



European Network Against Racism
Réseau européen contre le racisme
Europäisches Netz gegen Rassismus

General Policy Paper No. 1

Fighting religious discrimination November 2005

Discrimination against ethnic minority communities is a very complex and serious reality in European societies. ENAR believes that racism is not limited to discrimination based on the ethnic or racial origin of a person but also on the basis of all elements of an individual or communities' culture or identity, including religion or belief. Discrimination on the grounds of religion and belief are often inextricably linked to racism and racial prejudice; frequently it is not possible to distinguish between these forms of oppression.

ENAR's vision recognises that '*Europe has always been a continent of great cultural, ethnic, racial and religious diversity*' and that '*coordinated co-operation of NGOs... can and does make a significant contribution to the campaign to eliminate racial, ethnic and religious discrimination*'. ENAR is very concerned about increasing instances of religious and racial discrimination in the European context, not least the extremely worrying trends in relation to Islamophobia and anti-Semitism.

As a network of anti-racist civil society organisations, ENAR has long been alarmed by the expression of prejudice based on real or perceived membership of a religious or belief community. In this regard ENAR is concerned both with individual expressions of discrimination, as well as institutional practices which lead to the exclusion of communities and individuals. Following a period of reflection within the Network, this first General Policy Paper seeks to draw out three key principles which should inform the fight against racism and religious discrimination. These principles are that discrimination on the grounds of religion or belief must:

1. Not distort the reality of racial prejudice and oppression.
2. Be subject to comprehensive European anti-discrimination standards.
3. Not undermine the full realisation and enjoyment of human rights protections.

1. Discrimination on the grounds of religion or belief should not distort the reality of racial prejudice and oppression.

Discrimination on the grounds of religion or belief and racism are inextricably linked. They can often be fused in the identification of the racialised 'other'; or the line between these forms of prejudice can be blurred.

Religion or belief are often used to justify racial discrimination, and can be used to obscure racist motivations. This reality is compounded by the fact that the perpetrators of racist acts do not necessarily distinguish between nationality, culture or religious background. For ENAR and more generally for the victims of racial discrimination, it is often not possible to distinguish between the impact of racial discrimination and discrimination on the grounds of religion or belief.

ENAR is committed to addressing the experiences of discrimination of all ethnic minority communities. As such the Network will target prejudice on the grounds of 'race' and on the grounds of religion or belief.

2. Discrimination on the grounds of religion or belief should be subject to comprehensive European anti-discrimination standards.

ENAR remains convinced that racism and religious discrimination can only be overcome in the context of both national and European strategies. The Network has welcomed the development of European anti-racism measures however it remains concerned at the emergence of a 'hierarchy of oppression'. Protections against discrimination on the grounds of religion or belief under Directive 2000/78/EC are not comparable to those for racial discrimination under Directive 2000/43/EC. Given the intersection between racial and religious discrimination, the current legal framework undermines the fight against racism outside of the field of employment.

This legal framework informs broader efforts to combat discrimination, creating artificial distinctions between communities and individuals. Consequently it is essential that protections against discrimination are enhanced at the European level. In particular ENAR is concerned about the persistent failure of the European Union to legislate against the most serious forms of discrimination: racist crime and racist violence. Policy and legal developments at all levels of society, local, national, and regional, need to involve the active participation of all ethnic minority communities in order to effectively address their needs.

ENAR will address the hierarchy which exists between different grounds of discrimination, particularly between race and religion or belief. It will pursue the 'levelling up' of protection in the context of promoting more comprehensive protections against racism in the European Union.

3. The fight against racism and religious discrimination is a foundation for the protection of human rights.

Freedom from racial discrimination is one of the most widely recognised human rights. It forms the basis for the enjoyment of human rights for all ethnic minority communities, including the right to freedom of religion or belief recognised in the United Nations Declaration of Human Rights.

Religion or belief can never be an excuse for undermining the human rights of anyone in society. ENAR is particularly concerned that the expression of extreme or fundamentalist convictions can serve to undermine to enjoyment of human rights by mainstream religious or belief communities, and lead to prejudice and stigmatisation. It is only by promoting exchange and understanding with and between religious communities that European societies will combat the misuse of religious convictions.

Religion and belief are central to the lives of many Europeans. ENAR recognises that member states have a variety of traditions regarding the formal interaction between the state and religious communities. ENAR believes that all policy and law that seeks to regulate this relationship should be formulated through the prism of respect for freedom of religion or belief, recognition of the positive contribution of religious or belief communities in multicultural societies, and protection of fundamental rights.

ENAR will actively promote dialogue with and between religious and belief communities, in order to foster respect and understanding. ENAR will encourage the European Union to facilitate open and transparent dialogue between and with religious communities, as part of its broader anti-racism and anti-discrimination policies.