

**ECRI GENERAL POLICY
RECOMMENDATION No. 5**

**ON
COMBATING INTOLERANCE
AND DISCRIMINATION AGAINST MUSLIMS**

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The European Commission against Racism and Intolerance:

Recalling the Declaration adopted by the Heads of State and Government of the member States of the Council of Europe at their first Summit held in Vienna on 8-9 October 1993;

Recalling that the Plan of Action on combating racism, xenophobia, antisemitism and intolerance set out as part of this Declaration invited the Committee of Ministers to establish the European Commission against Racism and Intolerance with a mandate, inter alia, to formulate General Policy Recommendations to member States;

Recalling also the Final Declaration and Action Plan adopted by the Heads of State and Government of the member States of the Council of Europe at their second Summit held in Strasbourg on 10-11 October 1997;

Stressing that this Final Declaration confirms that the goal of the member States of the Council of Europe is to build a freer, more tolerant and just European society and that it calls for the intensification of the fight against racism, xenophobia, antisemitism and intolerance;

Recalling that Article 9 of the European Convention on Human Rights protects the right to freedom of thought, conscience and religion;

Recalling also the principle of non-discrimination embodied in Article 14 of the European Convention on Human Rights;

Bearing in mind the proposals contained in Recommendation N° 1162 on the contribution of the Islamic civilisation to European culture adopted by the Parliamentary Assembly on 19 September 1991;

Taking note of the conclusions of the Seminar on religion and the integration of immigrants organised by the

European Committee on Migration in Strasbourg on 24-26 November 1998;

Stressing that institutional arrangements governing relations between the State and religion vary greatly between member States of the Council of Europe;

Convinced that the peaceful co-existence of religions in a pluralistic society is founded upon respect for equality and for non-discrimination between religions in a democratic state with a clear separation between the laws of the State and religious precepts;

Recalling that Judaism, Christianity and Islam have mutually influenced each other and influenced European civilisation for centuries and recalling in this context Islam's positive contribution to the continuing development of European societies of which it is an integral part;

Concerned at signs that religious intolerance towards Islam and Muslim communities is increasing in countries where this religion is not observed by the majority of the population;

Strongly regretting that Islam is sometimes portrayed inaccurately on the basis of hostile stereotyping the effect of which is to make this religion seem a threat;

Rejecting all deterministic views of Islam and recognising the great diversity intrinsic in the practice of this religion;

Firmly convinced of the need to combat the prejudice suffered by Muslim communities and stressing that this prejudice may manifest itself in different guises, in particular through negative general attitudes but also, to varying degrees, through discriminatory acts and through violence and harassment;

Recalling that, notwithstanding the signs of religious intolerance referred to above, one of the characteristics of present-day Europe is a trend towards

a diversity of beliefs within pluralistic societies;

Rejecting all manifestations of religious extremism;

Emphasising that the principle of a multi-faith and multicultural society goes hand in hand with the willingness of religions to co-exist within the context of the society of which they form part;

Recommends that the governments of member States, where Muslim communities are settled and live in a minority situation in their countries:

- ensure that Muslim communities are not discriminated against as to the circumstances in which they organise and practice their religion;
- impose, in accordance with the national context, appropriate sanctions in cases of discrimination on grounds of religion;
- take the necessary measures to ensure that the freedom of religious practice is fully guaranteed; in this context particular attention should be directed towards removing unnecessary legal or administrative obstacles to both the construction of sufficient numbers of appropriate places of worship for the practice of Islam and to its funeral rites;
- ensure that public institutions are made aware of the need to make provision in their everyday practice for legitimate cultural and other requirements arising from the multi-faith nature of society;
- ascertain whether discrimination on religious grounds is practised in connection with access to citizenship and, if so, take the necessary measures to put an end to it;
- take the necessary measures to eliminate any manifestation of discrimination on grounds of religious belief in access to education;
- take measures, including legislation if necessary, to combat religious discrimination in access to employment and at the workplace;
- encourage employers to devise and implement “codes of conduct” in order to combat religious discrimination in access to employment and at the workplace and, where appropriate, to work towards the goal of workplaces representative of the diversity of the society in question;
- assess whether members of Muslim communities suffer from discrimination connected with social exclusion and, if so, take all necessary steps to combat these phenomena;
- pay particular attention to the situation of Muslim women, who may suffer both from discrimination against women in general and from discrimination against Muslims;
- ensure that curricula in schools and higher education – especially in the field of history teaching – do not present distorted interpretations of religious and cultural history and do not base their portrayal of Islam on perceptions of hostility and menace;

- ensure that religious instruction in schools respects cultural pluralism and make provision for teacher training to this effect;
- exchange views with local Muslim communities about ways to facilitate their selection and training of Imams with knowledge of, and if possible experience in, the society in which they will work;
- support voluntary dialogue at the local and national level which will raise awareness among the population of those areas where particular care is needed to avoid social and cultural conflict;
- encourage debate within the media and advertising professions on the image which they convey of Islam and Muslim communities and on their responsibility in this respect to avoid perpetuating prejudice and biased information;
- provide for the monitoring and evaluation of the effectiveness of all measures taken for the purpose of combating intolerance and discrimination against Muslims.

THE COUNCIL OF EUROPE

The Council of Europe is a political organisation which was founded on 5 May 1949 by ten European countries in order to promote greater unity between its members. It now numbers 47 European States.¹

The main aims of the Organisation are to promote democracy, human rights and the rule of law, and to develop common responses to political, social, cultural and legal challenges in its member States.

The Council of Europe has its permanent headquarters in Strasbourg (France). By Statute, it has two constituent organs: the Committee of Ministers and the Parliamentary Assembly. The Congress of Local and Regional Authorities of Europe represents the entities of local and regional self-government within the member States.

The European Court of Human Rights is the judicial body competent to adjudicate complaints brought against a State by individuals, associations or other contracting States on grounds of violation of the European Convention on Human Rights.

EUROPEAN COMMISSION AGAINST RACISM AND INTOLERANCE

The European Commission against Racism and Intolerance (ECRI) is a monitoring body established by the first Summit of Heads of State and Government of the member States of the Council of Europe. The decision to establish ECRI is contained in the Vienna Declaration adopted by the first Summit on 9 October 1993. The European Conference against Racism, held in Strasbourg in October 2000, called for the strengthening of ECRI's action. On 13 June 2002, the Committee of Ministers adopted a new Statute for ECRI, consolidating its role as an independent human rights monitoring body on issues related to racism and racial discrimination.

The members of ECRI serve in their individual capacity and are independent. The task of ECRI is to combat racism, xenophobia, antisemitism and intolerance at the level of greater Europe and from the perspective of the protection of human rights. ECRI's action covers all necessary measures to combat violence, discrimination and prejudice faced by persons or groups of persons, notably on grounds of race, colour, language, religion, nationality or national or ethnic origin.

ECRI's statutory activities are: country-by-country monitoring; elaboration of General Policy Recommendations; relations with civil society.

For further information on ECRI and its activities, please contact:

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¹ Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, "the Former Yugoslav Republic of Macedonia", Turkey, Ukraine, United Kingdom.

