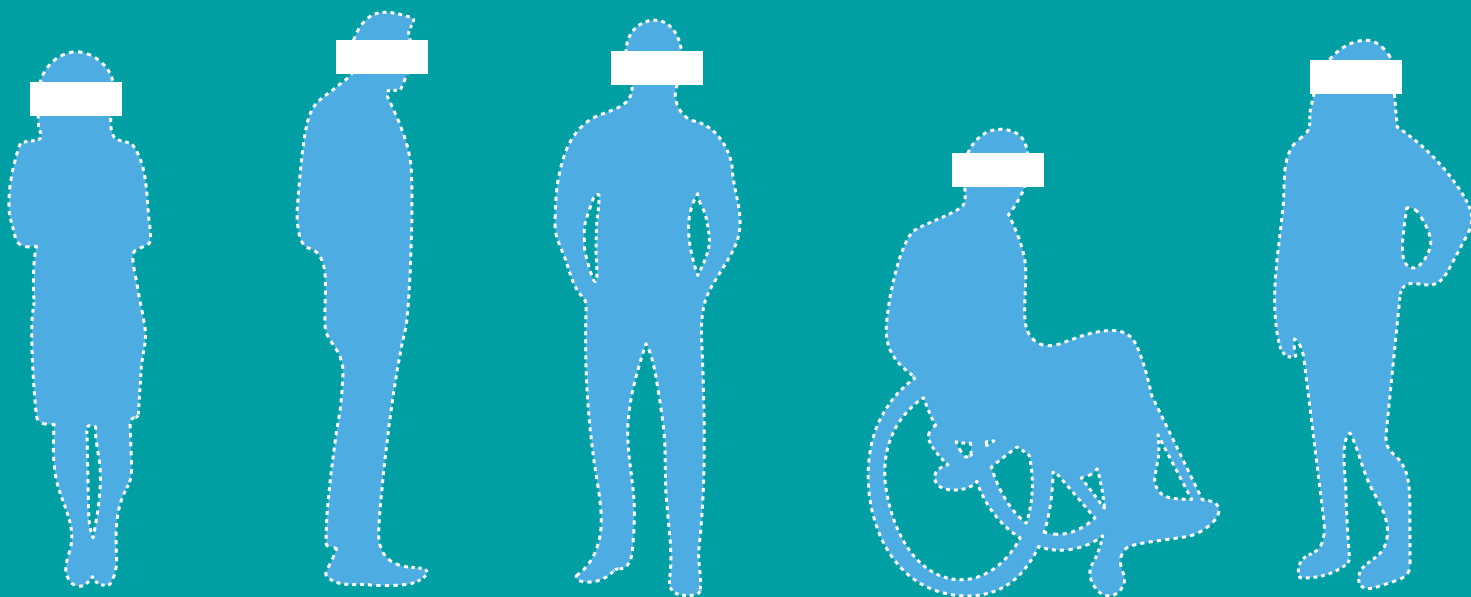


Anti-Muslim Hate Crime



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Across the OSCE region, Muslim people and their communities are the targets of rhetoric that seeks to stigmatize them, devalue their contributions and deny their membership in society. If left unchecked, this climate of intolerance can lead to anti-Muslim hate crimes, including physical assaults against those who are visibly Muslim and the vandalism of shops, restaurants and other businesses owned by Muslims. Such crimes stoke fear among targeted communities, forcing Muslims to conceal their identity and change their routines. Only a strong response from all actors in society can effectively challenge discrimination, intolerance and anti-Muslim hate crimes.

What Is Hate Crime?

**Criminal Offence
+ Bias Motivation
= Hate Crime**

- Hate crimes comprise two elements: a criminal offence and a bias motivation.
- First, hate crimes require a base offence to have occurred. In other words, the act committed must constitute an offence under criminal law. If there is no underlying crime, there is no hate crime.
- The second element of a hate crime is that the perpetrator must commit the criminal act with a particular bias motive or motives (such as a bias against a victim's disability, religion, ethnicity, colour and/or their gender). The presence of a bias motive is what differentiates hate crimes from other crimes.
- A hate crime has taken place when a perpetrator has intentionally targeted an individual or property because of one or more protected characteristics, or expressed hostility towards the protected characteristic(s) during the crime.

What Are Anti-Muslim Hate Crimes?

Attacks or threats against people because of their actual or perceived Muslim identity, or targeting persons or property associated with Muslim people or communities, constitute anti-Muslim hate crimes. The prejudice manifests itself either in the selection of the target (such as a Muslim-owned business, including a shop or restaurant, or a mosque), or in anti-Muslim hostility expressed during the crime.

Anti-Muslim hate crimes take place across the OSCE region. Recognizing the magnitude and nature of the problem is the first step towards effectively countering it.

Anti-Muslim hate crimes often intensify following terrorist attacks and on the anniversaries of such attacks. Data submitted to ODIHR indicate patterns of anti-Muslim attacks against property around Friday prayers and religious holidays, and often include graffiti or the remains of pigs left outside



Dermana Seta, ODIHR Adviser on Combating Intolerance and Discrimination against Muslims, talking to participants of a Youth Activists Forum organized by ODIHR, Warsaw, 24 September 2019. (OSCE/Piotr Markowski)



Participants gather at a rally in Minneapolis to condemn hate speech and anti-Muslim hate crimes, United States, 17 September 2016. (Flickr/Fibonacci Blue)

mosques, community centres, and Muslim families' homes. ODIHR also receives numerous reports each year of attacks against women wearing headscarves, an example of a hate crime motivated by multiple biases (based on the victim's religion and their gender). This highlights the need to take a holistic and multi-dimensional approach to addressing such crimes by considering the multiple identities of the victims.

Given the numerous religious strands and movements that comprise Islam, crimes motivated by a bias against Muslims can take many different forms. Victims might be targeted because of their Muslim faith, or because their faith is associated with a different strand of Islam than that of the perpetrator, or because their religious movement identifies with a specific ethnic group.

Since 2002, OSCE participating States have explicitly condemned acts of discrimination and violence against Muslims and firmly rejected the identification of terrorism and extremism with any religion or culture.

The 2010 Astana Declaration stressed that international developments and political issues cannot justify any form of intolerance or discrimination against Muslims, and encouraged participating States to challenge anti-Muslim prejudice and stereotypes.

How to Recognize Anti-Muslim Hate Crimes

There are a number of indicators that can help to identify an anti-Muslim bias in a potential hate crime. Such indicators, known as "bias indicators," can prompt the authorities to investigate a crime as an anti-Muslim hate crime, enabling a tailored response. The following questions can help identify anti-Muslim hate crimes:

- Do the victims or witnesses perceive the incident as motivated by bias against Muslims or Islam?
- Were there comments, written statements, gestures or graffiti that indicate a bias? These can include comments equating Muslims with terrorism, images and language relating to the Crusades, or symbols promoting the protection of the perpetrator's religion or country, such as national flags or crosses.
- In case of an attack against property, was an object perceived to be offensive to Muslims, such as pork flesh or blood, left at the scene? Or was a religiously important item, such as a copy of the Koran, desecrated?
- Was the targeted property a place with religious or cultural significance, such as a mosque, Muslim cemetery or school?
- Was the targeted property a shop, housing unit or building associated with Muslims, or a site selected for the construction of a mosque or an Islamic cultural centre?
- Was the property previously targeted in an anti-Muslim incident?
- What was the nature of the attack? Were symbols representing Islam targeted? For example, was a

- headscarf removed from a woman's head or a Muslim man's beard shaved?
- Does the suspect belong to a hate group that targets Muslims? These could include different far-right groups or groups advocating intolerance against Muslims. Does the suspect's background or criminal record show that they have committed similar acts in the past, including against other groups?
- Is the suspect a member of a different religious group to that of the victim?
- Was the victim wearing clothing or bearing other characteristics often associated with Islam or being a Muslim, such as, for example, a woman wearing a headscarf, a man with a beard, a person wearing long clothing or with Arabic language inscriptions on their clothing or jewellery, or does the person have a Muslim sounding name? Was the victim wrongly perceived to be a Muslim due to their attire (e.g., a Jewish woman wearing a headscarf or a Sikh man wearing a turban)?
- Was the victim a Muslim community leader or a human rights defender dealing with the protection and safety of Muslims?

- Did the incident take place in the days following a terrorist attack, on the anniversary of such an attack or on some other date of significance for either the perpetrator or Muslim communities? Did the incident take place on a Muslim holiday or in the course of a political campaign?
- Is there any other clear motive? The lack of other motives is also a reason to consider bias motivation.

Anti-Muslim hate crimes should be monitored and recorded as a separate category of crime to enable a tailored response. Data on such crimes should be disaggregated by gender, to better understand the extent to which women and men are affected by anti-Muslim hate crimes and to develop appropriate responses. Anti-Muslim hate crimes are often broadly categorized in official statistics as anti-religious hate crimes or are conflated with anti-Arab or anti-migrant hate crimes. Where a crime is committed with multiple bias motives, each of these biases must be recorded and addressed during investigation and prosecution.

Examples of Anti-Muslim Hate Crimes

- Six people were killed and 19 injured when an armed perpetrator entered a mosque during prayers and fired at worshippers. The perpetrator had earlier expressed sympathy for far-right, anti-Muslim and white supremacist movements.
- A woman wearing a headscarf was insulted, told to "go back to her country" and physically assaulted. The perpetrator broke one of her fingers and ripped off her headscarf.
- A mosque was targeted in an arson attack, in which seven Molotov cocktails were thrown at the building.
- Pigs' heads and jars filled with blood were left on a mosque construction site. The same site had been vandalized a few weeks prior.

Reporting Anti-Muslim hate crimes

Anti-Muslim hate crimes, like all hate crimes, are under-reported, and this can be for a variety of reasons. Victims may lack trust in the authorities, may expect that their claim will not be taken seriously, or may fear further victimization by police officers.

Effective access to justice remains a critical challenge for victims, and one that participating States need to address. Governments have a central role to play in ensuring access to justice, from the initial assessment of victims' needs by police officers to developing support mechanisms for victims.

Many Muslim civil society groups have recognized the importance of hate crime monitoring, including as an advocacy tool, and are developing their monitoring capacities through outreach and online reporting.

To be effective, police responses and government policies to counter anti-Muslim hate crimes must be evidence-based and draw on official hate crime data, as well as on reports from civil society and international organizations. Increased public awareness of hate crime, hate crime recording by states, measures to encourage reporting by victims, and civil society monitoring and reporting will all help reveal the scope of the problem in more detail, enabling policymakers to identify appropriate responses.

What Can You Do?

There are a number of organizations that assist victims of hate crimes. Ombuds institutions and associations working with Muslim communities play a central role in countering hate crimes and serve as a vital link between victims, communities, and local authorities. You can contact your local association or ombuds institution to find out more about anti-Muslim hate crimes:

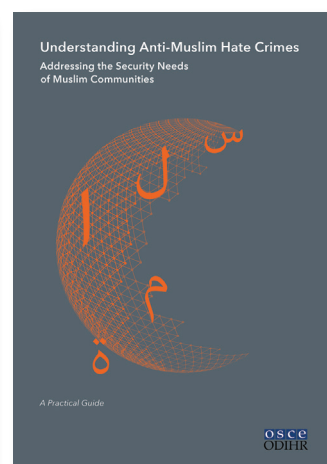
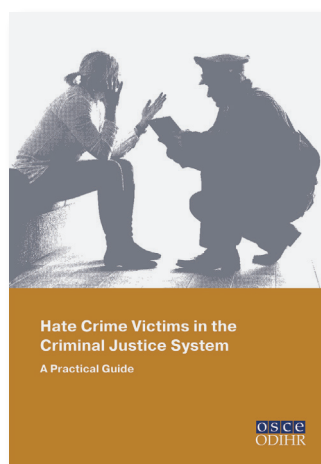
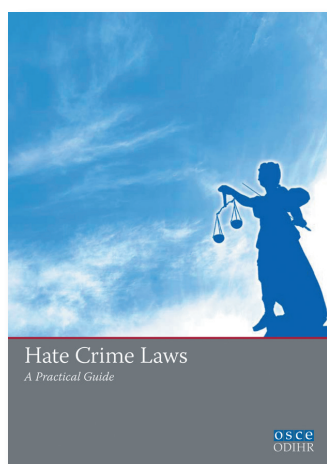
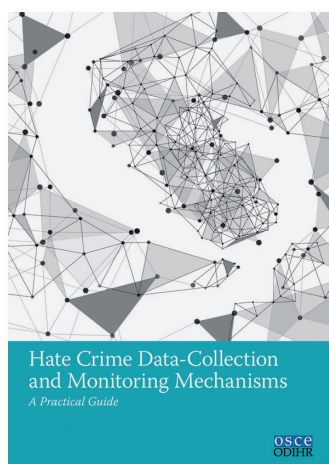
- Equinet – the European Network of Equality Bodies: <http://www.equineteurope.org/>
- The International Ombudsman Institute (IOI): <http://www.theioi.org>
- The European Network of National Human Rights Institutions (ENHRI): <http://ennhri.org/>

ODIHR Guides on Hate Crime

ODIHR has compiled good practices from OSCE participating States on addressing hate crime and has shared these in a number of publications, available on our website at: www.osce.org/odihr/guides-related-to-hate-crime

ODIHR has also published a practical guide on *Understanding Anti-Muslim Hate Crimes, Addressing the Security Needs of Muslim Communities*, available at: www.osce.org/odihr/muslim-security-guide

Find out more about anti-Muslim hate crimes and how civil society organizations can report incidents to ODIHR by visiting our dedicated Hate Crime Reporting Website at: www.hatecrime.osce.org



More information:

For detailed information about ODIHR's hate crime initiatives and to view its full range of resources and publications, please visit:

www.osce.org/odihr/tolerance

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