

OSCE Supplementary Human Dimension Implementation Meeting

Rule of Law in the Promotion and Protection of Human Rights

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Session II: *Effective National and International
Instruments to protect human rights and prevent human
rights violations: Best practices, current challenges and
solutions*

*(This paper is a response to the intervention by the
representative of Turkey)*



Summary Statement on Permission to Say “Islamophobia”

Why is it necessary to define the concept in the context of the OSCE?

- The concept “Islamophobia” is used against the West by the Muslim world.
- Prime Minister Erdogan accuses the West of being “Islamophobic” and characterizes “Islamophobia” as a “crime against humanity” (= an offense from the Nuremberg Trial).
- In his response, the Turkish OSCE representative used the OIC definition, which explains the concept as “baseless fear of Islam and the racism that results from that.”
- This definition is an expression of goals pursued by the OIC and can therefore not be the basis for an objective discussion in the OSCE.
- By using the OIC definition, the Turkish OSCE representative has taken a position that reflects Islamic principles and not Turkish national policy. According to its constitution, Turkey considers itself to be a secular state.
- Assuming the universality of human rights (Vienna Declaration, 1993) as the basis of peaceful co-existence in multi-ethnic, multi-religious societies, the OSCE is called upon to develop a definition in keeping with that declaration, with consideration of the following facts:
 - Religious freedom is the right of an individual to choose, to de-select and to criticize a religion.
 - Declarations of Religious freedom are not to be understood in such a way that they provide protective cover for religious doctrines that would otherwise be inconsistent with Vienna Declaration principles, as noted in its introduction.
 - The practice and expression of religion is always subject to law of the land, not the reverse. (+)
 - Whether the characterization of non-Muslims as “infidels” is an offense in the sense of the “**Framework Decision 2008/913/JI** by the Council in November, 2008 on the legal abatement of certain forms and expressions of racism and xenophobia”.

Can there be talk of baseless fear, when, in the writings of Islam, discrimination, persecution and at times killing are prescribed for “infidels”, or is that “the public inciting to violence or hate” in the sense of the aforementioned Framework Decision?

Especially in view of the persecutions of Christians which are being reported daily, and/or attacks on non-Muslims following (shouts of) “Allahu akhbar”, or the recent statements of Bin Bayyah, who was recently invited to the White House?

(+) Vienna Positions on Coexistence (SPÖ. Spring, 2012). Note OIC notions of “coexistence” seek the nullification on national sovereignty to allow Muslims to govern according to their laws (Shari’a) and not national laws – as exemplified by various attempts to establish Sharia controlled zones in European cities.

“In Vienna one may belong to a religion or not. Behavior which controverts our social rules and values is not desired.” “Is not desired” is only a preference, not a prescription.

These positions have some bearing on discriminatory statements found in Muslim religious instruction, for example these used in Vienna elementary schools:

- “Homosexuals should be burned.” “The Black Sea is the inversion of Hell, in which thousands of them lie.”
- “Allah is our God and we are his warriors! If you eat pork, you will not go to heaven.”

Bürgerbewegung Pax Europa recommends:

- That all OSCE institutions and participating States refrain from using the term “Islamophobia” until a meaningful definition of the term can be established.
- That OSCE counters the OIC definition of “Islamophobia” by either providing a definition compatible with fundamental human rights, or by providing a definitive analysis of why such a definition cannot be properly established.
- That OSCE and participating States exercise extreme caution towards terminology and proposals from the OIC, accepting it only if found to be firmly in line with principles of democracy and human rights.

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