



Joint Equinet – European Commission Meeting Summary: Tackling Anti-Muslim Hatred

22-23 May 2024, Brussels

Racism, intolerance and discrimination against Muslims and people perceived to be Muslims are persistent challenges in European societies. This has escalated in the current geopolitical context, which has led to an exacerbation and piling up of anti-Muslim hatred and discrimination, further increasing the importance of the role Equality Bodies must and can play in addressing the problem. In order to facilitate this process and promote the values of equality, inclusion and diversity, **the European Commission’s Coordinator on Combating anti-Muslim hatred and the European Network of Equality Bodies ‘Equinet’ organised on 22-23 May 2024 a meeting** with the aim to strengthen the cooperation between the Commission, Equality Bodies and relevant civil society organisations. To achieve this aim, the meeting set out to identify issues, practices and strategies that address discrimination and intolerance against Muslims. **The present document summarises the most important takeaways of the meeting.** The information and views expressed in this document do not necessarily reflect the official position of Equinet and the European Commission.

Main challenges

As described in the revised General Policy Recommendation (GPR) no. 5 of the Council of Europe's European Commission against Racism and Intolerance (ECRI) **anti-Muslim discrimination is structural**, because it ‘does not solely manifest in instances of interpersonal hostility or discrimination’, but ‘is woven into the ways our societies function, and operates through norms, routines, patterns of attitudes and behaviour that create obstacles in achieving [...] effective equality’. GPR no. 5 also points out that ‘anti-Muslim sentiment operate simultaneously on various markers of difference employed to define “Otherness”, including religion and ethnic or national background. With Muslimness [...] becoming an identity marker’, individuals **‘may also be “racialised”** on the basis of their physical appearance, religious or cultural characteristics, regardless of whether they themselves identify as Muslims’.

As a consequence of racialisation, Muslims are erroneously presented and stigmatised by political actors and the media as a homogeneous, monolithic block posing threats to European values and

security. The structural nature of anti-Muslim discrimination has a devastating impact on, among others, Muslim communities' trust in the legal and institutional system.

At the meeting, the participants identified the following main challenges:

- European Muslims face widespread discrimination in several areas of life, including employment, education, access to services and housing. **Muslim women wearing religious symbols are at particular risk of discrimination, increasing the chances of their isolation and exclusion.** This is not always reflected in the legal framework: the concept of intersectional discrimination based on gender and religion, or ethnicity is not applicable across the whole European scene, not all the jurisdictions provide (equal) protection against anti-Muslim discrimination in all areas of life.
- Domestic and international courts increasingly accept the 'neutrality argument' to justify measures that may disproportionately affect Muslims, and particularly Muslim women in both the public and the private sector. **Non-discrimination litigation in the area of anti-Muslim discrimination has become more challenging and significantly less successful than in relation to other grounds falling under the EU acquis,** forcing relevant actors, including Equality Bodies to reconsider legal strategies in the field.
- **Anti-Muslim narratives have made their way into the political mainstream.** Anti-Muslim hate speech has become pervasive in social media and certain segments of traditional media as well. This creates an environment where potential backlash must be considered by those who wish to act and/or speak up against anti-Muslim hatred.
- **Shrinking of civic space has had a particularly negative impact on Civil Society Organisations (CSOs) including academics working to end anti-Muslim hatred.** CSO's active in this area have been side-lined, labelled as extremists, their funding cut, and some have been dissolved.
- **Despite the pervasiveness of the issue, underreporting of anti-Muslim incidents continues to be a problem.** Many Member States' Equality Bodies have reported close to zero cases, even though incidents are taking place on a regular basis. This is due to a number of factors, including the community's lack of trust in the institutional system of protection, and sometimes the difficulties of accessing relevant information, e.g. where segments of the Muslim community have an immigration background and language barriers are in place. Underreporting prevents institutions from protecting these communities adequately.

- **Examples of structural racism and discrimination against Muslims are multiplying:** counter-terrorism measures as well as widespread racial profiling have disproportionately affected Muslim people. In a number of Member States, the amendments of the legal framework have the potential to amplify these undesirable trends instead of mitigating them.
- **Pitching different grounds/target groups of discrimination against each other has become a tool applied by anti-Muslim political forces with increasing frequency.**

Proposed solutions and promising practices

The participants have come up with a number of proposals regarding potential solutions, including the enhancement of the role Equality Bodies can play in combating anti-Muslim hate and discrimination. The most important takeaways have been the following:

- **While litigation continues to be an important tool in combating anti-Muslim hatred and discrimination, more focus may be paid on advocacy and preventive measures** targeting those employers who are interested in building a diverse and inclusive workplace. Furthermore, the promotion of measures that do not target specific groups, but benefit everyone while accommodating the specific needs of particular groups (e.g. silent rooms that can be used for meditation, prayers etc; general application of flexible working hours or holidays, offering diverse food at canteens including vegetarian meals etc.) can be effective.
- **Building trust between Equality Bodies and local communities as well as CSOs representing them is of crucial importance** for several objectives, including the enhancement of data collection efforts and improving the willingness to report. Equality Bodies must play a proactive role in this process, especially also due to their potential role as a source of data. Among others, **increasing diversity within the Equality Bodies** through conscious recruitment, the institutionalised inclusion of CSOs combating anti-Muslim hate in the strategic planning procedures of Equality Bodies, and designing and implementing joint projects have been identified as ways to achieve this purpose. It has also been emphasised that due to the limitations faced by Equality Bodies in terms of resources and/or mandates, it is important in this process to carefully manage expectations and deliver on the promises. In that regard, the **two Directives adopted by the Council of the European Union in May 2024** should be seen as a major step forward in strengthening Equality Bodies and enhancing local communities' trust in them. These Directives set common EU-wide minimum requirements, including enhanced competences to combat discrimination based on religion, disability, age, and sexual orientation in employment, and sex in social security. They also mandate that

Equality Bodies be independent, adequately resourced, and consulted by public institutions on discrimination matters.

- **It is important to advocate for a clear mandate for Equality Bodies with regard to combating hate speech.** Even in the absence of such a mandate, **Equality Bodies should call out instances of hate speech**, address defamation against CSOs and other actors engaged in combating anti-Muslim hate, and actively engage in sustained and substantial communication initiatives advancing alternative positive narratives regarding Muslim people. The importance of social cohesion and the contributions of Muslim people and communities to this cohesion may be a good starting point for this work. **Training provided to media workers is crucial:** due to the beneficial effects of proximity, starting the process with local media and local narratives may be an effective way forward in this regard.
- **In relation to racial/religious profiling, it has been pointed out that while several measures exist that can reduce its extent to some degree** (e.g. the application of body cameras; the obligation to provide the concerned persons with slips; reconsidering the application of statistics as measures of the efficiency of police work; or simply obliging the officers to record for themselves the reason for stopping a person), **these do not address the structural discrimination and institutional biases behind racial profiling.** In this regard, training for public officers is important. However, such training can only be effective if sufficient time and resources are dedicated to it, and the impacts and effects of the training are systematically measured.
- In some Member States, due to demographic needs, rhetoric has changed towards the need for migrants. This momentum could be used by stakeholders to **focus in their campaigns on the benefits and the positive image regarding migrants including those with migrant background.**
- **An adequate definition of anti-Muslim hatred or racism could be an important step to be able to potentially apply the Racial Equality Directive, as is already done in some EU Member States,** taking into account the racialization process at stake and sociological construct surrounding the perception of Muslims as a homogeneous group.