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Islam, Islamism and Islamophobia in Europe

Report[1]
Committee on Culture, Science and Education
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Summary

Intolerance towards Islam and Muslims has been increasing in recent years alongside "Islamism", a religiously disguised form of political extremism. The Council of Europe should serve as the pan-European forum for discussing common strategies for strengthening democratic stability faced with Islamism and Islamophobia.

Social exclusion and cultural discrimination of Muslims must not be tolerated. Islamism cannot be combated by banning symbols of extremism and gender inequality. Inter-religious education should be supported by member states. Institutions of higher education and research in Europe should provide Islamic studies. Contacts between Muslim and non-Muslim Europeans and Muslims in North Africa, the Middle East and Asia should be facilitated, in particular among young people, students and teachers.

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[1] Reference to committee: Doc. 11558, Reference 3442 of 29 May 2008.

A.   Draft resolution[2]

1.   The Parliamentary Assembly notes that, in many Council of Europe member states, Muslims feel socially excluded, stigmatised and discriminated against; they become victims of stereotypes, social marginalisation and political extremism because of their different religious and cultural traditions. At the same time, Islamic radicalism and manipulation of religious beliefs for political reasons oppose human rights and democratic values. Both phenomena reinforce each other. The Assembly is deeply concerned about Islamic extremism as well as about extremism against Muslim communities in Europe.

2.   Muslims are at home in Europe where they have been present for many centuries, as the Assembly noted in its Recommendation 1162 (1991) on the contribution of the Islamic civilisation to European culture. Islam, Judaism and Christianity - the three monotheist religions - share the same historic and cultural roots and recognise the same fundamental values, in particular the paramount value of human life and dignity, the ability and freedom to express thoughts, the respect of others and their property, the importance of social welfare as well as the pre-eminence of written norms ensured through a last judgment. Those values have been reflected by European philosophies and been included in the European Convention on Human Rights ("ECHR"; ETS No 5).

3.   Article 9 of the ECHR guarantees freedom of thought, conscience and religion, including the right to manifest one's religion or belief, either alone or in community with others, in public or in private, in worship, teaching, practice and observance. Article 10 of the ECHR enshrines freedom of expression, including the right to express religious or philosophical views or oppose and criticise them. Both freedoms constitute the necessary requirements for a democratic society but must not be abused for the destruction or undue limitation of any of the rights and freedoms set forth in the ECHR.

4.   The Assembly has already stressed the importance of reconciling these two freedoms in its Resolution 1510 (2006) on freedom of expression and respect for religious beliefs as well as its Recommendation 1805 (2007) on blasphemy, religious insults and hate speech against persons on grounds of their religion. The Assembly firmly condemns death decrees and threats against people who criticise Islam or political views linked to Islam. It regrets, however, efforts by United Nations member states to initiate UN action against so-called defamation of religions, and in particular Islam, as such efforts reflect theocratic rather than democratic standards.

5.   Recalling its Recommendation 1804 (2007) on state, religion, secularity and human rights, the Assembly emphasises that democratic standards require a separation of the state and its organs from religions and religious organisations. Governments, parliaments and public administrations that democratically reflect and serve their society as a whole must be neutral towards all religious, agnostic or atheist beliefs. Nevertheless, religion and democracy are not incompatible, in particular as religions may play a beneficial social role. Member states should therefore encourage religious organisations to support actively peace, tolerance, solidarity and intercultural dialogue.

6.   The Assembly notes, however, with concern that some Islamic organisations active in member states have been initiated by governments abroad and receive financial support and political guidance from those governments. The objectives of such organisations are hence not religious. National political expansion into other states under the disguise of Islam should be brought to light. In accordance with Article 11 of the ECHR, member states can limit the activities of such organisations if necessary in a democratic society, in particular in the interests of national security or public safety or for the prevention of crime. Therefore, member states should require transparency and accountability of Islamic as well as other religious associations, for instance by requiring transparency of their statutory objectives, leadership, membership and financial resources.

7.   As the Assembly indicated in its Recommendation 1774 (2006) on the Turkish presence in Europe: migrant workers and new European citizens, member governments and parliaments as well as the Council of Europe must give priority to fostering social inclusion of Muslims and other religious minorities. The many efforts undertaken by member states to better integrate migrants are to be commended, but this integration is often still far from reality, in particular with regard to Muslim migrants. Thus, the Assembly invites member states to be proactive in dealing with social, economic and political inequalities.

8.   While organisational structures of Muslim communities in member states are desirable in order to facilitate contacts with governmental and administrative bodies, member governments and parliaments should seek to establish also direct political contacts with Muslims as equal citizens. Such direct contacts

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[2] Draft resolution adopted unanimously by the committee on 10 May 2010.

could be facilitated, for example, through public hearings at local and regional levels as well as through regional and national discussion platforms on the Internet. Referring to Recommendation 170 (2005) of the Congress of Local and Regional Authorities of the Council of Europe on intercultural and inter-faith dialogue: initiatives and responsibilities of local authorities, the Assembly calls on national parliaments to ensure that local authorities in their countries have the necessary legal, administrative and financial frameworks for local activities intended to foster social inclusion and intercultural dialogue.

9.   It is equally necessary that migrants belonging to a minority culture in their host country do not isolate themselves and do not attempt to develop a parallel society. Thus the Assembly calls on the representatives of the Muslim communities to encourage intercultural dialogue and understanding of the cultural background of the host country and fight against divisions which would otherwise lead to societal frictions and conflicts. Recalling its Resolution 1605 (2008) and Recommendation 1831 (2008) on European Muslim communities confronted with extremism, the Assembly invites Muslims, their religious communities and their religious leaders to combat any form of political extremism under the cover of Islam. Islam is a religion which upholds peace. Muslims should be the first to react with dismay and opposition, when terrorists or political extremists use Islam for their own power struggle and thus disrespect the fundamental value of human life and other values enshrined in Islam.

10.   The Assembly deplores that a few political parties in Europe exploit and encourage fear of Islam and organise political campaigns which promote simplifications and negative stereotypes concerning Muslims in Europe and often equate Islam with extremism. It is inadmissible to incite intolerance and sometimes even hatred against Muslims. The Assembly calls on member states to pursue political action in accordance with the General Policy Recommendation 5 (2000) of the European Commission against Racism and Intolerance (ECRI) on combating intolerance and discrimination against Muslims.

11.   Recalling its Resolution 1464 (2005) on women and religion in Europe, the Assembly calls on all Muslim communities to abandon any traditional interpretations of Islam which deny gender equality and limit women's rights, both within the family and in public life. This is not compatible with human dignity and democratic standards; women are equal to men in all respect and must be treated accordingly, with no exceptions. Discrimination of women, even when based on anachronistic religious traditions, goes against Articles 8, 9 and 14 of the ECHR, Article 5 of its Protocol No. 7 as well as its Protocol No. 12.

12.   In this respect, the veiling of women, especially full veiling through the *burqa* or the *niqab*, is often perceived as a symbol of the subjugation of women to men, restricting the role of women within the society, limiting their professional life and impeding their social and economic activities. Neither the full veiling of women, nor even the headscarf, is recognised by all Muslims as a religious obligation of Islam, but they are seen by many as a social and cultural tradition. The Assembly considers that this tradition could be a threat to women's dignity and freedom. No women should be coerced into wearing religious clothing by their community or their family and there is a need to protect them against being excluded from public life.

13.   For this reason, the possibility to prohibit the wearing of the *burqa* and the *niqab* is being considered by legislatures in several European countries. Article 9 of the ECHR includes the right of individuals to choose freely to wear or not to wear religious clothing in private or in public. Legal restrictions to this freedom may be justified where necessary in a democratic society, in particular for security purposes or where public or professional functions of individuals require their religious neutrality or that their face can be seen. However, a general prohibition of wearing the *burqa* and the *niqab* would deny women, who freely desire to do so, their right to cover their face.

14.   In addition, a general prohibition might have the adverse effect of generating family and community pressure on Muslim women to stay at home and confine themselves to contacts with other women. Muslim women could be further excluded if they were to leave educational institutions, stay away from public places and abandon work outside their communities, in order not to break with their family tradition. Therefore, the Assembly calls on member states to develop targeted policies intended to raise awareness of the rights of Muslim women, help them to take part in public life and offer them equal opportunities to pursue a professional life and gain social and economic independence. In this respect, the education of young Muslim women as well as of their parents and families is crucial.

15.   Genital mutilation under the pretext of Islamic or other customs violates the right to physical and moral integrity of individuals, and especially children, under Article 8 of the ECHR and should be regarded as inhuman and degrading treatment under its Article 3. Member states must do their utmost to combat this practice through law and provide practical help to children and their parents, including in particular through education. The Assembly recalls in this context its Resolution 1247 (2001) on female genital mutilation.

16.   Stereotypes, misunderstandings and fears with regard to Islam are typical symptoms of a widespread lack of adequate knowledge among non-Muslims in Europe. Similarly, many Muslims in Europe lack adequate knowledge of Islam let alone other religions, which can make them vulnerable to "Islamism" as a religiously disguised form of political extremism. In this context, the Assembly recalls its Recommendation 1720 (2005) on education and religion and calls on member states to ensure that knowledge about Islam, Judaism and Christianity is taught at school and through life-long education.

17.   Inter-religious education should be supported by member states, to raise public awareness of the common origin and values of Judaism, Christianity and Islam and their impact on modern European humanism. Institutions of higher education and research in Europe should provide Islamic studies in order to educate religious scholars, teachers and leaders and distinguish Islam from Islamism. The Assembly is confident that most European Muslims of today accept a common approach reconciling Islam with democratic values, human rights and the rule of law; indeed, many have done so for a long time.

18.   The Assembly also welcomes the White Paper on Intercultural Dialogue prepared by the Council of Europe during the European Year of Intercultural Dialogue in 2008 as well as other activities by the Committee of Ministers in this field. Member governments should use this White Paper in their related national action, including in schools and educational institutions.

19.   It is important to create synergies with other international organisations in this respect. Therefore, the Assembly invites the United Nations Alliance of Civilisations to co-operate more closely with the Council of Europe, in particular by setting up joint programmes of action. In this context, the Assembly invites the Secretary General of the Council of Europe to seek additional funding for such activities through member states and facilitate reciprocal secondment of staff between the two organisations.

20.   The Assembly invites the Islamic Educational, Scientific and Cultural Organisation (ISESCO) and the Arab League Educational, Cultural and Scientific Organisation (ALECSO) to work with the Council of Europe on combating Islamism and Islamophobia or other religious discrimination as well as on promoting the respect of universal human rights. ISESCO and ALESCO can be particularly important in ensuring that their members respect the UN International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

21.   In this context, the Assembly regrets that some member governments of ISESCO and ALECSO have adopted national legislation based on an interpretation of Sharia law or have pursued national policies which are in conflict with the ICCPR and the ICESCR: imposing severe penalties or even the death penalty on persons wishing to adopt another religion than Islam is incompatible with Article 18 (2) ICCPR; imposing severe sanctions on, or passing public death decrees against, persons who have criticised Islam is incompatible with Article 19 of the ICCPR; calling for a "holy war" or violence against other countries or their citizens and glorifying terrorists as "holy martyrs" is incompatible with Article 20 (2) of the ICCPR; educating children to hate or fight persons of other faiths than Islam is incompatible with Article 13 (1) of the ICESCR.

22.   Contacts between Muslim and non-Muslim Europeans and Muslims in North Africa, the Middle East and Asia should be facilitated, in particular among young people, students and teachers. The Assembly invites, therefore, the European Youth Forum to expand its activities in this field. Co-operation between educational and cultural institutions as well as cities around the Mediterranean Basin should be supported, for instance in the framework of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165) as well as the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (CETS No. 106).

B.   Draft recommendation[3]

1.   Referring to its Resolution … (2010) on Islam, Islamism and Islamophobia, the Parliamentary Assembly emphasises the particular importance for the Council of Europe and its member states of increasing their action in this field. It is a priority task for the Council of Europe under its Statute to work towards ensuring freedom of thought, conscience and religion while combating religious intolerance and discrimination as well as religiously disguised extremism. Member states should be guided by this Recommendation and Resolution … (2010).

2.   In order to construct on a daily basis a democratic society governed by the rule of law and universal human rights, the Council of Europe must step up its efforts to embed those values in the culture of Europe. Cultural and educational action by the Council of Europe is a necessary condition for both European integration based on common values as well as full understanding and respect of human rights, including political, social as well as cultural rights and freedoms.

3.   Because of its Statute, geographical remit and experience, the Council of Europe should serve as the pan-European forum for discussing common strategies for strengthening democratic stability faced with Islamism, Islamophobia and other political extremism in Europe. Therefore, the Assembly asks that the Committee of Ministers:

3.1.   ensure, through the general budget as well as voluntary contributions, that adequate funding is available for standard-setting as well as assistance and co-operation activities for member states and neighbouring regions in the fields of culture and education as well as migration and refugees;

3.2. reinforce their activities to ensure that knowledge about Islam and other beliefs is taught at school and through public life-long education and that institutions of higher education and research in Europe provide Islamic studies in order to educate religious scholars, teachers and leaders and distinguish Islam from Islamism;

3.3.   seek to enlarge geographically the Council of Europe treaties in the field of culture and education by opening them for signature by non-member states, in particular from Eurasia, North Africa and the Middle East; this is particularly important with regard to the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165), the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS No. 199) and the European Convention on Transfrontier Television and its Amending Protocol (ETS Nos 132 and 171);

3.4.   study the possibilities of opening the geographical scope of the European Cultural Convention (ETS No. 18) to non-European states, for instance by drafting a protocol on education for human rights and democracy to this convention;

3.5.   actively seek accession by states in North Africa and the Middle East to the Council of Europe's European Centre for Global Interdependence and Solidarity (North-South Centre);

3.6.   consider opening the European Commission against Racism and Intolerance (ECRI) to participation by non-member states, in particular from North Africa, the Middle East and Eurasia;

3.7.   consider opening the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 106) for signature by non-member states, in particular from North Africa, the Middle East and Eurasia;

3.8.   set up joint programmes of activities of the Council of Europe with the UN Alliance of Civilisations;

3.9.   continue its important action on intercultural dialogue and its religious dimension, in particular its regular "exchanges on the religious dimension of intercultural dialogue", and further the involvement of the Assembly in order to enhance the role of inter-parliamentary co-operation in this process;

3.10. call for signature and ratification of the European Convention on the Legal Status of Migrant Workers (ETS No. 93) and the Convention on the Participation of Foreigners in Public Life at Local

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[3] Draft recommendation adopted unanimously by the committee on 10 May 2010.

Level (ETS No. 144) by those member states which have not yet done so; the social and political inclusion of migrants and foreigners, who are often Muslims, will be essential for democratic cohesion and stability;

3.11. seek to develop common political approaches by all member states towards non-European states which support Islamism in Europe and call, in this context, on member states which have not yet done so to sign and ratify the European Convention on the Suppression of Terrorism and its Amending Protocol (ETS Nos 90 and 190) and the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196) in order to strengthen political and legal co-operation in this area;

3.12. call on Switzerland to enact a moratorium on, and to repeal as soon as possible, its general prohibition on the construction of minarets for mosques, which discriminates Muslim communities under Articles 9 and 14 of the European Convention on Human Rights (ETS No. 5); the construction of minarets must be possible like the construction of church towers, subject to the requirements of public security and town planning;

3.13. call on member states not to establish a general ban of the full veiling or other religious clothing, but protect the free choice of women to wear or not religious clothing and ensure equal opportunities for Muslim women to participate in public life and pursue education and professional activities; legal restrictions on this freedom may be justified where necessary in a democratic society, in particular for security purposes or where public or professional functions of individuals require their religious neutrality or that their face can be seen.

C.   Explanatory memorandum, by Mr Jensen, rapporteur

1.   Introduction

1.   On 2 September 2008, I was appointed rapporteur for the Committee on Culture, Science and Education on "Islam, Islamism and Islamophobia in Europe" on the basis of a motion for a resolution (Doc. 11558) tabled by Mr Margelov and others. On 26 April 2010, a new motion for a resolution entitled "Burqa – is action needed?" (Doc. 12159) was referred to the committee, to be taken into account in the present report.

2.   For the preparation of this report, the Committee on Culture, Science and Education held a hearing on Islam, Islamism and Islamophobia in Europe in Copenhagen on 8 September 2009. The record is available as document AS/Cult (2009) 20 rev. An earlier report on freedom of expression and respect for religious beliefs by my Finnish colleague, Mrs Sinikka Hurskainen, may also serve as a reference (Doc. 10970).

3.   This report aims at highlighting the challenges European societies face in respect of Islam and their growing Muslim communities and how these challenges can be overcome in order to ensure respect for all persons, regardless of their religion.

2.   Islam in Europe

4.   For centuries, European countries and countries in North Africa, the Middle East and Asia had strong relations with each other, characterised by wars of conquest but also by periods of peaceful cohabitation, of understanding, of intellectual, cultural and in particular commercial exchanges. After the foundation of Islam in the 7th century, the civilisation and culture of Islamic countries had an important impact on science, knowledge and culture in Europe. In 1991 the Parliamentary Assembly adopted a report on the contribution of the Islamic civilisation to European culture (Doc. 6497), which acknowledged the importance of Islam's past contribution and Islam's potentially positive role in the Europe of today.

5.   Following the conquests by Arab leaders of the Iberian Peninsula from the 8th to the 15th century and of Sicily from the 10th to the 11th century, as well as the conquests in South-Eastern Europe by the Ottoman Empire from the 13th to the 17th century, there has been a Muslim presence in Europe. Four member states of the Council of Europe have traditionally a predominantly Muslim population. In Western Europe, their presence increased rapidly through the second half of the twentieth century. Following bilateral treaties of

Turkey with, for instance, Germany (1961) granting working visas for Turkish citizens, a first generation of Muslims came to meet the needs of those countries for manual labour. Such immigration was then perceived as temporary, but gradually became permanent and an integral part of European societies. After the independence of the former European colonies in North Africa and Asia, their citizens had privileged access to France, the Netherlands and the United Kingdom, for example. Today, Muslims come to Europe from the Middle East, Africa and South-East Asia because of economically or politically difficult conditions in those regions. Islam is part of the religious landscape and the cultural heritage of modern Europe.

6.   Religious tolerance is a fundamental value in Europe which took centuries to develop. In the wake of the human suffering from the Thirty Years' War, peaceful religious cohabitation between Roman Catholics and Protestants was established in Europe through the Peace of Westphalia in 1648. The emancipation of Jews in Europe was gradually established through national laws, for example, in 1791 in France, in the German Kingdom of Prussia in 1812 and finally in Switzerland in 1874. With industrialisation and linked migration as well as the introduction of mandatory school education, religion was losing its societal importance in Europe. The Jewish Holocaust and the crimes against humanity in former Yugoslavia reminded Europe of the terrible potential of religious or ethnic intolerance and the paramount importance of human rights and democracy for any civilised human society.

7.   Religion maintained its centuries' old importance for the Islamic countries in North Africa and the Middle East, many of which had been under European colonial rule and remained largely agricultural with widespread poverty and high illiteracy. The enormous profits from oil and gas resources in some of these countries over the past decades were kept for small elites within these countries. The political struggle for control over these resources led to the emergence of religiously framed extremism in some countries, for instance the so-called Islamic revolution in Iran in 1979. In addition, the conflict in the Middle East and the situation of the Palestinians gave rise to organised terrorism, ranging from suicide attacks on ordinary people in Israel to the Palestinian attack on the Israeli team at the Olympic Games in Munich in 1972.

8.   While Islam gained a visible presence in Europe, differences emerged over political and social values, in particular with regard to secularity, human rights in general and the rights of women in particular, but also Europe's liberal views on gender equality, marriage or sexual issues. Debates on the role of Islam in Europe are sometimes very tense and provoke anxiety among Muslims who see Europe as a threat to their religion and non-Muslims who see Islam as a threat to their values.

9.   Immigrants in general face difficulties integrating into their host country, but Muslim immigrants seem to integrate slower than non-Muslim immigrants. Even second and third generations of Muslim immigrants sometimes find it difficult to accept European values which seem in contradiction to their traditional cultural or family values. The latter values are often characterised as Islamic values. In particular young Muslims identify first with Islam rather than with either their family's country of origin or the European country of which they are citizens. This identification with Islam is stronger today than it was a few decades ago and is also a consequence of the larger number of Muslims and their sometimes parallel societies.

10.   Identity conflicts of Muslims, as well as conflicts between values perceived as European versus Islamic, are skilfully exploited by so-called Islamists who mobilise second and third generations of Muslim immigrants to reject basic principles of modern European societies as being incompatible with Islam. Islamism has a growing influence among Europe's Muslim population and supports violence against non-Muslims. Nevertheless, Islamists are a small minority among European Muslims.

11.   Terrorist attacks committed by criminals in the name of Islam, in particular the attacks in New York in 2001, in Madrid in 2004 and in London in 2005, have increased fear of, and intolerance towards, Islam and Muslims across Europe, sometimes referred to as Islamophobia. One of the objectives of these terrorist attacks was, of course, to stir up feelings and actions against Muslims, in order to cause subsequent counter-reactions by Muslims who perceived themselves as being socially excluded or opposed.

   2.1. Islam

12.   Islam is a monotheistic Abrahamic religion, founded in the 7th century. It is one of the world's major religions, with an estimated 1.6 billion adherents, known as Muslims. Essential to Islam is the belief that the Prophet Muhammad is God's last messenger and accomplished the revelations attributed to earlier prophets, including Adam, Abraham, Moses and Jesus. Muslims also believe in the concept of a last judgement found in all other Abrahamic religions. Based on Judaism, Christianity and Islam developed subsequently and incorporated many of the principles of Judaism.

13.   The Koran is the central religious text of Islam and the fundamental source of every Muslim's faith and practice. According to Islam, the Koran contains God's revelations delivered to Muhammad by the Angel Gabriel fourteen centuries ago. Similar to the Bible, the Koran's teaching shows first and foremost the relationship between God and humanity and provides guidelines for a righteous society and proper human conduct.

14.   The most important elements of Islamic ritual life are known as the "Five Pillars of Islam", which are essential duties for all Muslims. The first pillar includes the requirement to declare that there is only one God and that Muhammad is his messenger. This must be recited publicly at least once in a lifetime. The second consists of five daily canonical prayers at fixed times during the day: before dawn, at midday, in the mid-afternoon, at sunset and at night. The third involves the practice of charity. Muslims who have accumulated wealth have to donate to the poor annually. The fourth consists of fasting during Ramadan, the ninth month of the Islamic calendar, during which adult Muslims do not eat from sunrise to sunset. However, travellers, children, the elderly, pregnant women and the sick are exempted. Finally, the fifth pillar includes the pilgrimage to Mecca prescribed for every Muslim, if possible once in a lifetime.

15.   The sunna, the second most important source of Islamic law after the Koran, recounts the sayings and living habits of the Prophet Muhammad. The sunna, recorded in compilations known as hadiths, became a model for Muslim conduct that complements the Koran. However, Shiites and Sunnites disagree about the content of the sunna. Shiites reject some hadiths which Sunnites consider as legitimate, and vice-versa. This is due to their disagreement about the religious leadership after the death of the Prophet and gives rise to some differences in Islamic practice between the two groups.

16.   Even though the Koran and the sunna constitute the most important source for Islamic law known as the sharia, many Islamic principles and ethical norms are derived from scholarly interpretation through consensus and analogy over many centuries and constitute the Islamic jurisprudence. Generally speaking, sharia is based on four main sources: the Koran itself, the sunna, ijma' (precedent consensus of the Islamic scholars) and qiyas (a process of analogical reasoning). However, all other sources of Islamic law must be in essential agreement with the Koran. Judges may use ijma', qiyas, (mainly the Shi'a Islam) ijtihad (independent legal reasoning) to decide new case law if new issues arise which have not been addressed in the Koran or in the sunna. However, there are many distinctions within the various Islamic orientations with regard to the acceptance of the specific sources and to the manner in which they use these sources.

17.   Islam's very rich but also complex legacy of theological and ethical doctrines are inaccessible to most Muslims. Only many years of Islamic studies provide the necessary knowledge of Islamic theological, ethical and legal doctrines. With regard to Sunni Islam only, sharia can be interpreted in four different ways according to the four schools of thought of religious jurisprudence developed in the first three centuries of Islam: the Hanafi, the Shafi'i, the Maliki and the Hanbali School, each based on the interpretation of their founders. These schools give different weight to qiyas and ijma' concerning legal opinions. However, some Muslims do not follow any particular school and others combine different schools.

2.2. Diversity in Islam

18.   Islam is not a coherent and monolithic bloc; like all other religions, the Islamic community consists of a wide range of religious orientations, beliefs and practices. Islam has several branches and much diversity within those branches. Most Muslims belong to the two major denominations of Islam: the Sunnites and the Shiites. The largest denomination of Islam is the Sunni branch, making up more than 85% of the Muslim population, whereas the Shi'a constitutes the second largest division of Islam – about 10% of all Muslims. Shiites represent the majority of the population in Azerbaijan, Bahrain, Iran and Iraq. Turkey, Afghanistan, India, Kuwait, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen have a significant Shi'a Muslim population.

19.   The schism between the Sunnites and the Shiites originates from the question of who would succeed Muhammad as leader of the community. Whereas Sunnis choose the authority of the prophet's companion Abu Bakr, Shiites only recognised members of the prophet's family. Accordingly, the Sunnites accepted the first three caliphs (Abu Bakr, 'Umar and Uthman) as legitimate successors of the prophet and attribute no special religious or political function to the descendants of Ali (the cousin and son-in-law of the prophet, who was considered by the Sunnites as the fourth caliph). The Shiites, however, believed that the prophet appointed Ali as the first Caliph and thus only recognise him and his descendants as Caliphs, referred to as Imams (i.e. the political and religious leadership of the Shi'a Muslim community).

20.   The largest branch of Shi'a Islam is the Twelfer Shi'a, but there are many other branches and subdivisions within these branches because the Shiites disagreed on the succession of Imams. Accordingly

they created several divisions on who would be the rightful Imam, today known as Zaidism (Fiver Shi'a), Isma'ilism (the Sevener Shiites) and the Imamiyya (the Twelfer Shi'a). Both latter groups believe in a hidden Imam awaiting the time that God has decreed for his return in order to guide humanity. The status of the Imam within Shi'a Islam is different from that of the Caliph in Sunni Islam. Whereas the Caliph is the spiritual and political head of the community, the Imam is not only the leader of the community, but is also considered to be infallible and sinless and appointed by God to be the perfect example for the faithful. The institution of the Caliphate in Sunni Islam was abolished by Mustafa Kemal Atatürk in 1924. As the Sunnites do not have an ordained clerical hierarchy, any Muslim with sufficient knowledge, also called an "ulama", may lead a religious community and offer non-binding opinions. In contrast to this, Shi'a Islam has a clerical hierarchy. The highest ranking ulama in the Shi'a tradition are called ayatollahs, who lead the Shi'a community during the temporary absence of the hidden imam. However, none can speak in the name of all Muslims.

21.   But there are other minor religious orientations distinct from Sunni and Shi'a Islam; such as the Kharijites, the Ibadiyya, the Mu'tazilah or the Ahmadiyyah, although the latter orientation is not considered as Islamic in certain countries. Another significant dimension of Islamic religious life is the Islamic mysticism known as Sufism, a mystical-ascetic form of Islam. Sufism is divided into a large number of orders and is frequently viewed by other Muslims with suspicion.

22.   Muslims are therefore not a homogenous group. Besides their diverse religious orientations and practices, they have very diverse cultures, languages and ethnic origins.

2.3. Muslim population in Europe

23.   In Europe, Islam is the second largest religion. In certain member states of the Council of Europe, it is traditionally the religion professed by the majority of the population, while in others it is the religion of the majority of immigrants and of citizens with an immigrant background or of European citizens who have converted to Islam. Most Muslims in Western Europe are immigrants or from an immigrant background from Turkey, the Middle East, North Africa and South Asia. Most of those living in South-Eastern Europe, in the Caucasus, in Russia or in Turkey are native.

24.   The number of Muslims living in Western Europe has increased largely in the last decades. Whereas there were about 800,000 Muslims in 1950, there are now more than 23 million, comprising nearly 5% of the population. The rate of growth is accelerating and the number is expected to rise.

25.   The Islamic community in Europe differs considerably, not only in terms of their brand of Islam but also in terms of origins, countries of reference, culture, language, traditions and ethnicities. Some European Muslims are doctrinally rigid and others, the majority, do not actively practise their faith; some are committed to modern European values, and others are not. Similar to the terms Christian and Christianity or Jew and Judaism, the terms Muslim and Islam embrace diverse realities which must be clarified in order to avoid simplifications and confusions.

26.   Some European countries show a higher concentration of Muslim communities from different countries of origin. The Muslim population in France are mainly from the former French colonies in Africa: Algeria, Morocco, Tunisia, Senegal and Mali. In Germany, Turks form the overwhelming majority of Muslims, while in Great Britain Muslims are mainly Pakistanis, Bangladeshis and Indians. In the Netherlands and in Belgium, Muslims are predominantly from Indonesia, Morocco and Turkey.

27.   In Europe, Muslims do not have institutional structures which represent the whole Muslim community in one country or at European level. Public authorities have to be careful in selecting their Muslim interlocutors, as some Islamic structures are apparently reliable but are in fact very radical and pursue a model of society incompatible with the values and institutions of a democratic Europe. Islamists are vey often involved in such Muslim structures in order to obtain political participation. European countries should rather co-operate with structures which are committed to European values and reject the radical ones. Muslim integration is not only a religious problem, but a problem that all immigrants face, whatever their religious affiliation.

3.   Islamic ideologies

3.1. Islamism

28.   Islamism, also called political Islam, is an ideology which aims at getting political influence in order to apply Islamic principles in the world. Muslims, who think that the precepts of Islam are not just a religious belief but should be fundamental to the political and social order of society, can be called Islamists. Islamists

believe that Islam guides all spheres of life and therefore do not accept the separation of religion and state. They attempt to reach their goal either with peaceful indoctrination, propaganda and political struggle or violent methods such as assassination and terrorism.

29.   Islamism is not a contemporary phenomenon. Already in the early 20th century, figures such as the Pakistani Sayyid Al Mawdoudi or the Egyptian Sayyid Qutb, often referred as the founding father of Islamism and advocated the establishment of an Islamic state for implementing the sharia. Sayyid Qutb was certainly one of the key figures of the Islamist movement "the Muslim Brotherhood" founded by Hassan al-Banna in 1928 and which is still the most influential political Islamic movement in the Islamic world. These movements were among the first to organise an opposition to European colonial rule.

30.   In the early twentieth century, Islamism restricted itself to the Muslim world. Today, we can also find it in Europe. Islamism mainly manifests itself through progressive penetration into European societies by challenging the democratic values and norms, trying gradually to replace them with its own standards and therefore impose its ideology on European societies. Although Islamists constitute a small minority amongst Muslims, they have weighty influence in European societies: in media, in places of worship or in civil society. They are organised, obtain funds from the oil-rich Gulf States and receive large media coverage throughout the world.

31.   Political Islam is not a unified movement: there are different currents, various ideologies and beliefs. Terrorist attacks or passing public death decrees (fatwa) are only extreme expressions of political Islam. Typically it expresses itself peacefully through political penetration by challenging existing norms and social habits: asking women to wear the headscarf, requesting that halal food be available in school canteens, that men and women be separated in swimming pools, requiring schools and employers to provide special rooms for daily prayers and forbidding women to attend physical education classes if schools cannot provide separation between sexes.

32.   Contemporary Salafism, a branch of radical Islam, is doctrinally rigid but not very active in political terms, aside from radical Salafists, the so-called Salafist Jihadists, who use violent methods against critical Muslims and non-Muslim societies. However Salafism seeks to revive a practice of Islam that resembles the religion more closely as it was during the time of the Prophet Muhammad and therefore claims to practice the pure Islam of the Koran and the Sunna as understood and practised by the "pious predecessors". The Salafists' main political advocacy is the strict application of sharia which is, according to them, the only law to which Muslims should submit. Therefore, they do not seek to engage in European activities but to live their practice of Islam through isolation. However, unlike other Islamists they consider that the adherence to the norms of sharia is a personal commitment of individual Muslims and not a matter of the state.

33.   Salafism is not a unified group, its adherents range from violent Salafist Jihadism to ultra conservative Wahhabism. However, Salafism did not always refer to a movement with the desire to return to a pure Islam as practised during the era of the Prophet Muhammad. In the mid 19th century, the Salafist movement referred to the Islamic reformist concepts of Jamal al-Din al-Afghani, Muhammad Abdu, and Rashid Rida, who sought to reconcile Islam with modernity in focusing on the principles of Islam.

3.2. Islamism as a challenge to European societies

34.   Islamists pursue a model of society incompatible with the values and political structures of a democratic, tolerant and pluralistic Europe. Their claims challenge democracy, secularity and human rights. Islamists are not willing to submit to a national legal framework as this is perceived to go against their religious belief. They do not accept the separation between religion and state.

35.   Islamism is growing among descendants of Muslim immigrants. They have lived mostly in deprived areas and see Islam as a source of identity and pride, as a means to redress perceived injustices, weak socio-economic prospects and as a way of expressing their anger. The more frustrated and alienated they feel, the more likely they are to join these groups. Salafism appeals to younger Muslims because it is a way to differentiate themselves from their parents and grandparents and can also be a sign of adolescent rebellion, a way to affirm their desire for individuality and to get public attention through an uncompromising religious expression. Salafism also appeals to converts because of its claim to authenticity. It offers Muslims a clear and uncompromising opposition to the "West" and to the values of European societies.

36.   A few European Mosques have regularly been frequented and even controlled by Islamists. Mosques, such as the Finsbury Park Mosque in London, Al-Quds Mosque in Hamburg or Iqra Mosque in the suburbs of Paris used to be centres for Islamists. Even though Mosques provided them with new recruits and logistic arrangements, they are seen as being no more than the location for the activities of Islamists and can not be

seen as a place of proliferation. Since the terrorist attacks in New York in 2001, the public authorities and the Mosques themselves are much more vigilant – a fact which has driven Islamist activities underground as well as online. The role of the Internet plays an increasingly important role in Islamist recruitment.

37.   Islamists do not really want Muslims to integrate in European societies and therefore instigate them to reject European values and norms. Dialogue is essential in order to address integration problems. However, dialogue can exist, and it makes sense, only between people who truly respect each other, trust that different cultures may co-exist peacefully and are committed to build on common values to ensure such a peaceful co-existence. Islamism plainly refuses key features of European culture and fundamental values shared by all European countries, as expressed in Assembly Recommendation 1804 (2007) on state, religion, secularity and human rights. Islamism rejects multiculturalism and can only lead to intolerance.

38.   European countries have to act with a high sense of responsibility and with knowledge towards the propaganda of Islamists because this issue is delicate for politicians to deal with. A follower of Islam is not necessarily a true representative of that religion, neither is what individuals claim in the name of Islam inevitably religious. Politicians, governments, but also the media, frequently fail to distinguish between Muslims, Islamists and political extremists.

3.3. Political terrorism in the name of Islam

39.   Recently, Colonel Gaddafi, who had seized power in oil-rich Libya in 1969, called for a holy war (jihad) against Switzerland following the ban of minarets in Switzerland under the popular initiative and his son's arrest in Geneva in 2008 for having assaulted two servants. Gaddafi had been linked to the bomb attacks on a discotheque in Berlin in 1986, on Pan Am flight 103 over Lockerbie in 1988 and on the French UTA airplane over the Sahara in 1989. In 1989 the former religious and political leader of Iran, the Grand Ayatollah Khomeini pronounced a death decree (fatwa) on Salman Rushdie for having written the book "The Satanic Verses". Osama bin Laden is said to have issued two fatwas in 1996 and 1998, calling on Muslims to kill US civilians and military personnel, before his terrorist network al-Qaeda carried out the suicide airplane attacks on the World Trade Center in New York and the Pentagon in Washington DC on 11 September 2001, causing the death of approximately 2,900 people. On 11 March 2004, a terrorist attack, linked to al-Qaeda, killed 191 people and wounded approximately 1,800 on a commuter train in Madrid. Following the production of his film "Submission", which criticised the treatment of women in Islamic societies, Theo van Gogh was assassinated in Amsterdam on 2 November 2004 by a Dutch-Moroccan Muslim. The former Dutch parliamentarian Ayaan Hirsi Ali, who had contributed to the film and been critical of Muslim traditions, has been under police protection since 2004 and finally left the Netherlands. 52 people were killed and around 700 were injured in the coordinated suicide bomb attacks by four British Muslims on underground trains and a bus in London on 7 July 2005. In 2006, the Grand Ayatollah Fazel Lankarani of Iran issued a fatwa calling for the assassination of Rafiq Tagi, a journalist in Azerbaijan who wrote about Islam and reprinted the Muhammad cartoons of Jyllands-Posten in the Azerbaijani newspaper Senet, as well as the editor of Senet, Samir Sedagetoglu. Kurt Westergaard, the author of the Jyllands-Posten cartoon showing the prophet Muhammad with a bomb in his turban in September 2005, received numerous death threats and was attacked in his house by a Somali Muslim armed with an axe on 1 January 2010. In Palestinian cemeteries, suicide terrorists are still accorded special places of honour as "holy martyrs".

40.   The apparent objective behind such terrorist attacks and threats is to create fear among non-Muslims and call for counter-reactions against Muslims, to create the feeling of strength among Muslims and unite them stronger against non-Muslims, and to pursue political objectives such as the struggle for political power regionally or internationally. During the so-called Cold War of the Soviet Union and its allies with North America and Western Europe, terrorist fighters in the name of Islam were at times supported by one or the other side, for instance in Afghanistan or the Middle East. A few political leaders in the Middle East control vast oil resources and use Islam as a source for establishing their own political power. In 2007, 93% of the opiates on the world market originated from Afghanistan, equalling some 64 billion US-Dollars in value. Muslims in North Africa and the Middle East burning Danish flags in front of television cameras in the wake of the Jyllands-Posten incident probably did not know Denmark, but were provided with such flags for propaganda purposes by weak regional leaders who sought to strengthen their position within their own country. As those leaders are typically not elected freely and fairly through a democratic process, they perceive democracy and the rule of law as a threat to their own power struggle and thus denounce these values as infidel Western values.

4.   Discrimination against Muslims

4.1. Islamophobia

41.   Although there is at present no common definition of Islamophobia, the term is often used to describe prejudice or discrimination against Islam or Muslims. However, this term is by its etymology confusing because Islamophobia means fear of Islam and does not necessarily correlate with discrimination against Muslims. An individual can rightly or wrongly fear Islam or aspects of it and have no prejudice against Muslims or Islam. Discrimination against Muslims in the fields of economic, social and cultural integration might be based on a xenophobic rather than a religious motive.

42.   Public opinion in Europe is largely formed by widely publicised terrorist acts or threats in the name of Islam. After the terrorist attacks in New York in 2001, there was an increase in acts of intolerance against European Muslims as findings by the EUMC (European Monitoring Centre on Racism and Xenophobia) and the ECRI (European Commission against Racism and Intolerance) demonstrate. Attacks on places of worship, such as Muslim graves or Mosques, are signs of this phenomenon. But also women, who clearly demonstrate their affiliation to Islam by wearing headscarves, are particularly confronted with Islamophobia. It is of utmost importance that society denounces those acts of aggression against Muslims. Discrimination against people on grounds of their religion and aggressive hostility towards a religion are manifestations of intolerance which are incompatible with the values of the Council of Europe.

43.   The term Islamophobia is also used by Islamists to protect them from criticism and to silence liberal Muslim reformers by accusing their views of Islam as Islamophobic. Criticising a religious orientation is not an act of discrimination against its followers, but part of freedom of expression in a democratic society. The Assembly reaffirmed this in Resolution 1510 (2006) on freedom of expression and respect for religious beliefs as well as in Recommendation 1805 (2007) on blasphemy, religious insults and hate speech against persons on grounds of their religion.

44.   The UN Human Rights Council Resolution of 26 March 2009, condemning "defamation of religion" as a human rights violation, asked the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to report on "all manifestations of defamation of religions, and in particular on the serious implications of Islamophobia (…)". Such a resolution can threaten the right to freedom of expression and may be used in certain countries to silence debate and criticism of religions or to intimidate human rights activists, religious and political dissenters and religious minorities. It mirrors the political objectives of a large number of Muslim countries in the United Nations, but does not correspond to the gravity of the subject matter or its relevance for universal human rights.

4.2. Stereotypes and misconceptions about Islam

45.   Islamophobia is often induced by ignorance, simplifications, clichés and negative stereotypes. Many people lack knowledge about religions in general and therefore misunderstand Islam and Muslims. Assembly Recommendation 1720 (2005) on education and religion pointed out that religion had to be taught so that people could understand similarities with, and differences from, their religion, acknowledge other people's religions and come to terms with their differences.

46.   The media play an important role in disseminating the image of Islam. However, journalists who cover the Muslim world often know very little about Islam and focus in particular on radical Islam. Political extremism is sometimes pursued in the name of Islam and media reports about non-democratic and violent regimes confuse their political action with Islam. Thus, the media may contribute to a distorted image of Islam which is often looked upon as extremist, terrorist or fundamental rather than a peaceful religion. Therefore, the image of Islam is deteriorating and fear of Muslims is growing in Europe.

47.   In many European countries, far right-wing parties have changed their traditional hostile campaign against immigration and foreigners and rather exploit public fear of Islam. Their political campaigns encourage anti-Muslim sentiments and the amalgamation of Muslims with religious extremists. They advocate the fear of Europe being swamped by Muslims. Political parties, such as the French National Front, the Dutch Party for Freedom, the Belgian Vlaams Belang or the Swiss People's Party have been very successful in running campaigns against Islam and largely contributed to the stigmatisation of Muslims. The Swiss People's Party supported a federal popular initiative aimed at adopting through referendum a ban on the construction of minarets and backed it with a xenophobic campaign. The Dutch Party for Freedom propagated the ban of the Koran, comparing the religious text of Islam to Hitler's Mein Kampf. Their campaigns amalgamated Islam and Islamism and regard all Muslims as Islamists. Through simplifications and negative stereotypes, these parties conveyed a distorted image of Islam.

48.   In Switzerland, the popular initiative "against the construction of minarets", launched by members of the "Swiss People's Party" and the "Federal Democratic Union", sought a constitutional ban on the construction of new minarets. The initiative was approved in November 2009 by 57.5 % of the voters and by a majority of the Cantons although the Swiss Federal Council, the Swiss Federal Parliament and most political parties argued against this ban. Consequently, the construction of minarets is no longer allowed in Switzerland, although it is still possible to build mosques and places of worship. The Swiss ban was clearly influenced by a distorted image of Islam and was directed against Islamists and their practices. The decision to ban the construction of new minarets will not be an effective measure against Islamic extremism. It may well have the opposite effect. The minaret itself is an architectural symbol of Islam and, similar to church towers, indicates a place where Muslims can practise their faith. A general ban on minarets clearly violates the spirit of Article 9 of the European Convention on Human Rights. The fundamental freedoms and human rights in this Convention are fortunately not subject to populist referenda of a majority against a minority.

49.   The image of Islam suffers from the attitude of some Muslims who associate with Islam some cultural and patriarchal practices which have nothing to do with the traditional Islamic teaching and which are contrary to the laws of European democracies: the so called "honour-killings", genital mutilation or the full veiling of women (the burqa and the niqab). Although these practices cannot be associated to traditional Islamic principles, Islam was often used as a justification of such acts. It is necessary to distinguish between cultural, social, ethnic and religious practices of Islam. Therefore, opposing the coercive full veiling of Muslim women cannot be considered as violating Islamic norms

50.   The image of Islam also suffers from principles, ethical norms and moral values of Islam which are contrary to European values. The inequality between men and women is certainly a central issue which must be addressed by European Muslims in adapting Islam to a modern democratic Europe. Muslim women face particular difficulties in their family or marital context, although most serious problems as polygamy or stoning of women are not issues affecting Muslims living in Europe. Of course, discrimination of women is not exclusive to Muslims. Forms of discrimination, namely with regard to holding religious charges, exist also in Catholicism and Judaism. Moreover, cultural acceptance of gender equality is inequal in different European regions and in most countries formal recognition of this equality still needs to be fully implemented. Nevertheless, even though the social status of Muslim women may differ considerably according to their social class, educational background and their country of origin, women's submission to men is rooted in the Islamic tradition and significant (if not radical) changes are required in this respect to progress toward integration.

5.   Muslim integration in European democracies

5.1. Europe's religious and cultural pluralism

51.   In its Resolution 1510 (2006) on freedom of expression and respect for religious beliefs, the Assembly stated that religion is an important feature of European societies; Christians, Jews, Muslims and members of many other religions are at home in Europe as well as those without any religion. With respect for the principles of the European Convention on Human Rights, religious communities may exercise the fundamental right of freedom of religion in all Council of Europe member states under Article 9 of the Convention. However, under paragraph two of Article 9 of the Convention, Council of Europe member states may limit an individual's right to manifest his religion or beliefs provided that "such limitations are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others".

52.   Europe's religious and cultural pluralism is based on principles and values which are beyond any religious or cultural particularities because they aim to protect the rights and freedoms of others. European values are in particular of interest for religious minorities because they protect their right to practise their religion even though it is not the religion professed by the majority of the population of a country. Human rights are the pillars for Europe's democratic pluralism.

53.   Assembly Resolution 1510 (2006) on freedom of expression and respect for religious beliefs points out that "the overall aim should be to preserve diversity in open and inclusive societies based on human rights, democracy and the rule of law, by fostering communication and improving the skills and knowledge necessary for living together peacefully and constructively within European societies and between European countries".

54.   When the Danish newspaper Jyllands-Posten published cartoons about Muhammad, a public debate about religious tolerance versus freedom of expression emerged. The subsequent death threats against the authors of the cartoons and the journalists are inacceptable. The publication of the cartoons and the violent

reactions against them have been abused by both Islamists and Islamophobes to widen the propagated but distorted distance between Muslims and non-Muslims.

55.   Social, cultural and political integration of Muslims does not mean assimilation; they can be integrated without ceasing to be Muslims. However, granting citizenship is not always sufficient to ensure integration. Many Muslims who were born or became European citizens remain segregated and do not integrate in their host society. The level of unemployment among Muslims remains higher than that of non-Muslim immigrants and their level of education is generally lower, especially with regard to Muslim women.

56.   Secularism, one of Europe's shared values, requires the separation of state and religion. Islam is seen by many Muslims as a system that encompasses all spheres of life, social and personal, and is therefore considered by many Muslims as incompatible with secularism. Islam provides a social and legal system and regulates domains like matrimonial affairs, ethics, dress code and religious rituals and practices. In this sense, Islam is not very different from other religions, which also set standards for human and social behaviour. Secularism does not mean that individuals cannot live and publicly practise their own values or that politicians cannot have religious values. It simply means that state institutions must remain neutral towards all religions and should therefore not prefer a particular religion.

5.2. The burqa debate

57.   In France, a public debate on the full veil – *burqa* and *niqab* – led to a legislative initiative aimed at a general ban on wearing the *burqa* in public places. Following the request for an advisory report, the highest administrative tribunal, the French Conseil d'Etat, decided on 25 March 2010 that a general ban would not be possible under the French Constitution. On 30 April 2010, the Belgian Chamber of Deputies voted in favour of such a general ban, which still requires approval by the Belgian Senate.

58.   Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, wrote in his publication "Viewpoint" released on the occasion of International Women's Day on 8 March 2010 that women should be free to choose how they dress, without interferences either from their communities or from state authorities. Prohibition of the *burqa* and the *niqab* would not liberate oppressed women, but might instead lead to their further alienation in European societies.

59.   Secularism does not mean we should ban religious practices in the public sphere. Cultural and social expressions of religions are part of the right to freedom of religion under Article 9 of the European Convention on Human Rights and the right to freedom of expression under its Article 10. Article 9 of the Convention includes the right of individuals to choose freely to wear or not to wear religious clothing in private or in public. Legal restrictions on this freedom may be justified where necessary in a democratic society, in particular for security purposes or where public or professional functions of individuals require their religious neutrality or that their face can be seen.

60.   The veiling of women, especially the full veil through the *burqa* or the *niqab*, is perceived as a symbol of the subjugation of women to men, restricting the role of women within society, limiting their professional life and impeding their social and economic activities. Neither the full veiling of women, nor the headscarf, are universally recognised as a religious obligation of Islam, but rather as a social and cultural custom. This tradition may be a threat to women's dignity and freedom. No woman should be coerced into wearing religious clothing by her community or her family and there is a need to protect women against being excluded from public life.

61.   European countries need to find the right balance between freedom for Muslim women to wear the headscarf or the *burqa*, when they wear it out of conviction, and the protection of those who are forced to wear it by their parents, husbands, families or peer-pressure. A general prohibition might have the adverse effect of generating family and community pressure on Muslim women to stay at home and confine themselves to contacts with other women. Muslim women could be further excluded if they were to leave educational institutions, stay away from public places and abandon work outside their communities, in order not to break with their family tradition.

62.   Regulating religious dress codes and symbols in the public sphere can only address the symptoms, but not the causes of religious extremism. It is therefore not likely to reduce the influence extremism exerts on European Muslims. Banning the *burqa* is one example which distracts from the real difficulties Europe faces in integrating Muslims in their societies. Islamism cannot be combated by banning symbols of extremism. The *burqa* is a symptom of radical Islam and gender inequality under the pretext of Islam, but not a cause.

63.   States in Europe should respect the voluntary decision of Muslim women to wear a headscarf or other religious attire, just as Christian nuns or monks and orthodox Jewish men are allowed to wear their religious clothing and orthodox Jewish women are allowed to cover their hair under a wig. States should rather develop targeted policies intended to raise awareness of the rights of Muslim women, help them to take part in public life and offer them equal opportunities to pursue a professional life and gain social and economic independence. In this respect, the education of young Muslim women as well as of their parents and families is crucial.

5.3. European Islam

64.   Islam is a non-violent religion like Judaism and Christianity. Their common roots as an Abrahamic religion demonstrate the high value all three religions give to human life and human dignity. Terrorist acts fundamentally violate these values. They are political abuses of Islam and a symptom of mental coercion. They are an insult to Islam. It is imperative that this be emphasised during public discussions by Muslims and non-Muslims. As soon as enough Muslims stand up and raise their voice against this abuse of their religion, the true values of Islam will become visible to everyone.

65.   Considering that Sub-Saharan Muslims developed their own brand of Islam, often referred to African Islam, or that Indians developed an Indian Islam, it is realistic to imagine the emergence of a specific European Islam which embraces values of democracy and human rights. Muslims in Albania and in Bosnia and Herzegovina, for instance, have lived and practised their faith as Europeans and without extremist tendencies.

66.   However, such a reform of Islam can only be accomplished if modern interpretations of Islam are admitted by Muslims. Therefore, states should encourage European Muslims to take advantage of freedom of expression and information, academic freedom and democracy in order to pursue a critical analysis of Islamic practices. Obviously, European secularism does not permit the state to engage actively in the reform of a religion. Religions can only be lived and reformed by the followers themselves.

67.   Many Imams who preach in European Mosques were trained outside Europe. When they arrive in their host countries, they often do not know the national language and are not familiar with European culture and values. Imams who preach in European Mosques should have a good knowledge of the language, culture, institutions and the values of the host country. Providing Islamic studies and Islamic education to Muslims in Europe as well as the training of teachers of Islam would help to integrate Muslims into European societies. In the majority of European countries, religious courses are provided at school, but there is sometimes a tendency to limit such education to one religion. It is important to also provide education about Islam in Europe.

68.   The Assembly has adopted a number of texts on related issues, in particular Recommendation 1849 (2008) on the promotion of a culture of democracy and human rights through teacher education, Recommendation 1682 (2004) on education for Europe, Recommendation 1396 (1999) on religion and democracy, and Recommendation 1202 (1993) on religious tolerance in a democratic society. It is also worth recalling the Committee of Minister's Recommendation (2002) 12 on education for democratic citizenship. Education is certainly a way to facilitate the emergence of a European Islam with its own authenticity embracing human rights and democratic pluralism.

6.   Conclusion

69.   European ideals of rationality, mutual understanding and humanity must lead to peaceful intercultural dialogue within European societies. European Muslims should become full European citizens with all rights and duties, citizens who embrace the fundamental values which the Council of Europe stands for.

70.   The belief that one's own religion is the only true one cannot justify denying the freedom of religion of others. European countries and peoples cannot and shall not accept religious views leading to political, social or family practices in conflict with human rights, including for instance gender equality or non-discrimination on grounds of sex or sexual orientation. These practices mirror the societies when the particular religions started centuries ago. Today, religious backwardness must be overcome in all areas of fundamental freedoms and rights.

71.   There are many European Muslims who embrace European values and culture and consider Europe their homeland, but there are also increasing numbers of young Muslims who feel culturally alienated in Europe and who are not willing to respect European values and norms as they perceive such values to interfere with their Islamic identity. Those Muslims are more vulnerable to extremist ideologies and are more

easily radicalised by Islamists. It is therefore crucial to achieve further integration of European Muslims in the social, economical, political and cultural life of European societies.

72.   European societies need to make further efforts to accommodate religious diversity and consider Muslims as their fellow citizens. Intolerance towards Islam and Muslims has been increasing in recent years. Muslims feel they are stigmatised because of their belief, but Muslim discrimination is multilayered; religious discrimination is just one aspect of Muslim discrimination.

73.   Social exclusion and cultural discrimination of Muslims, as well as Islamophobia, must not be tolerated in Europe. In this respect, I refer to the General Policy Recommendation Nr 5 on combating intolerance and discrimination against Muslims, adopted by the Council of Europe's European Commission against Racism and Intolerance (ECRI) on 27 April 2000, as well as to the Council of Europe's White Paper on Intercultural Dialogue launched by the Committee of Ministers on 7 May 2008.

74.   Europe's values – human rights, democracy and the rule of law – ensure peaceful cohabitation. European Muslims can fully benefit from these values and norms, but must accept them as well. They should reject the establishment of a parallel society. A reformed Islam could be compatible with European values considering that all religious texts are read and understood differently over time. Islam is what Muslims define and practise as Islamic.

75.   For the Council of Europe, this debate should lead to the following recommendations:

- Discrimination against Muslims must not be tolerated in Europe, as it violates the European Convention on Human Rights.
- Freedom of religion of Muslims must be fully guaranteed, but this freedom must not be used to deny other fundamental freedoms and human rights, in particular the right to life by non-Muslims, the right to non-discrimination by women or minorities, the right to freedom of expression and the right to freedom of religion by non-Muslims.
- Muslim immigrants should be supported by member states to integrate into European society culturally, economically and politically.
- Islam should become a subject of higher education and research in Europe, in order to avoid confusion between Islam and political extremism.
- Muslims in Europe should be encouraged to speak out against terrorism and violence in the name of Islam, in order to combat such abuses of Islam.
- Inter-religious education should be supported by member states, in order to raise public awareness of the common origin and values of Judaism, Christianity and Islam and their impact on modern European humanism.
- Contacts between Muslim as well as non-Muslim Europeans and Muslims in North Africa, the Middle East and Asia should be facilitated, in particular among young people, students and teachers.
- Co-operation between educational and cultural institutions as well as cities around the Mediterranean Basin should be supported.