



# General Assembly

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## Human Rights Council

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### Human rights situations that require the Council's attention

## **Written statement\* submitted by Al Baraem Association for Charitable Work, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2023]

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\* Issued as received, in the language of submission only.



## **Human Rights Approach to Combating Discrimination Based on Religion or Belief**

There is a need to promote more inclusive societies worldwide. The tidal wave of depersonalized global messages and of the increased mobility of persons will trigger defensive reactions including the search for resuscitating identities from the mythical past. Minorities are particularly threatened in this process, whether in Western societies, in the Arab region, in different parts of Asia or in Latin America and the Caribbean.

We are witnessing the emergence of a pervasive climate of rank prejudice, hostility and discrimination, and we would all agree that it is the latter. But this realization may not be shared by many. This should be a matter of concern. In our view, prejudice against Muslims and Islam is becoming mainstream. What was unacceptable even a few years back is becoming part of normal discourse. Sections of mass media amplify messages of intolerance and hate. All this needs to be carefully monitored, systematically documented and actively shared with a general populace. If not, we risk reverting to a period reminiscent of the early 20th century Europe.

All monotheistic religions have some sacred or holy texts, they provide guidance for their followers to interpret ideas and actions. From these, religious authorities derive norms for how people ought to live and act in the world. However, the sacred texts are often of general character, and may require interpretation. These interpretations may be correct or not, as they may either be adapted or not adapted to a given era or society. That however is not a reason to defame the core principles and rules of any religion.

“Islamophobia” promotes irrational fear and suspicion of Islam and feeds on attitudes of racist aversion from everything related to the Islamic and Arabic cultures. Yet Islam carries a specific message of harmony, bringing people closer together through its advocacy of tolerance and fraternity. This is indicated in the following Quranic verse:

“O mankind! We have created you from male and female, and made you into nations and tribes, so that you may get to know one another. The most honorable among you in the sight of God is the most pious.” (Surat Alhujurat 49:13)

In 2004, Mr. Doudou Diene, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report on the Situation of Muslim and Arab peoples in various parts of the world, requested by the Commission on Human Rights, described Islamophobia as a “contemporary form of racism”, stating that “the historical and cultural sources of Islamophobia are such that, if its full extent is not recognized as a matter of urgency and treated with vigilance, it will result in the crystallization of cultural and religious differences if not clashes of religion and culture”

What is considered as phobic and prejudiced is thus a peculiar unfounded form of hostility towards Muslims, leading to discrimination and sectarianism.

Islam is seen as monolithic and static, rather than diverse and dynamic;

Islam is seen as “other” and separate, rather than similar and interdependent;

Islam is seen as inferior, rather than different but equal;

Islam is seen as an aggressive enemy, rather than a cooperative partner;

Muslims are seen as manipulative, rather than sincere;

Muslim criticisms of the West are rejected, rather than debated;

Discriminatory behavior against Muslims is defended, rather than opposed;

Anti-Muslim discourse is seen as natural, rather than problematic

Such misconceptions lead to the incitement of hatred towards Muslims and the Islamic culture. The unfounded and shallow prejudice based on faulty assumptions about Muslims and Islam are major obstacles to greater international harmony between cultures and civilizations.

The roughly 20 million Muslims living in the European Union are depicted by some as a threat to Europe's way of life, even in countries where they have lived for generations. In times of economic and political crisis, Muslim minorities have been serving as scapegoats, and the myth of an ongoing "Islamization" of the European continent has been nurtured by fear mongering xenophobic and populist parties. It creates frustrations within the Western minority groups and anger in particular among the youth of Muslim extraction whose right to dignity is being denied. Anger spreads across borders and extends to Muslim lands undermining the benefits of interdependence through trade expansion, financial flows, and cultural exchange.

The international human rights law acknowledges that freedom of expression can be restricted in certain cases, especially when it endangers others or negatively impacts on their ability to enjoy their rights. An absolutist position on free speech is questioned in the face of the most vile, most inflammatory assertions that are made and printed against Muslims and Islam. After all international human rights law places some limitations in this regard.

According to Article 19 of the International Covenant on Civil and Political Rights, in light of which "everyone has the right to hold opinions without interference", the exercise of the freedom of opinion is absolute while the freedom of expression is not absolute: it is limited by the respect of the rights of others.

Moreover, article 20 (2) of the Covenant explicitly provides that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence is to be prohibited by law"

Further, Resolution 16/18, the United Nations Human Rights Council (HRC) expressed its concern that "incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continue to rise around the world", and condemned "any advocacy of religious hatred against individuals that constitute incitement to discrimination, hostility or violence", the resolution urged all the UN member states "to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from the defamation of any religion". So, the resolution called for necessary arrangements, not against criticism of Islam or any other religion, but against the acts of hatred, discrimination, and violence that may result from defamation of religions and demonization of their adherents,

Islamophobia has political, religious and historical dimensions, and that it is deeply rooted in the intellectual and ideological construction of the national identity of a number of countries. Stressing the need for an objective deconstruction of Islamophobia away from the ideological controversy through contextualizing the debate on Islamophobia

We must realize that the future in international peace and security depends very much on the establishment of constructive relations between Islam and the West on the basis of mutual benefits and common good. Therefore, Muslim leaders and decision-makers in the Islamic world must not limit their scope of work to containing Islamophobia and condemning acts of terrorism perpetrated using Islam as a pretext. They must first of all work towards a rejection of all forms of discrimination whether, effective or perceived, in their own nation.

Recognizing that human rights principles are embedded in all religious scriptures and texts. It is vital to address intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief with a human rights-based approach. Nelson Mandela famously said that 'No one is born hating another person because of the colour of his skin, or his background, or his religion'. In addition, nobody is born knowing how to manage religious diversity, which can have a huge positive potential for human rights but also be the source of serious tensions. These truths underline the importance of inclusive peer-to-peer learning on faith and human rights."

We believe that focusing on enhancing human rights education to prevent incitement to violence, taking into considerations the recommendation put forward on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. In the UN resolution 77/225 of 15 December 2022 .

A human rights-based approach places the focus on common values and principles, rather than on differences. It highlights the equal rights and standing of every individual, regardless of his or her religion, ethnic origin, gender or other factors.

Enhance education and capacity-building Objectives: (i) Instill knowledge of and respect for “the other” and promote non-discrimination, equal citizenship and human rights; (ii) Mainstream appreciation of all cultures/religions or beliefs and the importance of civil co-existence; (iii) Provide sound/wise religious knowledge and understanding; (iv) Strengthen the religious knowledge of “intermediaries” and gate openers within various religious communities; (v) Address cultural attitudes that underpin the use of violence.

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‘Islamophobia’, which is defined by Oxford Dictionaries as ‘dislike of, or prejudice against, Islam or Muslims, especially as a political force’

Report submitted by Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, to the Human Rights Commission on 23 February 2004: E/CN.4/2004/19, “Situation of Muslim and Arab peoples in various parts of the world”, pg. 2 (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G04/110/72/PDF/G0411072.pdf?OpenElement>).  
<https://www.undocs.org/A/77/PV.54>