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DOES INTERNATIONAL LAW PROHIBIT ISLAMOPHOBIA?

Summary

The neologism that refers to «unfounded hostility towards Islam» as well as to «the practical consequences of such hostility in unfair discrimination against Muslim individuals and communities, and to the exclusion of Muslims from mainstream political and social affairs» was coined by the British Non-governmental organization Runnymede Trust in 1997 (Runnymede Trust 1997). In the report entitled «Islamophobia: Challenge for Us All» the organisation justifies the usage of the neologism because ‘anti-Muslim prejudice has grown so considerably and so rapidly in recent years that a new item in the vocabulary is needed so that it can be identified and acted again.

Although the Runnymede Trust’s report was essentially about the anti-Muslims sentiment in the United Kingdom, the term «Islamophobia» quickly popularized also in other European countries inhabited by significant Muslim populations.

The emergence of Islamophobia as a specific form of discrimination and intolerance against Muslims has exposed the importance of legal combating with Islamophobia, especially in international level. However, there are no international norm that directly prohibits Islamophobia and this fact raises a question that – Does international law prohibit Islamophobia? If, the answer is no, then it would be meant

that religious based discrimination is not illegal and everyone can make restrictions by this way freely, for example a person can be not permitted to work in public administration because of his or her religious trust. Such a situation could lead to public panic and confrontation. The religious-based discrimination may also have a negative impact on international relations.

However, level of Islamophobia in education increasing contrary to international law. The results found a rise in anti-Muslim. At least 52 percent of Muslim students had been verbally harassed about their religion at school, while 19 percent had endured online bullying by classmates. Among girls who wear the hijab, or Islamic headscarf, 29 percent told that they had been exposed to «offensive touching» or had their hijab pulled by a classmate, and 27 percent said that they discriminated against by teachers.

The author proved that, there are not the wings of international law against to Islamophobia. A lot of documents demand States Parties to respect and ensure the rights set forth in the present to everybody within his/her jurisdiction without discrimination of any kind, race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. The above-mentioned declarations, conventions, resolutions, court decision and other international law sources give us strong ground in order we can full confidently say that international law prohibits Islamophobia.

Key words: *Islamophobia, International law, Human Rights, religion, discrimination.*