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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND  
ALL FORMS OF DISCRIMINATION**

**Situation of Muslim and Arab peoples in various parts of the world**

**Report by Mr. Doudou Diène, Special Rapporteur on contemporary forms of  
racism, racial discrimination, xenophobia and related intolerance\***

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\* This document is submitted late so as to include the most up-to-date information possible.

## Summary

This report is submitted pursuant to Commission on Human Rights resolution 2003/4, of 14 April 2003, in which the Commission requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to examine the situation of Muslim and Arab peoples in various parts of the world with special reference to physical assaults and attacks against their places of worship, cultural centres, businesses and properties in the aftermath of the events of 11 September 2001.

The report records a clear increase in Islamophobia, to which there are two fundamental aspects: intellectual legitimization of increasingly overt hostility towards Islam and its followers by influential figures in the world of arts, literature and the media; and tolerance of such hostility in many countries. The report also draws a picture of a resurgence of acts of discrimination and hostility against Arabs and Muslims, including in Australia, Belgium, Canada, France and the United States of America.

The Special Rapporteur has noted that the rejection of Islam and its followers is crystallizing in some countries around the question of symbols of religious belief. Thus, in France, the debate over the prohibition of the wearing by Muslims of the veil in State schools has taken on symbolic significance with a fusing of belief, ideology, culture and identity and with Islam ultimately emerging as the central issue. The prevailing view on the part of observers is that, behind the prohibition of the display of religious symbols in general in State schools, it is the expression of Islam that is being targeted through its symbols. Discrimination is largely a result of perceptions. The stigmatization of Islam, at least in public debate, carries with it the serious risk of promoting and legitimizing Islamophobia and discrimination against Muslims.

Accordingly, the Special Rapporteur makes the following recommendations:

(a) The Commission is invited to issue an urgent appeal to all Member States to recognize the reality and seriousness of Islamophobia. 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;

(b) Acknowledgment of Islamophobia necessitates rigorous and systematic assessment of its reality, manifestations and expressions. The Commission is thus invited to recommend the establishment by the Office of the United Nations High Commissioner for Human Rights of a centre to monitor the contemporary phenomena of racism, anti-Semitism and Islamophobia. In close consultation with Member States, non-governmental organizations and competent national and regional institutes and research centres, its mandate would be to develop a scientific methodology for precise measurement of such phenomena and, in collaboration with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, to submit an annual report thereon to the Commission on Human Rights and to the United Nations General Assembly;

(c) The Commission is invited to draw the attention of Member States to the need to develop a strategy to combat Islamophobia, encompassing the three levels on which it is manifested: the personal and emotional level; its intellectual, ideological and media legitimization; and the political exploitation of Islamophobia;

(d) Member States are invited to develop an intellectual strategy to combat Islamophobia, based on educating people about religion in general and Islam in particular, its spirituality, its culture and its diversity, in the context of intercultural and interreligious dialogue;

(e) Condemnation of Islamophobia must, to be credible, be accompanied by legislative and judicial measures punishing its manifestations on the basis of relevant international instruments. The Special Rapporteur proposes to research and to include the measures taken by Member States in his reports to the Commission and to the General Assembly.

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## **Introduction**

1. Pursuant to the stand taken by the Commission on Human Rights against religious defamation and its call to combat all discrimination based on religion or belief as an affront to human dignity and a repudiation of the principles of the United Nations Charter (Commission resolution 2002/9), a first study on discrimination against Arabs and Muslims (E/CN.4/2003/23) noted the extent of Islamophobia in a number of countries. Acts of discrimination and hostility have continued since then.
2. Among the political ills of our time, Islamophobia is exceptional: frequently it is not only Muslims, individually or as a community, who are attacked in the most virulent fashion, but the religion itself, Islam, its sacred book, the Koran, and its prophet, Mohammed, which is virtually unparalleled in today's world (chap. II).
3. The question of Islamophobia is all the more complex in that it overlaps with other phenomena of rejection, such as the re-emergence of a significant degree of anti-Semitism. In reality, hostility towards Jews arises in a new context in which new forms of anti-Semitism, linked to the Middle East conflict, are overlaid on top of traditional anti-Semitism, which is deeply rooted in the history of Europe. In many ways the two components of discrimination, paradoxically targeting the descendants of the sons of Abraham, Ishmael and Isaac, feed off one another.
4. There is a dual aspect to the undeniable rise of Islamophobia: its intellectual legitimization by influential figures in the world of arts, literature and the media, and tolerance, not to say denial, of the phenomenon in many countries.
5. In some countries, France in particular, secularism is viewed as the cement holding together the Republic, but it may be hijacked by opportunists to feed new forms of Islamophobia with older roots. The stigmatization of Islam alone, as has become apparent from debate on the draft legislation prohibiting overt symbols of religious belief in State schools, is for certain political and ideological circles the key issue in the debate and the real objective of an unprecedented mobilization of public opinion (chap. IV).

## **I. RESURGENCE OF ACTS OF DISCRIMINATION AND HOSTILITY TOWARDS ARABS AND MUSLIMS**

6. These acts, of varying degrees of seriousness, have continued to occur in a number of countries since the attacks of 11 September 2001 in the United States of America. There have been many such incidents in two countries with large Arab and Muslim communities, the United States and France. Some other countries are taken by way of example.

### **A. United States of America**

7. Hostility towards Muslims in some quarters is far from having disappeared in the United States. Thus, for example, in 2003 the Council on American-Islamic Relations (CAIR)<sup>1</sup> published a number of comments on the subject in connection with events in 2002-2003. The Council considers that the situation has continued to worsen for Muslims. According to the

Council, anti-Muslim acts increased by 15 per cent between 2001 and 2002: 525 racist incidents in 2001, and 602 in 2002. Companies and houses belonging to Muslims have been looted. Members of the Muslim community have been extremely apprehensive on many occasions as the result of questioning by FBI agents<sup>2</sup> and requests for membership lists from mosques, and because of the bias of much of the media. In particular there has been an increase in Islamophobic rhetoric in certain evangelical circles, including on the part of well-known preachers such as Franklin Graham, Jerry Falwell and Pat Robertson. Mohamed Nimer, a member of CAIR and author of the study, considers that “anger, fear and residual discrimination are very much in evidence since 11 September”.

8. The same situation is apparent in many States of the Union, according to CAIR, in particular Florida, California, Michigan, Illinois, Ohio, Texas, Maryland and Virginia, as well as in New York City. By way of example, several significant incidents may be cited:

(a) One very detailed study concerns the State of Florida.<sup>3</sup> In 2002 there were 78 complaints of discrimination, a sharp increase over 2001. The incidents reported occurred at school, in the workplace or in public places. The anti-terrorism policy adopted following the attacks of 11 September 2001 helped to marginalize Muslims, resulting in a series of arbitrary arrests or failure to respect due process, including long interrogations in airports. Muslims in Florida are frequently the target of Islamophobic rhetoric by certain evangelical preachers - Jerry Vines, pastor of the First Baptist Church of Jacksonville, referred to the prophet Mohammed as a “demon-possessed paedophile”, adding that “Allah is not Jehovah either. Jehovah’s not going to turn you into a terrorist that’ll try to bomb people and take the lives of thousands and thousands of people”;

(b) Other incidents have occurred in the states of California, Michigan and Illinois.<sup>4</sup> Four Muslim women were insulted by a customer in a restaurant in Venice, California, on 15 March 2003; the customer threatened to assault them and called for “Muslim women to be raped”. In Michigan the father of a Muslim family accompanied by his son had his credit card refused and was insulted at the checkout (“Go home, filthy Arab”), while the incident was recorded on security cameras. In Illinois, the Glendale Islamic Centre received telephone threats and was burgled.

9. In the same vein, Human Rights Watch devoted a long report, entitled *We are not the enemy*,<sup>5</sup> on “hate crimes committed against Arabs and Muslims”. This comprehensive report, offering a historical perspective, deals in particular with the arbitrary arrests of which Arab or Muslim aliens have been victim since 11 September 2001 and the punitive measures taken since then. The report shows that public authorities in the United States have taken a whole series of measures to protect Arab and Muslim businessmen against hostile reactions against them at both the federal and state levels.

10. Human Rights Advocates has protested against the arbitrary arrests to which certain Muslim aliens have been subjected.<sup>6</sup> Its report for 2002 (vol. 41, summer 2003) considered the question of the legality of government legislation and policy in the context of international legal instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Civil and Political Rights.

11. The American Anti-Discrimination Committee (ADC)<sup>7</sup> records violation of the rights of Arab-Americans. While thanking the House of Representatives for voting a resolution condemning the intolerance and violence of which Muslims, Arabs and individuals from South-East Asia are victims, it notes an increase in xenophobic and racist crimes, particularly against individuals suspected of being of Arab and/or Muslim origin, and considers that Islamophobia has become a reality in the United States.

12. On 19 August 2003 Amnesty International published a report on the United States which drew attention to a particularly alarming development: the undermining of international standards in the context of the detention policy conducted in the name of the war against terrorism.<sup>8</sup> This report is on prisoners currently held at the United States naval base at Guantánamo Bay, Cuba, most of them Muslims. Amnesty International considers that the United States Government is seeking to evade domestic legal scrutiny and the critical regard of the international community, in what constitutes a dangerous precedent, and that the actions of the United States undermine the foundations of the rule of law and discredit their claims to respect international norms and to make adherence to the rule of law a non-negotiable principle for the defence of human dignity. Recently, however, there seems to have been some movement.<sup>9</sup>

13. In addition, in its 2003 report, Amnesty International noted that a number of alleged members of al-Qa'idah, reportedly arrested by the United States authorities, were still being held at secret locations, the United States Government having provided no clarification as to their fate or their status under the law, and having deprived them of their rights under international norms, including the right to inform their families of their place of detention. Thus, for example, a United States national of the Muslim faith, Yasser Esam Hamdi - who allegedly joined the Northern Alliance in Afghanistan at the end of 2001 - was reportedly first transferred to Guantánamo Bay, then to Virginia, where he is being held in secret without being charged or tried, as a "combatant in the pay of the enemy".<sup>10</sup>

## **B. France**

14. A number of acts of violence have reportedly been perpetrated against Muslim places of worship or burial. The following incidents have occurred:

(a) In January 2003 Muslim mosques and other premises were defaced by the spraying of red, white and blue paint - at Lyon, Rilleux Lapape (Lyon suburbs), Paris, Melun, Nanterre, Lormont and Cenon.<sup>11</sup> In the night of 18 to 19 January 2003, in Avignon, the Valdegour mosque had a "visit", the mosque at Chemin-bas-d'Avignon was burgled, and the mosque in the town centre was broken into.<sup>12</sup> At Valdegour, the doors were forced, books and magazines thrown to the ground, the list of donors was partially torn down, and a car, parked in the mosque grounds, was broken into;

(b) In the night of 17 to 18 March 2003, a fire was set in an act of arson in the mosque at Belley (department of Ain). The perpetrators set fire to a car and pushed it against the building, situated in an isolated district. Significant damage was caused to the entrance hall and the prayer room was damaged by smoke;

(c) A parcel bomb was sent to a Muslim place of worship in Perpignan. The anonymous parcel was not collected and was returned to the dead letter office in Libourne. It exploded on 9 April 2003 in the hands of a post office employee, who was slightly wounded.<sup>13</sup> At the same time the mosque in Lomme, near Lille, was daubed with swastikas;<sup>14</sup>

(d) On 21 October 2003 the Muslim section of the cemetery at Thiais was defaced: some 50 Muslim tombs were destroyed with baseball bats;<sup>15</sup>

(e) In all, Rashid Nekkaz, a spokesman for the Citizen's Forum for Muslim Cultures, estimated that between January and May 2003 there had been a dozen attacks on Muslim places of worship.

15. There have also been expressions of Islamophobia at public events. One example is a conference on the role of Islam in the West, organized on 28 April 2003 in the municipal offices of the sixteenth arrondissement of Paris.<sup>16</sup> At the event two speakers said that "Orthodox Islam is a danger for democracy, in fact a kind totalitarianism" (Mohamed Ibn Ouali) and that "France seems to be harbouring a chronic disease. Will it become the first Islamic republic in the European Union?" (Bruno-José Lebeau).

16. The Internet is also a hotbed of Islamophobia. For example, one site, "Liberty Web-SOSRacaille", has been the source on a daily basis for over two years of incitement to murder and organized action against immigrant populations, in particular Muslims; the Pro-Peace Movement against Racism and Anti-Semitism (MRAP) has brought legal proceedings against the organizers of the site.<sup>17</sup> Conversely, the Muslim site "oumma.com" suffered a large-scale attack by hackers on 24 August 2003 in the form of the simulation of over 30,000 simultaneous connections with the site, which as a result was knocked out for over 17 days.

17. In its report on its work for 2002, submitted to the Prime Minister in the spring of 2003,<sup>18</sup> the National Human Rights Consultative Commission recorded racist and xenophobic acts in metropolitan France since 1992, noting a sharp increase in 2002: 47 incidents, 1 dead, 14 injured (compared with 18 incidents, no dead, 2 injured in 2001; and 16 incidents, no dead, 4 injured in 2000). The attacks targeted people of Maghreb origin, and their assets or representatives, and more generally followers of Islam, these accounting for 62 per cent of incidents in 2001, 62 per cent in 2002 and 69 per cent in 2003. Anti-Maghreb threats recorded showed a similar increase: 44 in 1999, 58 in 2000, 115 in 2001 and 169 in 2002. The Commission notes that in general terms threats are on the increase, with a trend in recent years towards targets representing Arab-Muslim communities, in particular the Maghreb community.

### **C. Other countries**

18. In Canada, the situation of Arab and Muslim groups has been negatively affected, since the attacks of 11 September 2001, in this country where there is a well-established tradition of immigration, in terms of a much more hostile public view of migration than before.<sup>19</sup> Thus, in a survey, 83.5 per cent of those interviewed were of the view that Canada should be "stricter" with regard to immigration (80.9 per cent in the Atlantic provinces, 89.2 per cent in the Prairies, and 86.5 per cent in Quebec), compared with 13.1 per cent who thought the contrary. These results varied greatly according to the age and profession of the person interviewed: 89.9 per cent



of those over 65, 89.8 per cent of homemakers and 89 per cent of Canadians with lower levels of education would like to see stricter immigration controls. Conversely, 30.7 per cent of students, 22.6 per cent of university-educated Canadians, 22 per cent of those 18 to 24 and 20.6 per cent of those whose mother tongue was neither French nor English would like less severe controls. In a similar vein, while 46.1 per cent of those interviewed thought that security measures applied at Canadian borders represented a good balance between the safety of all Canadians and the rights of immigrants to Canada (compared with 4.5 per cent who thought that they went too far), 42.5 per cent thought that they did not go far enough. Conversely, Canadian perceptions of people of Arab descent or the Muslim faith did not really change after the attacks of 11 September 2001. A certain positive progression is illustrated by the fact that 89.3 per cent of the population felt that such individuals have a harder time feeling comfortable in Canada. Thus, 75 per cent of Canadians (70 per cent of Quebecers) have the same perception of people of Arab descent or the Muslim faith today, although 18.2 per cent have a more negative perception and 4.1 per cent have a more positive perception. In all, 83.3 per cent thought that Canada should not forbid people of Arab descent or the Muslim faith from entering the country (compared with 12.3 per cent who thought the opposite), noting however that 21.2 per cent of individuals with lower incomes, 18.7 per cent of labourers, 43.1 per cent of those with low levels of education and 19.6 per cent of Canadians aged 65 and older would like Canadian borders to be closed to people of Arab descent or the Muslim faith.

19. In Belgium, a campaign denigrating foreigners in general and Muslims in particular was denounced by the Community for Respect of Democracy<sup>20</sup> on 27 November 2002, following several racist crimes “in a climate of Islamophobia and racism following the attacks of 11 September 2001”. Thus, for example, a professor of Islamic religion in the public education system, Mohamed Ashrak, 27 years old, was shot in the neck on 26 November 2002 at Anvers. That afternoon, at around 4.30 p.m., as the young man returned home, a neighbour of the family, 60 years old, was waiting, pistol in hand, to shoot Ashrak’s father. The father bent down, the shooter missed, shot a second time, and hit Mohamed in the chest. A lawyer, Zohra Othman, who was visiting the family, gave testimony that the wounded young Mohamed fled, but that the neighbour ran after him and shot him in the neck, killing him. Other racist acts have been perpetrated against Muslims. The Belgian Government has publicly condemned such violence<sup>21</sup> and stated that it would expedite proceedings against the alleged culprits and take all necessary measures to ensure security in places of worship.

20. In Australia, the Australian Human Rights and Equal Opportunity Commission reported that there had been a backlash against Arabs and Muslims after 11 September 2001. The media reported cases of arson, graffiti on the walls of mosques, and the stoning of a school bus taking children to a Muslim school. There are persistent stereotypes of Arabs, a tendency to link Arabs and Muslims to terrorism, discrimination in the labour market, denigration through the mail and by e-mail, and even attacks on Arabs and their property, and on mosques (see E/CN.4/2002/24, paragraphs 9 and 13-15).

## II. EXTENT OF ISLAMOPHOBIA

21. It is not only certain Muslims in particular, those viewed as “fundamentalists”, or even Muslims in general, who in some aspect of their behaviour are questioned: Islam is itself now openly and publicly attacked: generalizations and stigmatization are the common elements in these attacks.

22. As noted in the previous report (E/CN.4/2003/23, paras. 31-33), this is not a new phenomenon, and was in evidence long before the attacks of 11 September 2001.<sup>22</sup> Subsequently it has taken on new dimensions, particularly in recent times, and especially in France, where it is now in many regards, both explicitly and implicitly, at the centre of public, intellectual, media and political debate.

23. A very well-known journalist, founder and former editor of a major weekly, *Le Point*, of which he is still the leader writer, Claude Imbert did not hesitate, in a mass-audience television broadcast, to state that he was “Islamophobic”, which at the time did not give rise to any remarks by his interviewer, Jacques Julliard, a journalist with the *Nouvel Observateur*, generally considered leftist. Imbert’s comments, which barely registered in the media which are generally quickest to denounce different kinds of discrimination, *Le Monde* or *Libération* for example, nevertheless were eventually picked up by all the media and generated reactions.<sup>23</sup> Far from changing his tune, Imbert sought to justify himself, writing in his newspaper that: “70 per cent of the descendants of Muslim immigrants, in general terms the *beurs*, are not practicing Muslims in that they do not pray or attend the mosque, even if they still celebrate religious holidays in their families. But many of them are, in their way, if not Islamophobic, at least as reticent towards Islam as our own anti-clericals of yesteryear were towards Christianity. They are livid at being counted and ostensibly represented as ‘Muslims’. In this sense, Islamophobia, since the Enlightenment, from Voltaire, to Houellebecq, is alive and well, and should not be shunned. It is possible to combat racism, respect the peaceful and private observance of Islam, while, I trust, retaining the intellectual freedom to resist, not only Islamism, but Islam itself.” Among reaction to this statement, the comments of a former *Le Monde* journalist, Daniel Schneiderman, are noteworthy:<sup>24</sup> “It would suffice to replace Islam by Judaism, and *beur* by *feuj*,<sup>25</sup> to cause an immense outcry, which would be fully justified. Yet nothing of the sort occurred, Claude Imbert merely repeated his views on television in his weekly programme. He turned around Jacques Julliard’s comment that he would never admit to being ‘Judaophobic’ by saying ‘of course I would, when I see the Lubovitcher stirring up trouble in Jerusalem’”. On another occasion, Imbert justified his dislike of Islam on three grounds: according to him, the Koran places religion above science, it enslaves women, and it draws no distinction between public and private life. This thinking is, to say the least, ill-considered. All revealed religions draw a distinction between the metaphysical and the scientific, and while Islam was accompanied by the blossoming of science in its golden age, Christianity long condemned any experiments that departed from the scriptures. Developments today in several Islamic societies, not to speak of Turkey or Tunisia, show that the status of women is not unchangeable, as evidenced by the announcement by the King of Morocco, Mohamed VI, of fundamental reform in this area, while respecting Islamic tradition. As for secularism, while this has long been accepted by a Catholic Church that cloaks itself in its colours, it is one of the main issues raised today in Muslim societies.

24. A member of the High Integration Council, Imbert reportedly caused difficulties in the Council, leading to calls for his resignation.<sup>26</sup> In practice the members of the High Council defended their colleague, emphasizing not only freedom of expression but also, significantly, the freedom to criticize all religions, “including Islam”. In this vein, Imbert, qualifying his remarks somewhat, admitted that “(Islam) is still awaiting its Luther, its Calvin”. Matters do not end there, however, as the highest State authorities have expressed public disquiet at this climate of “Islamophobia”.<sup>27</sup> In reality Imbert’s stance is neither isolated nor unprecedented. Referring

in 2002 to “cosmic terrorism”,<sup>28</sup> he wrote on the subject of the frequent assertion that “Islamism is not Islam”: “We were left speechless by this assertion. And it is true that the Islam of a million faithful has never declared war on the West. But Islamist terrorism, with its fanatical underpinnings, its proliferation throughout the whole world, its massacres of civilians, its use of kamikaze suicide bombers, and the universal resonance of its crimes, breeds the belief among the public, whatever the reality, that there is some kind of crypto-religious war going on .... From the New York attack to the taking of hostages in Moscow, there has been an impressive sequence of unrelated crimes, but all carrying the stamp of Islamism. Behind the massacre of Western tourists in Bali, the murder of 11 French engineers in Karachi, the attack on a French oil tanker in Yemen, the Chechen hostage crisis in Moscow and the routine carnage of the cut-throats in Algeria, there is no planned organization by the bogeyman, bin Laden. But in essence it is far worse, for everywhere the same Koranic essence of frenzy marks these abominations with a common stamp - that of a worldwide nebula of terror. An unprecedented cosmic terrorism.” Imbert goes on to speak of the “puritanical and aesthetic commitment of the soldiers of Allah”.

25. Notwithstanding its virulence, this speech - sympathetically received by a significant segment of public opinion - is not really new. As noted by Vincent Geisser,<sup>29</sup> “since the turning point of 1979, the year of the Islamic revolution in Iran, and especially since the first ‘headscarf’ case in France in 1989, the clichés and stereotypes concerning the ‘second religion of France’ show an astonishing similarity and consistency” - one question remains to the fore: must we be afraid of Islam?<sup>30</sup> While the media might not have created Islamophobia, which prospered before there was media attention, the media have made it commonplace by the classic process of confounding various elements: “Ultimately, and notwithstanding the carefully chosen phraseology, Islamists are becoming the norm in the media’s representation, and ordinary Muslims an endangered species. In this sense the media are responding to an implicit social demand: not for knowledge of Islam and the social reality of Muslims but an appraisal of the risks of contagion and infiltration of the nation by Islamic terrorism.”<sup>31</sup> Imbert, too, with complete linguistic abandon, reinforces the negative perception of Islam: “Islamism is a disease of Islam and flourishes only in its bosom. To say that one has ‘nothing to do’ with the other is absurd: ‘bad Islam’ is the martial representation of a Koranic law against which no recognized Islamic authority has set up barriers.”<sup>32</sup>

26. These assertions echo other remarks by a number of intellectuals, belonging to schools of thought that are often far-removed from each other. One of the most emblematic authors is undoubtedly Alexandre Del Valle, who has long been a protagonist of the idea that “both civilizations, Islamic and American-puritanical, are based on the total elimination of earlier cultures, an eradication justified by the dogma enunciated in a book viewed as the source of all correctness: the Koran for the new ‘Knights of Allah’, and the Bible for the White Anglo-Saxon Protestants (WASPs), who still control society in the United States ... from a historical perspective it is frequently overlooked that both Islamic and puritanical-Protestant civilization asserted themselves against Europe, and that each, in its own way, has sought to eradicate the legacy of the identity of the peoples of the Old Continent”.<sup>33</sup> Éditions L’Âge d’Homme, well known for their sympathy for the cause of the Serbian leader Milosevic, has published many other works of all stripes, for example, by General Pierre-Marie Gallois, who also wrote the preface to the book by Del Valle. In *Le soleil d’Allah aveugle l’Occident*,<sup>34</sup> the former senior French military officer, a theoretician in nuclear deterrence, called on the nations of Europe to face the danger of Islamism - and to support the regime of Saddam Hussein, who, with his

pretensions to secularism, seemed then the best defence against Islamism in the Middle East. Reference should also be made to *La France en danger d'islam - entre djihâd et Reconquista*,<sup>35</sup> in which René Marchand argued for the expulsion of Muslims from France to their countries of origin: "For many today the unthinkable is to return Muslims settled in France who refuse to embrace the French way of life to Islamic societies. I tell you quite frankly: there will be such a return. Or France will cease to be."

27. This raw rejection of Islam is, however, far from being confined to a school of thought inspired by the return in force of nationalism.<sup>36</sup> A journalist with *Le Monde*, a former correspondent in Algiers and Cairo, Jean-Pierre Péroncel-Hugoz had no hesitation in drafting the afterword to Del Valle's work. Moreover he is apparently the originator of the expression "Islamerican", a reference to a convergence of the two forms of global expansionism - United States hegemony and Islamic jihad.<sup>37</sup> This obsessive fear goes back a long way. As early as 1983 Péroncel-Hugoz was ringing alarm bells, writing that "the demographic imbalance being created in the Mediterranean in favour of the southern shore ... brings into the realm of the possible the return of Islam to Europe in force in the next century".<sup>38</sup> Still more astonishing is the fact that new warnings, barely disguised, have come from circles that for long were allied to third-world thinking. The most dramatic charge has been levelled by none other than Yves Lacoste, viewed as one of the architects of French geopolitics, editor of the excellent *Hérodote* review, and clearly committed to the left, to say the least. As early as 1996 he wrote: "However, Islamist militants are trying to islamize some suburbs, seeking to unite and organize in the name of Islam the Muslims of various nationalities living there, but also converting people and persuading recalcitrants to live elsewhere. This strategy may result in the creation of ghettos, made homogeneous by a single religion, in essence like the Jewish ghettos of yesteryear, different only in that they are Muslim areas ... Such a development could see the outbreak, more or less spontaneously and simultaneously, of major riots in areas in which Muslims have become the majority and community leaders by movements bringing together tens of thousands in the suburbs of the major cities, as well as in city centres, such as Marseille."<sup>39</sup> The author of these apocalyptic remarks does not, admittedly, indicate what objectives the leaders of these planned revolts would have, unless to spread terrorism, as intimated by a disciple of Lacoste, Frédéric Encel: "The geographical position of France and the composition of its society mean that France is in the frontline of the battle against Islamism. Several million Muslim citizens - most of them of Arab descent - offer interesting targets for home-grown propaganda, or, no doubt more virulent, propaganda from abroad. The fact that dozens of French Muslims have joined the al-Qa'idah networks in recent years - including some in Afghanistan - is a compelling indication."<sup>40</sup> But in addition to the insidious transition from "several million Muslim citizens" to "dozens of French Muslims" in the same breath, the stigmatization covers an entire population defined in terms of ethnic origin and religion. Attacks on Islam as such may today assume unprecedented proportions in France, including in daily life. In October 2003 the Pro-Peace Movement against Racism and Anti-Semitism became involved in parent protests at the Georges-Pompidou junior high school in Courbevoie (Paris)<sup>41</sup> over a history teacher who, in a course on the "Muslim world", dictated the following text to the pupils "Mohammed will become a thief and assassin ... He will impose his religion by terror ... He will execute 600 to 900 Jews every day ...".

28. If Islamophobia covers the political spectrum, some Muslims themselves are not spared. In 1999 Éditions L'Âge d'Homme published the translation of a work by an American of

Pakistani descent, Ibn Warraq,<sup>42</sup> in which he explained why he had abandoned his family religion, which in itself would not be remarkable were it not for the real motives of the author: "As soon as I was able to think for myself, I rejected all religious dogma that had been pushed down my throat. Today I see myself as a secular humanist who views all religions as the dreams of feeble-minded individuals, clearly false and pernicious ... such is my background and such is my point of view, and matters would have remained at that stage had it not been for the Rushdie affair and the rise of Islam. I had never written a book before, but was so galvanized by these events that I embarked on this book ... which is my war effort. Each time I wondered whether it was wise to write it, new murders in the name of God and Islam impelled me to complete it." As perspicaciously noted by Vincent Geisser, the attack on Islam is, for the most part, much more subtle.<sup>43</sup> In fact, these are not so much Islamophobes as such as individuals who, while proclaiming themselves "Muslims", reveal themselves in practice to be "facilitators of Islamophobia".<sup>44</sup> The author draws a distinction between several kinds of actor in this connection, in particular those who play the role of "Muslim experts" with political headquarters and major non-governmental organizations, SOS Racisme for example, and those who, ceaselessly on parade in the media, indulge in investigative journalism, especially in circles seen as "Islamist" both in France and abroad. Both seek to impose their views as "authorized mediators and interpreters of Muslim questions"<sup>45</sup> - which generally leads them into "cataclysmic comments on Islamization and the 'Benladization' of the suburbs", which becomes their *raison d'être*. This is not a recent development, and owes nothing to the events of recent years. Whereas after 1981 the watchword was - in one of the 110 promises of the socialist candidate to the Presidency of the Republic, François Mitterrand - to recognize in respect of all components of French society "the right to be different",<sup>46</sup> a pronounced return to the assimilation efforts so dear to the Third Republic subsequently took place; the former slogan was reversed, and "the right to indifference" was advocated in what became a new vehicle for integration à la française.<sup>47</sup> One example of this volte-face is offered by the France Plus association which, supported by successive Governments, left and right, from 1988 to 1995 began to "flirt with latent Islamophobia",<sup>48</sup> in particular at the time of the first Gulf war in 1991. Through the voice of its President, Arezki Dahmani, the association discovered the influence of the "Islamist lobby" and the risk of fanatical indoctrination of suburban youth. It was France Plus that first suggested that young girls wearing veils were being manipulated by fundamentalist movements, thus opening the door to a debate, which, biased at the outset, grew until it occupied centre stage in recent French political debate.

### III. ISLAMOPHOBIA AND RELIGIOUS SYMBOLS

29. The ideological context provides fertile ground for the resurgence of Islamophobia. This ground is characterized by two major factors, particularly propitious for such a resurgence: the material aspects of globalization, which nourishes anti-religious sentiment in general, and the identification of Islam with terrorism after the tragedy of 11 September 2001. This new form of discrimination is characterized by the triumph of image over substance. Symbols and appearance are now the targets of ostracism and discrimination.

30. The long-standing issue of the place of Islam in European society has become topical in the current debate on the Muslim veil in State schools. The symbolic nature of this debate is attributable to a lack of correlation between its extraordinary scope and its initial cause, the small number of cases. In fact, this year, according to the Minister of the Interior, there have

been 1,246 disputes involving children wearing a veil<sup>49</sup> most of which were reportedly resolved through dialogue, so that only 20 disputes remain, with only 4 expulsions, of recalcitrant girls removed from State schools. In a debate in which belief, ideology, culture and identity merge, Islam has become the central issue. The overriding perception of most observers is that, behind the prohibition of religious symbols in general in State schools, it is the expression of Islam that is targeted through its symbol. In the culture of discrimination, perception is the driving force. The stigmatization of Islam, at least in debate, thus carries the serious risk of stoking and legitimizing Islamophobia and discrimination against Muslims.

31. The question of the veil has always been a matter of debate for Muslims - and the question of male and female dress has always been a political question. In *La prise de pouvoir par Louis XIV*, the director Roberto Rossellini clearly showed the role destined to be played by the new court etiquette - designed to tame and also ruin the French nobility. When in Turkey General Atatürk, the saviour of the country, prohibited the wearing of the veil in all public places, including universities, he also prohibited wearing of the traditional fez, obliging men to cover their heads with a hat. Thus, fashions and regulations vary from one culture to another, from one time to another, and not without leading to inevitable backlashes in a time of globalization. A certain secular militancy, based on the argument that the veil is a symbol of oppression of women, seems to visibly overlook the fact that coeducation was not conceivable at the time when the act on the separation of church and State, the basis for secularism, was adopted, and that in 1905 a woman who went out into the street without a hat was considered an "easy" woman. In many of the countries of the European Union the same problem of the place and expression of Islam has also arisen, with different answers, more tolerant and less ideological than in France. In any event, debate on the Muslim veil is indicative of the crystallization of Islamophobia in terms of politics, ideology and civilization. It is thus a priority to recognize, objectively, its extent and depth and to deal with the issue as a matter of urgency.

#### IV. RECOMMENDATIONS

32. **The Commission on Human Rights is invited to issue an urgent appeal to all Member States to recognize the reality and seriousness of Islamophobia. 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.**

33. **Acknowledgement of Islamophobia necessitates rigorous and systematic assessment of its reality, manifestations and expressions. The Commission is thus invited to recommend the establishment by the Office of the United Nations High Commissioner for Human Rights of a centre to monitor the contemporary phenomena of racism, anti-semitism and Islamophobia. In close consultation with Member States, non-governmental organizations and competent national and regional institutes and research centres, its mandate would be to develop a scientific methodology for precise measurement of such phenomena and, in collaboration with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, to submit an annual report thereon to the Commission on Human Rights and to the United Nations General Assembly.**

34. The Commission is invited to draw the attention of Member States to the need to develop a strategy to combat Islamophobia, encompassing the three levels on which it is manifested: the personal and emotional level; its intellectual, ideological and media legitimization; and the political exploitation of Islamophobia.

35. The debate on secularism reveals a dual risk: on the one hand, the risk of stigmatizing a religion, culture and community, and on the other hand, by focusing on external symbols, the risk of diluting the substance and scope of cultural diversity. In consequence, the Special Rapporteur recommends that the authorities of the countries concerned take appropriate measures to ensure that the defence of secularism is accompanied by vigorous promotion of cultural and religious diversity and by specific measures to combat the kinds of discrimination that such a debate could give rise to.

36. Member States are invited to develop an intellectual strategy to combat Islamophobia, based on educating people about religion in general and Islam in particular, its spirituality, its culture and its diversity, in the context of intercultural and interreligious dialogue.

37. Condemnation of Islamophobia must, to be credible, be accompanied by legislative and judicial measures punishing its manifestations on the basis of relevant international instruments. The Special Rapporteur proposes to research and to include the measures taken by Member States in his reports to the Commission and to the General Assembly.

#### Notes

<sup>1</sup> Adresse électronique: [publications@cair.net.org](mailto:publications@cair.net.org).

<sup>2</sup> Créé en réponse aux attentats du 11 septembre 2001, le Ministère de la sécurité du territoire a récemment pris une décision qui semble augurer d'un climat de détente. Le Ministre a annoncé la fin de la réglementation spéciale appliquée aux visiteurs et résidents d'une vingtaine de pays arabes et musulmans considérés comme présentant des risques terroristes. Ces personnes faisaient jusqu'à présent l'objet d'un interrogatoire et d'un enregistrement particulier à leur arrivée aux États-Unis. Elles devaient pointer auprès des services compétents un mois après leur arrivée, puis, de nouveau, un an plus tard (voir *Le Monde* du 5 décembre 2003).

<sup>3</sup> <http://www.cair.florida.org/civilrights2003>.

<sup>4</sup> <http://listpncc.ucdaws.ecla/archives/turf/logo0303/0043.html>.

<sup>5</sup> <http://www.hrw.org/reports/2002/usahate/>.

<sup>6</sup> [www.humanrightsadvocates.org/images/NL41doc](http://www.humanrightsadvocates.org/images/NL41doc).

<sup>7</sup> [www.adc.org/index.php?307](http://www.adc.org/index.php?307).

<sup>8</sup> <http://web.amnesty.org/library/print/ENGAMR511142003>.

<sup>9</sup> Le Gouvernement des Etats-Unis semble désormais désireux d'atténuer la crispation provoquée par les attentats du 11 septembre 2001. Il se préparerait à faire quitter la base de Guantánamo Bay à 100 ou 140 détenus, soit 20 % de ceux qui y sont emprisonnés. De plus, un détenu australien, David Hicks, s'est vu attribuer d'office un avocat par le Pentagone. C'est le premier cas de ce genre, sachant que l'intéressé est l'un des six captifs désignés en juillet par décret présidentiel pour une comparution éventuelle devant un tribunal militaire. David Hicks a également été autorisé à se faire aussi assister par un avocat de son pays (voir *Le Monde* du 5 décembre 2003). Il convient d'ajouter que plusieurs gouvernements dont des ressortissants sont emprisonnés à Guantánamo Bay ont fait à ce sujet des représentations à Washington, notamment l'Australie, la France et le Royaume-Uni, et que cette question a été évoquée par le Premier Ministre britannique, Tony Blair, lors de la visite officielle du Président George W. Bush en Grande-Bretagne à la fin du mois de novembre 2003.

<sup>10</sup> Depuis lors, Yaser Esam Hamdi, effectivement enfermé au secret dans une prison militaire, a reçu la visite d'un avocat (voir *Le Monde* du 5 décembre 2003).

<sup>11</sup> <http://www.mrap.asso.fr/article.php3? Id.article=306>.

<sup>12</sup> <http://oumma.com/article.php3?id-article=527>.

<sup>13</sup> <http://ouma.com/article.php3?id-article 387>.

<sup>14</sup> Ibid.

<sup>15</sup> <http://fidesjustice.free.fr/htwl/mrap4htwl>.

<sup>16</sup> <http://ouma.com/article.php3?id-article=638>.

<sup>17</sup> <http://www.mrap.asso.fr/article.php3? idarticle:306>.

<sup>18</sup> La Documentation française, Paris, 2003.

<sup>19</sup> Voir le rapport de Leger-Marketing sur «L'intégration et le racisme après le 11 septembre», [www.legermarketing.com](http://www.legermarketing.com). (L'étude de référence a été réalisée au moyen d'entrevues téléphoniques auprès d'un échantillon représentatif de 1 524 Canadiennes et Canadiens âgé(e)s de 18 ans ou plus et pouvant s'exprimer en anglais ou en français.)

<sup>20</sup> <http://ouma.com/article.php3?idarticle=481>.

<sup>21</sup> Voir le rapport 2003 d'Amnesty International, <http://web.amnesty.org/library/pruit/FRAPOL100032003>.

<sup>22</sup> La théorie du «choc des civilisations», qui a été propagée par Samuel Huntington au début des années 90, envisageait comme inéluctable l'affrontement entre l'Occident et le monde arabo-musulman, présentés comme deux blocs culturellement antagonistes.

<sup>23</sup> Voir notamment D. Schneidermann in *Libération*, 31 octobre 2003.



<sup>24</sup> Voir *supra* note 23.

<sup>25</sup> Beur: arabe en verlan (argot contemporain des banlieues); feuj: juif en verlan.

<sup>26</sup> *Le Monde*, 5 novembre 2001.

<sup>27</sup> Voir, par exemple, l'intervention du Premier Ministre français, M. Raffarin, lors de sa visite à la Grande Mosquée de Paris le 17 octobre 2003.

<sup>28</sup> *Le Point*, 1<sup>er</sup> novembre 2002.

<sup>29</sup> V. Geisser, *La nouvelle islamophobie*, Édition La Découverte, Paris, 2003, p. 23.

<sup>30</sup> Voir, par exemple, J. Césaire, *Faut-il avoir peur de l'islam?*, Presses de la Fondation des sciences politiques, coll. Bibliothèque du citoyen, Paris, 1997.

<sup>31</sup> Geisser, op. cit., (voir *supra* note 29), p. 29.

<sup>32</sup> *Le Point*, 27 septembre 2002.

<sup>33</sup> Voir, par exemple, *Islamisme et États-Unis: une alliance contre l'Europe*, Éditions L'Âge d'Homme, Lausanne, 1997, notamment p. 275.

<sup>34</sup> P.-M. Gallois, *Le soleil d'Allah aveugle l'Occident*, Éditions L'Âge d'Homme, Lausanne, 2001.

<sup>35</sup> R. Marchand, Éditions L'Âge d'Homme, coll. Mobiles politiques, Lausanne, 2002.

<sup>36</sup> Relevons à ce sujet que l'islam n'est pas toujours facilement admis par les nouveaux nationalismes qui, en Corse, par exemple, tendent à privilégier une conception très étroite, voire passéiste, de leur identité. Alors que l'«Île de Beauté» compte au moins 25 000 musulmans, la plupart d'entre eux originaires du nord marocain, cette présence importante - et indispensable à l'économie corse - «suscite des tensions et des remises en question au sein de la population insulaire, inquiète de son identité et marquée par la tradition chrétienne» (*Le Monde*, 21 octobre 2003). Un jeune musulman déclare au reporter du journal: «Nous n'avons rien, ni mosquée, ni salle de prière. La boucherie orientale est loin ... Nous ne nous réunissons pas entre nous pour la prière collective; nous craignons que l'on nous accuse de faire un lieu de culte clandestin et que les patrons ne veuillent plus nous embaucher. C'est dur, par ici, mon frère. Mais, inch'Allah, cela changera peut-être un jour!»; un homme plus âgé ajoutant: «Une mosquée, impossible, 'ils' la feraient sauter». S'il y a quelques lieux de prière en Corse, une unique mosquée à Bastia, par exemple, volontairement très discrète, il n'y a dans l'île aucun cimetière musulman.

<sup>37</sup> Geisser, op. cit., (voir *supra* note 29), p. 63.

<sup>38</sup> J.-P. Péroncel-Hugoz, *Le radeau de Mahomet*, Paris, Flammarion, 1984, p. 46. À ce propos, relevons – une génération plus tard – que les choses ont déjà bien changé, le taux de fécondité étant tombé à 2,1 en Tunisie, 2,8 au Maroc et 2,9 en Algérie (voir le rapport annuel de l'Institut français des relations internationales RAMSÈS, Paris, éd. Dunod, 2004, notamment p. 212).

<sup>39</sup> Y. Lacoste, «Périls géopolitiques en France», *Hérodote*, 1<sup>er</sup> trimestre 1996, p. 14 à 16.

<sup>40</sup> F. Encel, *Géopolitique de l'apocalypse: la démocratie à l'épreuve de l'islamisme*, Paris, Flammarion, 2002, p. 157.

<sup>41</sup> Voir le communiqué du MRAP du 22 octobre 2003, <https://fidesjustice.free.fr/html/mrap4.html>.

<sup>42</sup> *Pourquoi je ne suis pas musulman*, Éditions L'Âge d'Homme, Lausanne, 1999 (voir notamment l'avant-propos, p. 10).

<sup>43</sup> Geisser, op. cit., (voir *supra* note 29), p. 96 et suiv.

<sup>44</sup> Ibid., p. 96.

<sup>45</sup> Ibid., p. 97.

<sup>46</sup> Voir, par exemple, J.-P. Colin, *La beauté du manchot: culture et différence*, Paris, éd. Publisud, 1986.

<sup>47</sup> Voir à ce sujet V. Geisser, *Ethnicité républicaine*, Paris, Presses de la Fondation nationale des sciences politiques, 1997, ou D. Baillet, «Intégration et militantisme politique: le cas des jeunes d'origine maghrébine en France», in *Confluences Méditerranée*, n° 37, mars 2001.

<sup>48</sup> Geisser, op. cit., (voir *supra* note 29), p. 98.

<sup>49</sup> Au cours de l'émission de France 3, «100 minutes pour convaincre», déjà évoquée, le 20 novembre 2003.

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