ensuring respect for human rights and for building bridges.

As influential voices in the field of human rights, it is our collective responsibility to facilitate these societies in promoting mutual understanding, harmony and stability.

How do we go about it!

**FIRST: HRC RESOLUTION 16/18**

Let's begin with the consensus that international community managed to reach in 2011 and formalized it in Human Rights Council Resolution 16/18. This is a comprehensive document with a clear cut Plan of Action. It concerns not only Europe but the entire international community. It is a framework for tackling the problems of discrimination and violence based on religion or belief. It is applicable to, and implementable at, all levels – local and above; it assigns

responsibilities to all stakeholders.

While Resolution 16/18 had kindled hope for a better future, the absence of progress on its implementation is a cause for serious concern. The follow up meetings - The Istanbul Process – may be useful by way of keeping the consensus alive; but that should not be the end product. The consensus deserves nothing short of genuine follow up and implementation.

The Second action should be a full implementation of the existing international consensus.

The few additional points that I would briefly make have connections – one way or the other – to the consensus expressed in Resolution 16/18.

## **SECOND: DIALOGUE**

Also, of utmost importance is dialogue among various religions and cultures. This dialogue has – of course – been going on for some time and with some positive results. However, considering the formidable challenges, there is an urgent need for enhancing, broadening, deepening and fine-tuning the dialogue. It has to be result-oriented. It has to be serious enough to strictly avoid blame-games. It has to be undertaken at all level – from the top down to the grass roots. It has to build bridges at all levels.

## **THIRD: TERRORISM AND RELIGIONS**

The issue of terrorism needs to be understood in the correct perspective. To begin with, terrorism and terrorists have no religion. Islam certainly does not condone violence. Let me highlight that acts of terrorism anywhere in the world are swiftly condemned by the OIC, its Member States, its human rights commission, its media, its civil societies.

No doubt, terrorism is a heinous crime and a serious threat confronting humanity today. It is a menace that devastates lives of human beings irrespective of their religion; it does so in the West as well as OIC Member States.

If the perpetrator of a heinous crime claims to be a follower of a particular religion, that cannot be a justification for any negative treatment of other followers of that religion. Islam is a pristine religion; it stands for peace and harmony.

It is unfortunate that some influential voices in the West are bent upon conflating Islam and terrorism and violence. This is not only absolutely wrong, it is also totally counter-productive.

Ridiculing and insulting religions, religious values and religious symbols and denigrating the followers of a religion is not Freedom of Expression; it is pure and simple incitement to hatred. In this context, we profoundly appreciate the position taken by Pope Francis; and we hope his position would have a positive influence.

#### **FOURTH: THE POLITICS**

I am sure all of us are aware of the machination of some political parties and politicians who thrive on exploiting xenophobia and Islamophobia. This has been going on in Europe for some time; currently, we see it quite clearly in the US Presidential election.

This phenomenon poses rather too complex a challenge to the entire framework of human rights. On the one hand, it is the right of the electorate to choose their leader and vote for a party of their choice. On the other hand, the electoral success achieved through such nefarious ways is a sure recipe for blatant human rights violations and can only exacerbate the societal tensions.

While there may be no easy solution to such a complex phenomenon, the full and genuine implementation of Resolution 16/18 can pave the way for tackling this issue.

#### **FIFTH: FOR THE MUSLIMS OF EUROPE**

Muslim citizens of European States are legitimate members of the societies that they live in. Their basic human rights must not be violated. Discriminating against Muslims is not the solution to the existing problems. The solution lies promoting and protecting the human rights of all members of the society; and doing so without any discrimination.

Also, the Muslims have do not only have rights; they also have responsibilities. They must fulfill their responsibilities as the citizens of the States that they live in. By proving themselves as the exemplary members of their societies, they would be doing a great service by way of facilitating the promotion of harmony at local-level, State-level and international level.

Here, I would stop. Thanking you for your patience, I would be glad to answer any question.



**Written statement sent by Ms. Bariza Khiari**

*Member of the Senate of France, representing the city of Paris, and member of the Foreign Affairs, Defence and Armed Forces Committee of the Senate*

Paris, le 7 septembre 2016

**Mesdames, Messieurs, Chers amis**

Je tiens en premier lieu à remercier chaleureusement les organisateurs de cette session sur les musulmans en Europe.

De fait, l’Islam est devenu, ces dernières années, un sujet politique au risque de lui faire perdre sa dimension religieuse et spirituelle. Se joue ici une curieuse surenchère mêlant d’un côté les obscurantistes et radicaux et de l’autre les islamophobes qui finissent par se légitimer mutuellement. Cette double instrumentalisation contribue à donner une image déformée de l’islam tant au sein des sociétés européennes que des musulmans eux-mêmes.

Le premier constat est pourtant l’incroyable diversité de l’Islam en Europe. Entre la Pologne ou l’Europe de l’est en général et la France ou le Royaume Uni se joue une palette de situations variées qui rendent difficiles à mon sens toute généralisation. Il faudrait sans doute également traiter à part les situations de l’Albanie et de la Bosnie où l’Islam a une place particulière du fait de l’histoire. Il n’y a pas un Islam en Europe mais bien des Islams dans des pays européens.

La diversité est également du côté de cet Islam que l’on aurait trop souvent tendance à vouloir uniformiser. Il y a une diversité de rites qui sont le fruit de l’incroyable variété des pays d’où sont issus les premiers migrants. On pense bien sûr aux chiites et aux sunnites mais la variété se joue aussi dans les 4 écoles juridiques reconnues traditionnellement : les malékites sont principalement issus du Maghreb quand l’Inde et le Pakistan proposent d’autres pratiques de même que les Indonésiens. Pensons aussi aux soufis qui se manifestent dans de nombreux pays.

Plus encore, le rapport à la religion est bien différent suivant les populations concernées. Praticants réguliers, occasionnels, musulmans pour les fêtes, athées de culture musulmane, voilà la diversité de l’Islam en Europe aujourd’hui. En ce sens, j’ai tendance à me méfier d’une simple mention de « communauté musulmane » qui me semble réduire à une simple expression la variété de profils individuels.

Cette acception me paraît relever d'une culture anglo-saxonne où l'individu se voit parfois assignée une identité construite par d'autres. Je préfère de loin, vous le comprendrez, prendre une certaine distance critique pour éviter des raccourcis problématiques. Mal nommer les choses c'est participer aux malheurs du monde, disait Camus.

Cette diversité de situations rend aussi délicate un portrait trop général des politiques d'accueil. Entre le multiculturalisme nordique, l'intégration à la française et les politiques menées dans le sud de l'Europe, il n'y a guère de cadre unique.

Il est cependant des tendances lourdes qui ne cessent d'inquiéter comme le souligne l'ouvrage que vous présentez ici. L'Europe semble traversée par une vague de fond laissant monter des populismes radicaux et à l'écho croissant. Prenant l'Islam pour thème de bataille, nombre de ces mouvements contribuent à essentialiser la question de l'islam. Le musulman perd là aussi de sa variété pour prendre une coloration unique, souvent teintée de terrorisme et de violence. En cela, les radicaux de tous bords se rassemblent dans leur volonté de communautariser l'islam. Le racisme antimusulman prend une ampleur inédite qui doit nous faire réagir.

La France se caractérise en premier lieu par une présence importante de l'Islam sur son sol. On compte ainsi plus de 4 millions de musulmans, dans des situations très diverses rappelons-le.

A ce constat s'ajoute une défiance grandissante de la population française envers les musulmans. Pour certains aujourd'hui, l'Islam serait incompatible avec la République. Si l'on peut souligner que ces analyses expriment les angoisses d'une société en pleine crise économique, sociale et morale, angoisses que l'on peut dire générales au niveau européen, on doit aussi comprendre que ce désarroi bénéficie aux populistes qui exploitent les peurs, notamment en périodes électorales qui voient les musulmans être les otages des discours ambivalents de nombreux candidats.

Cette importance de l'Islam en France se double toutefois d'une réelle difficulté à structurer un Islam de France. Les instances chargées de représenter l'Islam de France représentent régulièrement les intérêts nationaux des pays d'origine. Malgré les efforts de personnalités engagées, l'islam de France est mal géré par les représentants des pays dont sont issus les musulmans français. Cette organisation par pays avait un sens lorsque les musulmans étaient en grande partie immigrés mais ils sont aujourd'hui Français à 75%.

Or la structure de l'Islam en France laisse croire que cette religion est hors sol, issue d'un phénomène migratoire et associée étroitement à ce dernier. Cela explique que seuls 8% des musulmans se sentent représentés par le Conseil Français du Culte Musulman. L'Islam en France semble ramené au statut de religion étrangère, mal intégrée et mal intégrable. Une religion des migrants et non une religion désormais installée comme la 2e de France.

En second lieu, les imams, issus pour nombre d'entre eux, du pays d'origine fonctionnent avec les codes de ces pays. Dès lors, la pratique se heurte à de multiples incompréhensions entre croyants et guides. Autre problème, le financement des lieux de culte. Pris en charge davantage par les pays d'origine que par les dons locaux, ces lieux de culte sont dès lors irrémédiablement associés à ces pays et perdent de leur caractère national voire confessionnel.

Tous ces éléments confortent l'idée d'un Islam en France mais pas d'un Islam de France, d'une religion coupée du terreau national, greffon qui ne prend pas et semble sans cesse inadapté.

Les autorités ont dès lors essayé de mettre en place les moyens de l'émergence d'un Islam de France. Ce sera le cas avec la fondation des oeuvres de l'Islam qui devrait mettre en place des méthodes de financement transparentes et nationales, notamment via la filière Hallal, et également travailler à une formation nationale des imams, dans le respect de la laïcité. La nomination d'un ancien ministre à la tête de cette fondation a provoqué un débat notamment des élites musulmanes qui y voyaient une mise sous tutelle de cette religion et un certain retour à des pratiques d'un autre temps. Cela est d'autant plus dommageable que les élites républicaines et musulmanes existent. Je veux croire pourtant que nous avons ainsi les éléments d'une réelle mise en oeuvre d'un islam nourri de République.

En cela, je veux croire que nous faisons oeuvre de bonne politique, l'émir Abd el Kader estimait que « la politique consistait à prendre sur soi le destin d'autrui ». Il me semble qu'il n'est plus belle volonté d'agir en ce sens que de chercher à présenter l'islam comme une religion inscrite dans le territoire français et faisant partie de son histoire.

Nous ne ferons reculer les discours de haine qu'en procédant d'une religion proprement nationale et non perçue comme l'expression de volontés étrangères. Il faut inscrire les pratiques dans le concert national pour mieux les faire accepter.

Concernant les recommandations que suggère l'ouvrage dont nous rendons compte ici, je ne puis que les partager tout en insistant sur le fait que le traitement

de la question sociale est déterminant pour l'avenir de ces populations. Toutefois, cette question ne doit pas occulter celle, tout aussi fondamentale, du statut de la femme. L'Islam contient en son sein les germes de l'égalité, à condition de se donner les moyens de contextualiser les textes scripturaires.

Par ailleurs, la notion de racisme confessionnel doit se garder de vouloir rétablir un éventuel délit de blasphème. Nous devons être soucieux que la liberté d'expression ne souffre pas de remises en cause.

Enfin, il me semble également nécessaire de préciser que l'accent mis sur la notion de libertés individuelles doit comprendre nécessairement la liberté de changer de religion, de ne pas croire, de pratiquer selon son choix propre. Une définition peu précise de la liberté individuelle risque fort de n'aboutir à aucun droit.

Je vous remercie.



## **ANNEX II**

**DRAFT AGENDA FOR THE PROPOSED ONE-DAY  
INTERNATIONAL CONFERENCE:  
« TOWARDS UNIVERSAL SOCIAL HARMONY  
OF RELIGIOUS MINORITIES »**



## **Draft agenda for the proposed one-day International Conference**

### **“Towards universal social harmony of religious minorities”**

“Towards universal social harmony of religious minorities”

Opening remarks by the Chair

Designation of the conference rapporteurs

Introductory statements by the panelists representing/ the five regions/ the  
Christian and Muslim religions

Brief presentations by the participating organizations

### **Thematic discussions dealing with:**

- 1. Prevailing misunderstandings and misconceptions*
- 2. Marginalization of religious minorities and consequences*
- 3. Conflation between religious beliefs and violent extremism*
- 4. Proposals for practical solutions to promote social cohesion*
- 5. Identification of responsibilities and of follow-up mechanisms*

Final observations by the panel

Concluding remarks by the Chair







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# MUSLIMS IN EUROPE

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 democratic and equitable international order  
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 older persons  
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 special rapporteur  
 working group

