

# STUDY GUIDE



PELOTAS

**MUN**

## TOPIC B

# RACISM AND XENOPHOBIA IN THE CONTEXT OF THE MIGRATION CRISIS

## Letter from the Chair

Fellow Delegates,

With a great pleasure we welcome you to the PelotasMUN United Nations Human Rights Council. You are soon to become part of an amazing experience, which will provide the highest level of debate on one of the most important matters discussed within the United Nations.

We have chosen carefully the topics, making them as accessible as possible, and also with the best flow of the discussion in mind. By following this guide, we believe that you are going to have better understanding on the topics that are going to be discussed, and as such we recommend the fellow delegates to read it before further studies, exploring more carefully your nation's position within the following topics and also within the Human Rights Council.

After the proper care and study, it is time to prepare your position papers and send them to us. In case of any doubt or uncertainty regarding the preparation, do not hesitate to contact us, as we will gladly help you as much as possible.

We look forward to work with all of you, and we look forward to make the best PelotasMUN possible!

Warm regards,

**Ariane Casanova Dorneles, Camila Schwonke Zanatta, & Joana Gastal**

**UNHRC Directors.**



## TOPIC B: RACISM AND XENOPHOBIA IN THE CONTEXT OF THE MIGRATION CRISIS

### Introduction

From the beginning of humanity until now people have been on the move. According to the Office of the United Nations High Commissioner for Human Rights (2017), an estimated 244 million people currently live outside their country of origin, whereas. According to the UN Department of Economic and Social Affairs (DESA, 2016), “by the decade from 2040 to 2050, population growth in the developed regions is projected to be negative, with positive net migration no longer able to compensate for the excess of deaths over births. For the developing regions in this period, population growth is projected to continue due to natural increase, albeit at declining rates, with negative net migration still having a relatively small effect.”

Some people move in search of new economic opportunities, others in response to the adverse effects of climate change, natural disasters, or other environmental factors. Still others move to escape armed conflict, poverty, food insecurity, persecution, terrorism, or human rights violations. Regardless the reason, the search for protection and for opportunities are inextricably entwined.

However, the immigrants are not always well received in the host country. Sometimes they face racism and xenophobia, which cause the marginalization of minorities, and sometimes verbal and physical assault and, in extreme situations, can even provoke genocide. The United Nations considers migrants a particular vulnerable group, that faces numerous issues.

*Issues related to the enjoyment of economic, social and cultural rights are particularly crucial for many migrants. Very often, they are confronted with severe discrimination in housing, education, health, work or social security. Laws discriminating against non-nationals, along with programmes and policies that fail to address their specific needs and vulnerabilities, often result in migrants and their families being unable to access basic services or only being able to do so at levels that do not meet international human rights standards. For migrants in an irregular situation, their vulnerability is compounded because access to remedies is often unavailable because of their status. (UN, 2017)*

It is important to emphasize that racism and xenophobia are distinct phenomena, although they often overlap (ILO, IOM, OHCHR, 2001). While racism generally implies the assumption that ethnic group with differences in physical characteristics, such as skin



coloration, hair type and facial features, as it is superior, xenophobia denotes behavior based on fear or hate to foreigners.

European studies demonstrate that the influx of migrants themselves cannot be cited as a cause of xenophobia. Not even can be said that the number of immigrants is proportional to the number of racist acts. The immigrants are the main victims. (EUMC, 1998) Sometimes, the only factors that needs to the emergence of xenophobia are the social decline of specific groups and right-wing political organizations (ILO, IOM, OHCHR, 2001).

The first international instrument to discuss discrimination was the Universal Declaration of Human Rights, which recognizes that:

*Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, **no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs**, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. (Our emphasis. Article 2 of Universal Declaration of human rights 1948)*

The rights to equality and non-discrimination are cornerstones of human rights law, and the international efforts did not stop here. In 1965, it was acquired the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, which solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person.

However, on the past years it is happening an increase in both forms of discrimination and violence directly against immigrants, refugees and other non-nationals in many parts of the world. This is global phenomena that call for global solutions through human rights approaches.



## Historical background

Events in history show that racism and xenophobia occurred around the world at various times. During the colonial period, the idea of the existence of different races arose to divide the colonizers of the colonized, as a way to legitimate occupation and domination, also had generated slavery and the slave trade and is also a major source and manifestation of discrimination that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of these acts and continue to be victims of their consequences.

Moreover, in the United States appeared the group that disseminates hatred, the Ku Klux Klan. Although black Americans have typically been the Klan's primary target, it also has attacked Jews, immigrants, gays, lesbians and Catholics. It was formed in 1895 to prevent southern blacks to enjoy basic civil rights and was disbanded when laws secured white domination, however had a revival in 1920s when it opposed to catholic and Jewish immigration. Since the 1970s according to The Southern Poverty Law Center, the Klan has been greatly weakened by internal conflicts, while some factions have preserved an openly racist approach, others have tried to cloaking their racism as mere "civil rights for whites".

In another hand, Europe has suffered a lot during the Second World War, where one of the most severe genocide has occurred. The Nazis sought to murder the entire Jewish population of Europe and to destroy its culture: the event became known as The Holocaust. Others groups were also targeted based on "racial inferiority" allegation such as: Roma (Gypsies), the disabled, and some of the Slavic people, others were persecuted because political or ideological and behavioral grounds among them communists and homosexuals. According to United States Holocaust Memorial Museum approximately 6 million people were murdered and in the aftermath, between 1948 and 1951, almost 700,000 Jews emigrated to Israel, including 136,000 Jewish displaced persons from Europe.

In South Africa, between 1948 and 1991 happened the apartheid regime that was a system of institutionalized racial segregation and discrimination. Blacks were denied citizenship, access to quality healthcare, public services, education which had long been declared as a human right. The institutionalization of Apartheid was accompanied by an ideology which sought to justify racial segregation as part of a political model aimed to defend white and Christian civilization. The demise of the apartheid regime increased migration of



foreign nationals from across Sub-Saharan Africa and South Asian countries. The reason was due the availability of economic opportunities especially in the informal sector. This influx of foreign national led to traces of discrimination. According to South African Migration Project (SAMP) survey conducted in 2001, South Africans demonstrated their 'will' on wanting to restrict the entry of foreigners (ROOSEVELT O.; FELIX S. O. 2015).

The African continent is also known for another atrocity against humanity. After years of conflicts between Tutsi, which are the second largest population division in Rwanda and Burundi, and the first one being the Hutu, the campaign against Tutsi began in the pages of a journal called Kangura which aimed to promote the cause of a Hutu nation. One of its most infamous issues contained the Hutu ten commandments, where not only was the outright call to show hatred for the Tutsi minority but also to slander and prosecute Tutsi women (MELVERN, 2004). Racism against Tutsi hit the climax, and in 1994 Hutu majority government mass murder an estimated 500,000 Tutsi during the 100-day period from April 7 to mid-July.

Unfortunately, we can't say racism and xenophobia are problems from the past, since they also take place in XXI century, for example the September 11, 2001 terrorist attack, which left as an inheritance the discourse of fear and hostility to immigrants especially against Muslims.

However, the event that contributes for the recent increase in the flow of immigrants is The Arab Spring of 2011 which left consequences such as civil wars in Libya, Syria and Yemen that have caused horrendous human costs, violation of human rights and widespread economic stagnation throughout the Middle East (MICALLEF, 2017). People from these countries have been facing racist and xenophobic hateful harassment when they succeed to get to a foreign country.

It can be seen, therefore, that racism and xenophobia are old phenomena, not only restricted to countries or regions of the globe, but also have transnational and intertemporal implications of great importance as shown their frightening impact on people as they provoke hate crimes and genocides.



### At the Present Time

The international normative framework on international migration includes mechanisms related to the human rights of all migrants, the rights of migrant workers and the protection of refugees, as well as instruments designed to combat migrant smuggling and human trafficking (DESA, 2016).

Although the United Nations and other international actors have condemned racism and xenophobia and have taken so many actions to undermine it, it still happens nowadays in an alarming rate.

In 2016 the world has faced a rise of right-wing politics. All right-wing populist parties have instrumentalized some kind of ethnic, religious, linguistic and political minority as a scapegoat for most current problems and, subsequently, construe the respective group as dangerous and a threat 'to us', to 'our' (WODAK, 2015).

The spread of fear and hatred against the foreigner occurs through intentional scandals provoked by the right-wing populist politicians. In this aspect, the media is forced into a 'no-win' situation: if they do not report a scandalous racist remark, they might be perceived as endorsing it; if they do write about it, they explicitly reproduce the prejudicial utterance, thereby further disseminating it (Ibidem).

According to UNESCO (2017), the resurgence of xenophobic and racist movements can be explained by two causes. The first one is the new migration patterns, an effect of the gradual internationalization of the labor market during the postcolonial era. This way, in the receiving countries, social groups in a disadvantaged position considered newcomers as competitors for jobs and public services. The second cause is the globalization: the increased competition between states has led them to reduce their services in numerous areas of social welfare, such as education and healthcare. This reduction has influenced the segments of the population living on the margins of society. These groups are often in direct competition with migrants for welfare service and are the main breeding ground for xenophobic and racist ideologies.

According to OHCHR and UNESCO (2005), migration means that a growing number of States have become or are becoming more multi-ethnic, and are confronted with the challenge of accommodating peoples of different cultures, races, religions and language.

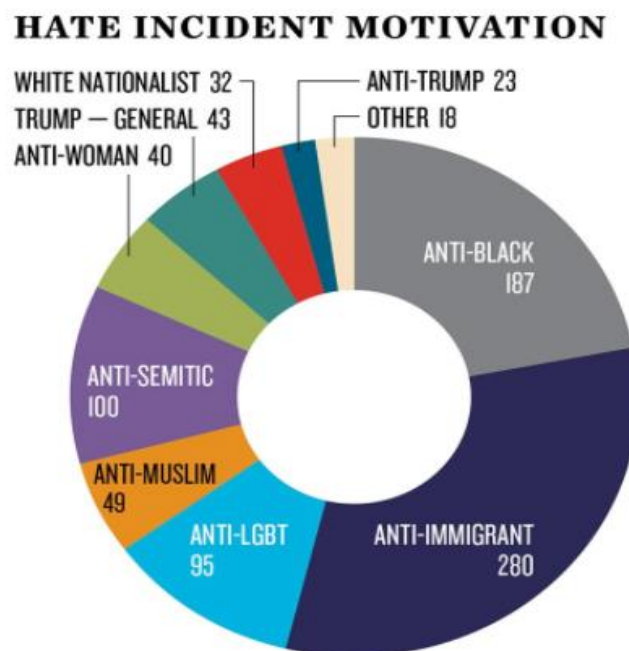


Addressing the reality of increased diversity means finding political, legal, social and economic mechanisms to ensure mutual respect and mediate relations across differences.

However, a lot of countries are incapable of proper ensuring one if not all those mechanisms, consequently, this generates misperception associating immigration with higher crime, deterioration of lifestyle, insufficient jobs and public service, and encourages the emergence of hate crimes.

This type of crime is defined by the European Union Agency for Fundamental Rights (FRA) as “violence and offences motivated by racism, xenophobia, religious intolerance, or by bias against a person’s disability, sexual orientation or gender identity”. (PENZIEN, 2017). The graphic below demonstrates some data about motivation of hate incidents in the United States during the period of 10 days after the Trump’s election:

Figure 1. Southern Poverty Law Center.<sup>1</sup>



In the United States scope, after the Donald Trump’s election, the world has been surprised by his rhetoric of discrimination, hate and xenophobia, based mainly on attacks to immigrants. Consequently, hateful harassments and intimidations have increased and

<sup>1</sup> Available at: <<http://worldsuffering.org/racism-xenophobia-and-surges-in-social-suffering/>> Accessed in 30/08/17

generalized. For example, in the day after Trump's victory, the message "Black lives don't matter and neither does your votes," was painted on a wall in Durham, North Carolina. In addition, a group calling itself "Americans for a Better Way" sent copies of a letter to Muslims calling them as "a vile and filthy people" and advocating genocide (WALKER, SGUEGLIA and YAN, 2016). It shows how hatred is being easily perpetrated. And more recently the government of the United States of America, as well as high-level politicians and public officials, received a early warning to unequivocally and unconditionally reject and condemn racist hate speech and crimes in Charlottesville and throughout the country (SIDDIQUE and LAUGHLAND, 2017).

Another consequence of the spread of fear and hateful form of speech is the Brexit, since one of the main reasons that people have voted in favor was because they think leaving the European Union (EU) would make immigration lower. Also, because they consider immigration a national problem which should not be discussed in the EU sphere (SWALES, 2016).

Furthermore, European embassies have revealed that the Brexit had caused an increase of hate crimes in United Kingdom. According to Vlandas (2016), anti-immigrant attitudes in the UK are among the strongest in Europe. In addition, the Polish community were the ones who suffered the main attacks. According to Arkady Rzegocki, the Polish ambassador, the reason to why the community was a target is because they are the largest national minority in the UK, and due to its visibility, became an easier target of xenophobic abuse. (LAVILLE, 2016).

It is important to emphasize that hate crimes have a devastating emotional and psychological impact. According to Massiminio and Greenlandt (2016), they can terrorize not only the direct victims, but also entire communities.

Given the severity of this problem, commitment and cooperation from countries is needed. Human rights must be at the center of any analysis of migration and xenophobia. In this sense, the NGOs and human rights organizations are playing an important role in the international community: of data research and pressure on governors.

Migrants' rights have emerged as a formal topic on the agenda of many migration-related conferences and forums, and news and communications media attention has increased substantially. The challenge is to turn this concern into concrete action. A long and slow trend



of extension to migrants of basic human rights principles culminated a decade ago in the adoption of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families which built on the ILO's 1949 and 1975 Conventions on the subject. Recently, NGO and UN initiatives have revived attention to these norms, notably by initiating a global campaign for ratification of the UN Convention. Appointment of a UN Special Rapporteur on Human Rights of Migrants has further focused attention on application of human rights to migrants. The Special Rapporteur, Ms. Gabriela Rodriguez Pizarro, has pointed to the need to take a human rights approach towards migrants on these issues because it allows all parties to look at the reality of the situation from the perspective of the migrants.

### **United Nations actions**

The principles of equality and non-discrimination are enshrined in the Universal Declaration of Human Rights and in the Charter of the United Nations. They also permeate the two-key international human rights Covenants, on Economic Social and Cultural Rights, and on Civil and Political Rights, as well as dozens of conventions, treaties, declarations and other important international legal instruments. This way, these principles are present in the international law as a whole.

Due to the atrocities happened in the Second World War, the need to eradicate racism and xenophobia was evident. In this scope, the Universal Declaration of Human Rights of 1948 (UDHR) has played an important role: it made possible to the UN to take the first of many steps towards combating global racism, discrimination and intolerance, as previously stated. In that same year, its efforts were further advanced by the Convention on the Prevention and Punishment of the Crime of Genocide, which has considered genocide a crime under international law both in war and peacetime. Also, during the same year, the UN Economic and Social Council (ECOSOC), with the intention of removing and eliminating racial prejudice, communicated to the UN Educational, Scientific and Cultural Organization (UNESCO) the interest in development of effective educational programs in the field of prevention of discrimination.

Since then, UNESCO have been very active on the fight against racial discrimination through research, projects and normative instruments, such as the Convention against



Discrimination in Education (1960), which acknowledges the crucial role of education, ensuring equal opportunities for members of all racial, national or ethnic groups.

Throughout the 1960s and 1970s, the international efforts against racism and racial discrimination has gained dynamism. By this time, the increased number of independent African states, supported by the vast majority of the so called third world countries, have exercised strong political pressure on the United Nations to take actions in fighting against racial discrimination in southern Africa and in favor of decolonization (SILVA, 2008).

In 1965, the United Nations General Assembly established the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) through the Resolution 2106. It is the most important instrument to target oppression and discrimination. The Convention substantially firms to “adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination.”

ICERD imposes a specific commitment on parties to eradicate racial segregation and the crime of apartheid within their jurisdictions. Parties are also required to criminalize the incitement of racial hatred, to ensure judicial remedies for acts of racial discrimination, and to engage in public education to promote understanding and tolerance. In addition, it establishes the Committee on the Elimination of Racial Discrimination (CERD), to monitor how States implemented the convention and empowers it to make general recommendations to the UN General Assembly.

The actual status is of 5 signatories and 178 parties (OHCHR Indicators, 2017). Beyond that, in order to combat racism effectively, ICERD continually examines the situation in the countries-parties of the convention, addressing emerging issues. In fact, the 177 States that have ratified the Convention must regularly report to and appear before the committee in Geneva. The committee, in turn, issues concrete recommendations on how various forms of racism that exist in each country can be effectively eliminated (OHCHR, 2015).

Moreover, the Declaration on Race and Racial Prejudice (1978) approaches the racial issue from a scientific and political point of view, demonstrating the invalidity of racist theories and racial prejudices. It also provides that “[...] the diversity of lifestyles and the right to be different may not, in any circumstances, serve as a pretext for racial prejudice; they may not



justify either in law or in fact any discriminatory practice whatsoever, nor provide a ground for the policy of apartheid, which is the extreme form of racism."

Besides, in Geneva, in the year of 1978, it was held the first Conference on Combating Racism and Discrimination, which has reaffirmed that all forms of discrimination based on the theory of racial superiority, exclusiveness or hatred are a violation of fundamental human rights and prejudice friendly relations between peoples, cooperation between nations, international peace and security.

In 1983, the second Conference on Combating Racism and Discrimination happened. It has affirmed the importance of education, teaching and training for the elimination of racism and racial discrimination which, in particular, should expose the myths and erroneous theories inherent in racism and racial discrimination.

Another important convention is the International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families (1990). This instrument provides a comprehensive legal framework for protection of migrants against all forms of racist and xenophobic hostility. The Convention applies both to documented (legal) and undocumented (unauthorized or irregular) migrant workers (ILO, IOM, OHCHR, 2001). It stipulates that migrant workers must not be held in slavery and that forced labor must not be demanded of them. States Parties must provide sanctions against persons or groups who use violence against migrant workers, employ them in irregular circumstances, threaten or intimidate them.

In an interesting point of view, the Declaration of Principles on Tolerance (1995) presents the concept of tolerance as an active attitude arising from recognition of and respect for the human rights of others, and requires on the State level, impartial legislation and economic and social opportunities available to each person without any discrimination. Besides that, UNESCO Universal Declaration on Cultural Diversity (2001) is a fundamental text, representing the UNESCO's long efforts in defense of cultural pluralism.<sup>2</sup>

During the 2000s another two world conferences took place. Firstly, in 2001, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was a great opportunity, for the first time in the post-apartheid era, for countries to engage in a

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<sup>2</sup> Normative instruments. Available at: <<http://www.unesco.org/new/en/social-and-human-sciences/themes/fight-against-discrimination/normative-instruments/>> Accessed in 13/07/17.



broad agenda to combat racism and related issues (UN, 2001). It marks milestone actions to combat racism and racial discrimination (SILVA, 2008).

Moreover, the Durban conference foresees xenophobia based on religious identity. It has recognized the increase in anti-Semitism and islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on discriminatory ideas against Muslim and Arab communities.

*2. We recognize that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds such as sex, language, **religion**, political or other opinion, social origin, property, birth or other status; [...] 8. We recognize that religion, spirituality and belief play a central role in the lives of millions of women and men, and in the way they live and treat other persons. **Religion, spirituality and belief may and can contribute to the promotion of the inherent dignity and worth of the human person and to the eradication of racism, racial discrimination, xenophobia and related intolerance.***

In 2009, the Final Document of the Durban Review Conference was concluded in Geneva, and urges States to take measures to combat xenophobic attitudes towards non-citizens, including by politicians, immigrants' officials, law enforcement and in the media.

The last international instrument adopted was the New York Declaration for Refugees and Migrants (2016) in which countries committed to:

*[...] combating xenophobia, racism and discrimination in our societies against refugees and migrants. We will take measures to improve their integration and inclusion, as appropriate, and with particular reference to access to education, health care, justice and language training. We recognize that these measures will reduce the risks of marginalization and radicalization. National policies relating to integration and inclusion will be developed, as appropriate, in conjunction with relevant civil society organizations, including faith-based organizations, the private sector, employers' and workers' organizations and other stakeholders. We also note the obligation for refugees and migrants to observe the laws and regulations of their host countries. (Commit number 39)*

Furthermore, all the 193 UN member States welcomed the Together initiative, which aims to change negative perceptions and attitudes towards refugees and migrants, and to



strengthen the social contract between host countries and communities, and refugees and migrants.

### Question to ponder

Considering that all human beings are legally equal and entitled to equal protection under the law against any discrimination, there are some questions that should be pondered in order to write an effective resolution:

- Who are the main victims of racism, racial discrimination and related intolerance?
- How can States deal with the dilemma of immigration versus national security without infringing human rights?
- How can States cooperate to create efficient hate crime laws?
- Which responsibilities do States have in protecting immigrants from social discrimination?
- How has your State contributed for the elimination of racism and xenophobia?
- Which strategies can the United Nations take to achieve full and effective equality in combating racism, racial discrimination, and xenophobia?
- What is the importance of the non-governmental organizations and how can they cooperate with the United Nations and countries to create solutions in this scope?

### Position

#### Federal Republic of Nigeria

It faces a number of political and territorial problems, mainly caused by British colonization in the 19th and 20th centuries, as the historical conflict between the largely Muslim north and the predominantly Christian south (Amnesty International, 2015). In this context, Boko Haram - founded in 2002 with the intention of forming a Muslim state of its own - is one of the actors in these conflicts, becoming one of the major concerns of the states in the region, as well as their attacks are responsible for much of the migration in the country. With regard to racism and xenophobia, Nigeria participated in the Second Durban Conference against Racism, according to the conference resolution; on the other hand, the Nigerian population that becomes a refugee when fleeing violence and poverty in their country finds a scenario hostile when received in other territories. The Nigerian government in February 2017 drew attention to the



situation in South Africa whose xenophobic attacks account for 116 Nigerians killed extra judicially in its territory.

### **Republic of South Africa**

The history of racial segregation and discrimination is not present in its legal system anymore, also they had ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1998, however the country is witnessing a resurgence of xenophobic violence. The current incidents illustrate that hostility towards foreign nationals is still pervasive in the country and continues to result in more cases of murder, injuries, threats of violence, the destruction of residential property and businesses, as well as mass displacement. In 2015, Zulu King Goodwill Zwelithini's comments that foreigners should "pack their bags" and leave, this had sparked violence that ended once South Africa used the army. At least five people were killed and nearly 2,000 migrants were forced into refugee camps, the Nigerian community was the most affected. The lack of competent, decisive and trusted leadership at all levels of government, have been leading to deficiency of effective response and preventive interventions (MISAGO,2017). President Jacob Zuma has condemned the violence, but he also said the authorities will crackdown on undocumented workers.

### **Arab Republic of Egypt**

Syria's neighbor countries host more than 4.8 million registered Syrian refugees. By the end of November 2016, Egypt hosted the fifth highest number of Syrian refugees (UNHCR). In 2013, social and political upheaval in the country and national policies that obstruct the work of humanitarian organizations have prompted a wave of xenophobia, which mainly targeted Syrians, making them feel more vulnerable. In the country's candidature to the Human Rights Council, 2017-2019, Egypt committed to ensure that due attention is given to several emerging challenges affecting the lives of millions around the globe, including many manifestations of discrimination in regular and new forms, racism and xenophobia. Egypt ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1967.

### **Federal Democratic Republic of Ethiopia**



According to the UN, approximately 730,000 refugees reside in Ethiopian territory, especially from Eritrea and Somalia. The country participated in the II Durban Conference Against Racism (2009), and ratifies the International Convention on the Elimination of All Forms of Racial Discrimination (New York, March 1966). On the other hand, the Ethiopians who leave their territory suffer because they are black, because they are Jews and because they are of another nationality. In Israel - whose Jewish society is made up of immigrants from all over the world - the Ethiopian population is the only black group resident in the territory because it is Jewish and suffers from institutionalized and ignored racism (El Coyote, 2017).

### **Republic of Côte d'Ivoire**

The constant political-institutional crises in Côte d'Ivoire have a history of ethnic conflicts, xenophobia and nationalism dating back to the 1970s. Despite its current relative stability with the end of the military rebellion, the country is a source of worrying tensions between ethnic groups. The adoption in 2008 of a law against xenophobia and racism adopted by the parliament of Côte d'Ivoire, imposing imprisonment and fines on those found guilty of xenophobia, racism or its co-relative version for members of different tribes. In a related way, the current European migratory crisis is also composed of refugee flows from Côte d'Ivoire. Although the country tries to rebuild after civil war, there are still flows that move within the continent itself. However, the main destination for immigrants in the region has been Italy. Alongside Nigeria, Bangladesh, Guinea and Gambia, Côte d'Ivoire is among the leading countries of migratory pressure in Europe across the Mediterranean. Following the departure of Onuci, the UN peacekeeping mission in force in the country until June 2017, the Ivorian government will have to redouble its efforts to address the serious human rights problems on its territory that have also influenced migratory flows of the coast-to-coast population over the last few years.

### **People's Republic of China**

The People's Republic of China is one of the countries with the largest "diaspora" in the world. In 2015, 10 million persons from China were living outside of their country of birth (International Migration Report, 2015). With the growth of its economy, the country has also become an attractive destination for migrants from all around the world. In 2016, China joined



the International Organization for Migration. At the session that approved the accession of the country, the Representative of China made a statement, saying that, in light of the recent global migration situation, China believes that some efforts should be made, such as treating migration in an open, inclusive and just way, and eliminating discrimination and exclusion against migrants. China ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1981.

### **Republic of India**

There is an intense movement of the Indian population out of the country - according to data from the UN population division of 2015, approximately 15,000,000 Indians reside in other countries -. Despite this, the population that arrives in India in search of better opportunities of life, fleeing the violence and the conflict of their native country is received with hostilities, inclusive of representatives of the government. In 2013, Goan Art and Culture Minister Dayanand Mandrekar said that Nigerians were a "cancer" in Indian society (Al Jazeera, 2013). India adhered to the International Convention on the Elimination of All Forms of Racial Discrimination in 1968. And in past debates on Racism, Racial Discrimination, Xenophobia and related forms of intolerance held by Human Rights Council stated that racism is against the basic grain of ancient Indian philosophy, and flourished in economic deprivation. Laws addressing the issues of immigration, citizenship and refugee status had at times racist overtones and resulted in racial hatred. India also, agreed on the need to explore possibilities for an international regulatory framework to combat xenophobia.

### **The Kingdom of Saudi Arabia**

In 2015, Saudi Arabia hosted the fourth largest number of migrants worldwide (International Migration Report, 2015). At the UNHCR's general debate on racism, racial discrimination, xenophobia and related forms of intolerance, in 2016, Saudi Arabia said that "all forms of discrimination were prohibited in the Koran and that was why Saudi Arabia had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, and had ratified other conventions addressing various forms of discrimination and was implementing them, as long as they did not contradict Sharia." At the same occasion, the Saudi-led coalition was criticized for increasing its hate speech, xenophobia and racial discrimination.



### **Republic of Indonesia**

The country suffers a migratory crisis involving thousands of members of the Muslim Rohingya minority, as well as people who migrate for economic reasons, who are imprisoned in their maritime territories. It is open to discussions to address the increased flow of refugees on its territory in conjunction with neighboring countries such as Malaysia and Thailand. With regard to the flow of migrants to other continents, the country has also been restrained from containing the humanitarian crisis of migrants on the high seas when thousands of refugees are found on its shores because they cannot reach their intended destination. With regard to the constant denunciation of racism and xenophobia in the migratory crisis of the 21st century, it should be noted that Indonesia adhered to the International Convention on the Elimination of All Forms of Racial Discrimination (1965) in 1999.

### **People's Republic of Bangladesh**

Adhered to the International Convention on the Elimination of All Forms of Racial Discrimination in 1979. And in past debates on Racism, Racial Discrimination, Xenophobia and related forms of intolerance held by Human Rights Council shared concern about the spread of racism and xenophobia via new technologies with impunity and warned that the right to freedom of expression and opinion carried with it special duties and responsibilities. Crimes motivated by racist hatred were attacks on human dignity and they were facilitated by laws that allowed law enforcement agencies to undertake racial and ethnic profiling. Migrants and Muslims were particularly vulnerable to this practice.

### **Brazil**

Brazil is signatory to the main international human rights treaties and is a party to the 1951 United Nations Convention. On the contrary, in 2017 the country approved an innovative immigration law amid protests from the population. Racism in the country was considered by the UN as "structural and institutional" and among the data presented in a report released in



2015 by the Special Secretariat for Human Rights, the number of denunciations for xenophobia increased by 633% compared to the previous year.

### **Republic of El Salvador**

The law of El Salvador forbid all forms of racial discrimination. In August 2014, the Committee on the Elimination of Racial Discrimination considers report of El Salvador recommended that Article 14 of the Convention, which allowed the submission of individual complaints to the Committee once domestic channels had been exhausted, be widely promoted throughout the country. Furthermore, in this meeting, Pastor Elias Murillo Martinez, Committee Member acting as Country Rapporteur for El Salvador recognized that the country faces challenges as “tackling xenophobia towards migrants, and strengthening the Commission for Reparations”.

### **Republic of Cuba**

Cuban immigration has been significant since the end of the Cold War. The displacement of Cubans has as its main destination Florida in the US, a country that until the end of 2016 encouraged this migration through policies to destabilize Havana, such as the Cuban Adjustment Act and the Cuban Medical Program. The Cuban government has shown an exponential interest in reversing this situation since it imposed on the United States the repeal of its policies promoting Cuban migration to cooperate in the change in bilateral relations intended by Barack Obama until the end of his term. As regards the international fight against racism, racial discrimination, xenophobia, Cuba ratifies the full observance of the commitments agreed at the historic World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

### **Federal Republic Germany**

Germany is signatory to the main international human rights treaties, including the Convention on the Elimination of All Forms of Racial Discrimination. The country has received hundreds of thousands of refugees during the current migratory crisis. Reports from independent organizations, such as Amnesty International, certify a high level of human rights



compliance, although they still point to a number of issues, including the abuse of refugees committed by the population, in the year 2015 there were over a thousand attacks on shelters of refugees.

### **The United States of America**

In April 2009, presenting its candidature for membership in the Human Rights Council for the term 2009-2012, the United States expressed its commitment to fight against racism, discrimination and acts of violence committed because of racial or ethnic hatred. Emphasized: “Despite the achievements of the civil rights movement and many years of striving to achieve equal rights for all, racism still exists in our country and we continue to fight it.” However, in march of this year (2017), willing “to protect the Nation from terrorist activities by foreign nationals admitted to the United States”, the President Donald Trump rolled out the a controversial immigration executive order, which suspends immigration into the United States from Syria, Iran, Libya, Somalia, Sudan and Yemen - predominantly Muslim countries. This measure includes refugees, which are looking for shelter in a foreign country to escape from serious human rights violations like persecution, bombing, and torture.

### **The United Kingdom**

United Kingdom is a signatory to the main international human rights treaties, including the Convention on the Elimination of All Forms of Racial Discrimination and is a party to the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol. To be presented in the review of the situation at the Human Rights Council several institutions draw attention to the rising hate crime rate in England and Wales, in which the Brexit vote coincided with the increase in complaints and the possible government Weaken the Human Rights Act of 1988.

### **Republic of Albania**

In March 2014 presenting its candidature for membership in the Human Rights Council, expressed its commitment “to continue to strongly support, in a constructive manner, initiatives aiming at fostering interreligious and intercultural dialogue”. Also, Albania has the “Law On Protection from Discrimination” (LPD), which prohibits discrimination on the basis,



among other grounds, of gender identity and sexual orientation. Moreover, the Constitutional Court punishes the deliberate “distribution of racist, homophobic or xenophobic materials through systems of communication and information technology”. Since 2010, Albania has a Commissioner for the Protection from Discrimination (CPD). It is the equality body in Albania by an organic law, fully aligned with the European Directives in the field of non-discrimination. Among others, the institution has a mandate to deal with hate crime and hate speech.

### **Republic of Lithuania**

Lithuania in the past was an example of tolerance, however prejudices and newly formed ethnical stereotypes, fear of immigration and a sense of an insecure have leading discrimination, especially against Roma people, refugees and Muslims. Although since 2005 the Law on Equal Opportunities forbids any direct or indirect discrimination on the basis of racial or ethnic origin, religion or beliefs and other grounds, problems still remain because of the lack of effective application of existing legal remedies, insufficient competence of judicial institutions and passive social attitude. Lithuania adhered to the Convention on the Elimination of All Forms of Racial Discrimination in 1998.

### **Amnesty International**

Amnesty International is a global movement of more than 7 million people who take injustice personally. It is independent of any political ideology, economic interest or religion and it pressures States to take actions on human rights.

For example, regarding the recent measures on migration taken by the United States President, the NGO has pronounced itself: "Our response to xenophobia and racism must be solidarity and strength. History does not look kindly on those who turn their backs on the vulnerable, and we must accept our shared responsibility to stand up for our principles in this dangerous time." Furthermore, about the latest spiralling xenophobic tension in South Africa, the Amnesty International, in order to demonstrate that fail to avoid discriminations, has emphasized that it is being incentivated “[...] by longstanding police and criminal justice failures, including a failure to address toxic populist rhetoric that blames and scapegoats refugees and migrants for crime, unemployment and other social problems.” This way, the NGO plays an important role for the UN and in the international society.



### Human Rights Watch

Human Rights Watch is an international non-governmental organization founded in 1978 that advocates and conducts research on human rights and aims to draw the attention of the global community to existing abuses and create pressure on governments. Its methodology is: investigate, denounce and press. The organization presents general annual reports, as well as reports by continent and area of coverage. Regarding the rising of racism and xenophobia in United States the organization create the campaign Take your Stand, where encourage the people to speak out about hate-filled violence.

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