

TACKLING DISCRIMINATION & INTOLERANCE AGAINST MUSLIMS



**Building links between civil society
organisations and national equality bodies**

Workshop Summary

25-26 January 2021



Co-funded by the Rights, Equality and Citizenship Programme of the European Union 2014-2020

1. Introduction

On 25-26 January 2021, Equinet hosted an online workshop on tackling discrimination and intolerance against Muslims. The event was co-organised with the European Commission's coordinator on combating anti-Muslim hatred. The workshop, following a high-level political event held in June 2020, gathered civil society organisations and national equality bodies to build links and work together on topics related to anti-Muslim hatred and discrimination. Throughout the workshop, experts from both equality bodies and civil society organisations elaborated on the phenomenon and shared insights on the challenges Muslim people experience in Europe. Contributions from the OSCE Office for Democratic Institutions and Human Rights (OSCE-ODIHR), the European Network against Racism (ENAR), the European Commission and Equinet highlighted the legislative framework for equality and gave an outlook on possible developments in the future. In small geographically based discussion groups, participants identified both the key challenges and practical solutions to improving the cooperation between equality bodies and civil society organisations at national level.

2. What should cooperation between equality bodies (NEBs) and civil society organisations (CSOs) focus on?

Major discussion points included the fields of **employment and education** and the obstacles Muslim people (or people perceived as being Muslims) encounter for instance in accessing jobs, at the workplace or in educational institutions. Particular issues were raised with regard to the **right to manifestation of belief** and the role of religious symbols in public spaces, where many Muslim people, and women in particular, experience discrimination and intolerance. Indeed, Muslim women experience **intersectional discrimination**, both because of **religion** and because of their **gender**, often seen in cases pertaining to the field of employment, relating to the headscarf or other religious symbols. Likewise, **counter-terrorism laws pose a particular challenge** as they may deem religious practices and symbols as signs of "radicalisation" and lead to the stigmatisation of Muslim communities as a whole.

This stigmatisation triggers also a considerable amount of **hate crime** and hate speech against Muslims or people perceived as such. Many participants called for stronger cooperation between CSOs and NEBs in this field, in particular to counter those forms of intolerant and hateful speech manifesting at institutional level, and NEBs are deemed particularly well placed to respond to it and raise awareness. Participants discussed how hate speech and hate crime often go **underreported**, as many people are not fully aware of their rights or what redress mechanisms are in place.

Participants also mentioned the need for cooperation in the **monitoring of actions by police forces** and the establishment of effective anti-racism and anti-discrimination training to address institutional anti-Muslim hatred and discrimination.

Cooperation between NEBs and CSOs needs to be strengthened to improve **access to justice** and **raise awareness**. Closer cooperation could improve not only the handling of cases being brought to CSOs by members of the community (and then, in turn, to NEBs), but it could also result in a stronger influence on **policymaking** and increase participation by representatives of Muslim communities in it. Together with NEBs, CSOs can contribute to the development of more effective **positive action measures**, to combat anti-Muslim hatred and discrimination. Additionally, there can be more cooperation regarding legal recognition of anti-Muslim racism / Islamophobia at state and regional level. This would be a way to **address populist intolerant discourses** and increase international support. Lastly, participants

discussed how CSOs and NEBs need to cooperate better in **sharing knowledge and data** on their work and build trust through networking. To benefit from each other and ensure regular, sustainable cooperation, participants expressed a need for stable communication channels and that initially, NEBs should take the initiative in reaching out to CSOs.

Benefits of NEBs and CSOs cooperating

- **Improved data collection** combining CSOs' enhanced access to communities and NEBs' powers and resources (even if many NEBs still don't have the adequate resources) to conduct surveys and prepare reports on discrimination.
- Cooperation between NEBs and CSOs may lead to **more powerful monitoring reports** to international organisations on the state of anti-Muslim hatred.
- NEBs may have more resources to conduct **strategic litigation**, which could be supported by the expertise of CSOs.
- **Trust in CSOs** makes them a good alternative channel for individuals to come forward and report discrimination. They can **share cases with the NEBs** who may provide support for individuals through their legal expertise and may have more resources to **support victims** to go to court. Consequently, an increase of cases reported to NEBs will improve the understanding of anti-Muslim hatred.
- **NEBs may act as a bridge between Muslim communities and the government.** By working with the CSOs that represent them, NEBs will propose more relevant policy and legislative recommendations to fight discrimination against Muslims.
- **As public institutions, NEBs provide a link to policy makers** in ways that CSOs might not be able to. Their resources allow them to focus on a wider range of topics which enables them to make all forms of discrimination visible to policymakers.

3. Obstacles hindering cooperation between NEBs and CSOs

There may be **unwillingness to cooperate** on both sides, for instance due to the political nature of issues or a **lack of trust** in public institutions. Specifically, mistrust in NEBs increases when they **lack independence**, for example when there are politicians in their executive boards who target Muslim citizens. Workshop participants, especially from CSOs in France, voiced their concern about **legislative barriers, linking back to the topic of counter-terrorism laws mentioned above.** The dissolution of the Collective against Islamophobia in France (CCIF) shows how the work of CSOs can be limited by these laws and the actions taken on their basis. CCIF was a crucial link between Muslim citizens and the French Defender of Rights, especially regarding the reporting of hate crimes. This, and citizen's **lack of knowledge on how to seek support** from NEBs, leads to higher levels of **underreporting of cases.**

Beyond that, many CSOs do not have enough **resources** for monitoring and data collection, and don't necessarily know of the existence of equality bodies who could support them with their own resources.

The **complexity of the system** makes it difficult for individuals to understand what constitutes discrimination and which institutional body can help them. Participants also pointed out how, in some Muslim communities, people hesitate to address discrimination as their community leaders highlight the importance of "good integration" of the community in society and they are reluctant to oppose them. This pressure to be "integrated" stems from **negative attitudes towards Muslims** in society, especially in countries with a smaller Muslim population.

Another obstacle to cooperation is the limited mandates of NEBs, as many of them lack a mandate in:

- **Counter-terrorism/Anti-radicalisation legislation**, there is tension between these and anti-discrimination laws;
- **Police violence and profiling** of Muslim people, which has increased during the Covid-19 pandemic;
- **Hate Speech and discrimination in the justice system and in public spaces**, for example when judges require Muslim women to remove their headscarf.

4. List of Actions for improved cooperation

a. Values and representation

- Leadership of CSOs/NEBs should **sign a charter that demands of them to respect equality and anti-discrimination values**;
- Adopt an **intersectional perspective**, for example regarding systemic discrimination against Muslim women wearing the veil;
- **More Muslim representation in NEBs**: Better representation would increase access to communities and encourage citizens to make complaints.

b. Channels of Cooperation

NEBs and CSOs may agree on areas that should be prioritised. This works especially well for **NEBs and CSOs that already work on similar issues**. NEBs can receive input from CSOs which they should make use of through their institutional position and communication channels. This is important when NEBs do not have access to the communities in an area of focus where CSOs do have access, and vice versa. For that to be effective:

- A **coordination committee** could be set up between NEBs and CSOs at national level.
- Formalised **“protocol” of collaboration** between NEBs and CSOs would increase trust in their work.
- An **internal exchange platform** should be set up for the sharing of good practices.
- CSOs and NEBs could organise a **wider consultation to communities** about challenges and needs:
 - Following this consultation, a **needs and context assessment** of communities should be carried out by CSOs to understand how to approach and identify actions to be taken;
 - **Regular meetings** should be set up with representatives from relevant stakeholders, NEBs, CSOs, communities, government, law enforcement.
- CSOs and NEBs could partner up on **EU funded projects**.

c. Learning from each others’ expertise

NEBs and CSOs can support each other and learn from each other as follows:

- **NEBs can submit Amicus curiae** in cases taken by CSOs;
- **Strategic litigation**: support of capacity building and advice provided by NEBs to CSOs and mutual strategising and cooperation;
- Setting up **training to NEBs by CSOs** working on racism and Anti-Muslim hatred;
- **Coalition of equality-focused CSOs** that could act as key interlocutors

d. Communication

One major discussion point among participants was how to improve and strengthen communication channels between CSOs and NEBs. They should support each other, especially regarding highly contentious issues. **Setting up regular and open communication channels** is vital for effective cooperation. This can be done through:

- Appointing a **reference person** in NEBs for Muslim CSOs;
- Consider developing **strategic communication on tackling anti-Muslim hatred** jointly;
- Develop a **toolkit for communication** and reporting to be used by both NEBs and CSOs
- Create **fact-sheets and guidelines** together;
- Launch **projects and campaigns** together, including on awareness raising of redress mechanisms;
- **Joint press releases and public statements** to single out specific cases and to support CSOs when they are unduly criminalized or attacked;
- Create **working groups** with NEBs and CSOs to address anti-Muslim hatred;
- More use of **social media** as a direct tool of communication to raise awareness of the rights of Muslims, as well as the importance of equality and non-discrimination more broadly, linked to discrimination based on religion or belief;
- Set up **emailing lists and national databases**.

e. Include more actors

- Other Human Rights Bodies
 - Human Rights coordinators (ENNHRI)
 - NHRIs
 - Ombuds
 - International bodies
 - Human rights NGOs
 - Feminist NGOs with an intersectional perspective
- Other minority groups
- Ministry of Interior (especially for hate crime)
- Local level politicians
- Law enforcement and police
- Advisory board including actors from Ombudsman, CSOs, government, law enforcement, communities' representatives
- Media
- Academics at national and international level (Research center groups)

5. Tentative Next Steps

- September 2021: Follow-up check-in with participants
- January 2022: Workshop II, organised with Federal Anti-Discrimination Agency, Germany

Workshop Agenda: Sessions & Speakers

[\(Agenda & bios available here\)](#)

I. ANTI-MUSLIM HATRED & DISCRIMINATION / RELEVANT FRAMEWORKS IN EUROPE

Moderator: Sarah Cooke O'Dowd, Communication Officer, Equinet

Anti-Muslim intolerance, hatred and discrimination: challenges and responses in Europe

- Đermana Šeta, Adviser on Combating Intolerance and Discrimination against Muslims, OSCE Office for Democratic Institutions and Human Rights
- Julie Pascoet, Senior Advocacy Officer, European Network against Racism

Framework for equality and non-discrimination and possible future developments

- Dorothea Staes, DG Justice and Consumers, European Commission

Equality bodies as part of the institutional framework for equality

- Tena Šimonović Einwalter, Chair of Equinet's Executive Board

II. IDENTIFYING THE CHALLENGES & OPPORTUNITIES IN COOPERATION

Moderator: Tommaso Chiamparino, Coordinator on combatting Anti-Muslim Hatred, European Commission

Avenues for Cooperation

- Henri Nickels, Institutional Cooperation & Networks, European Union Agency for Fundamental Rights

Working together to tackle manifestations of discrimination and intolerance faced by Muslims in different fields

Small group discussions, focusing on:

1. What are the three fields, in order of priority, where you would see cooperation EBs/CSOs useful and needed?
2. What are the benefits of EBs/CSOs cooperating?
3. What obstacles might block this cooperation?
4. How can those obstacles be overcome?

III. IDENTIFYING WAYS FORWARD FOR IMPROVED COOPERATION

Moderator: Tamás Kádár, Deputy Director and Head of Legal and Policy, Equinet

Addressing the challenges

- Brief introduction to the Amnesty International/OSF "Human Rights Guide to Researching Racial and Religious Discrimination in Counter-Terrorism in Europe", Eda Seyhan, author and human rights lawyer

Discussing practical ways forward and solutions

Small group discussions around a possible list of actions for future cooperation:

1. What area(s) of focus?
2. What can you do practically? e.g. establish a contact person in the EB that has relation with Muslim NGO; how to handle communication or campaign about cases
3. What other actors need to be involved?

Concluding Remarks

- Tommaso Chiamparino, Coordinator on combatting Anti-Muslim Hatred, European Commission