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Written statement* submitted by International Foundation Witnesses Ashoora, 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.

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



Discriminatory Actions and Treatments against the Muslim Community in Germany

Introduction

Today, Islam is the fastest growing religion in Europe and the United States of America, mainly due to immigration, but also through conversion. It is the second largest religion in France and the third largest in the United Kingdom of Great Britain and Northern Ireland, Germany and North America. Muslims in Germany are often confronted with discrimination, hatred and sometimes even violence in their everyday lives, as a new report commissioned by the Ministry of the Interior in Berlin shows. According to the report by the Independent Expert Group on Hostility towards Muslims (UEM), at least a third of Muslims in Germany have experienced hostility because of their religion. However, the experts explained that the actual figures are probably higher, as only 10 per cent of Muslims report hostility and hate crimes against them. Even Muslims born in Germany are widely regarded as “foreign” and Islam as a “backward religion”; women who wear a traditional headscarf are subjected to “particularly dramatic forms of hostility”

In 2019, 871 anti-Muslim hate crimes were reported in Germany. However, it is estimated that these statistics only reflect a fraction of experiences, as many go unreported. Added to this staggering number of hate crimes are incidents of anti-Muslim discrimination in employment, education, health and everyday life. Recent studies show that around half of the German population hold Islamophobic views. According to government figures, there were between 5.3 and 5.6 million Muslims living in the country in 2019, which corresponds to 6-7% of the population.

Furthermore, studies have shown that concerns about police bias and citizen-centred policing have increased in Germany. At least five times more violent offences are committed by the police than are actually recorded and investigated (Ruhr University Bochum, 2020). Government and police officials continue to downplay the existence of institutionalised racism and violence in their departments instead of investigating within their own ranks. Some federal states, such as Berlin and Saxony-Anhalt, have taken steps to combat prejudice in police training by addressing prejudiced actions by the police. However, these measures remain isolated across Germany.

Criticising discriminatory acts and promoting prejudiced ideologies are important tools for organisations and individuals who bear responsibility. Unfortunately, there have been a large number of reports of discrimination against Muslims in Germany up to November 2023:

1. Attacks on mosques: Some reports indicate attacks and vandalism against mosques, suggesting possible discrimination and hostility, such as the attack on the mosque in Christchurch. On 15 March 2019, an Australian white supremacist shot and killed 51 Muslim worshippers and wounded 40 others at two mosques in Christchurch, New Zealand. For this reason, the United Nations has declared 15 March the International Day to Combat Islamophobia.
2. Discriminatory advertising: Sometimes public adverts and opinion pieces show discriminatory attitudes towards Muslim communities.
3. Violations of security: Muslims have reported a diminished sense of security in certain communities, with cases of physical threats also reported.
4. Discrimination in access to employment: Unemployment is a major problem. Turkish immigrants in particular are reported to be the worst off compared to Germans and other immigrant groups. According to the report “Muslims in Hamburg” by the Open Society Foundations, 53% of Muslims believe that employers do not sufficiently respect different religious customs.
5. Legal restrictions: Muslim women face legal restrictions that may be directly or indirectly related to their ethnicity and religion.

6. Discrimination in the workplace: Reports suggest that some Muslim women are discriminated against in the workplace, which could limit their equal opportunities in the labour market.
7. Discriminatory incidents in the community: Muslim women face discriminatory incidents in their local communities, ranging from verbal abuse to physical assault.

It should be noted that Germany's Muslim community is facing growing attacks since the start of the war against the Gaza Strip. Mosques across the country receive threatening letters and hate mail, and there are attempts at arson. For example, children are bullied at school because of their adherence to Islam. Or they are expected to position themselves because of their Muslim affiliation. CLAIM has documented 53 cases of anti-Muslim threats, violence and discrimination in the last two-and-a-half weeks, including 10 attacks on mosques .

We therefore emphasise the importance of promoting cultural understanding and supporting educational initiatives that counteract stereotypes and prejudices. It is crucial to promote dialogue between communities, government agencies and civil society to build bridges of understanding and tolerance. We believe that by promoting inclusion and diversity, Germany can set an example for the world to create a society in which people of all backgrounds can live together in harmony. We trust that the Human Rights Council will champion these principles and work towards a more just and equal future.

Main recommendations

To implement these measures, it is recommended:

- Set up an international committee: Set up an independent committee with representatives from human rights organisations, the German government and civil society to thoroughly investigate discriminatory acts and make recommendations for prevention and remedy.
- Promote education for cultural diversity: Increase budget funding for educational programmes that promote cultural understanding and tolerance in schools and communities.
- Strengthen anti-discrimination laws: Review and update anti-discrimination laws, emphasising the rights of diverse populations, prevent discriminatory advertising and implement stricter regulations for violations.
- Facilitate reporting: Create a system that allows individuals to easily report discriminatory acts and ensure the confidentiality and protection of whistleblowers.
- Facilitate dialogue: Encourage dialogue with local communities and Muslims to hear their opinions and needs and receive suggestions for corrective action.
- International co-operation: Promote international co-operation to share best practises and experiences in the field of human rights and anti-discrimination.
- Adopt a clear criminal law framework that recognises and defines racist offences, including Islamophobic offences, provides clear obligations to investigate actual or suspected racist motives, reflects the full extent of 'aggravated penalties' (Article 4 of Framework Decision 2008/913/JHA) and punishes these offences more severely.
- Ensure the implementation of the judgement of the Federal Constitutional Court on blanket headscarf bans in schools, which can only be justified if it can be concretely proven that the headscarf poses a significant threat to school peace.
- Organise training for the administration, trade unions, media and civil society to raise awareness of Islamophobia and debunk myths about Muslim communities and Muslim women.
- Raise awareness of multiple discrimination against Muslim women. NGOs, anti-discrimination bodies, lawyers, legal scholars and representatives of the Muslim community should work together to raise awareness.

- Ensuring the implementation of these solutions, in collaboration with the German government and international commitment, can strengthen the advancement of human rights and contribute to creating an inclusive society

Conclusion

In summary, addressing discriminatory actions against Muslims in Germany requires a multifaceted approach. The formation of an international committee, promotion of cultural diversity education, strengthening anti-discrimination laws, facilitating reporting mechanisms, encouraging dialogue, and fostering international collaboration are essential steps. These measures, if implemented collaboratively with the German government, have the potential to advance human rights, promote inclusivity, and create a society free from discrimination.
