



**Intergovernmental Working Group on the Effective Implementation of the Durban
Declaration and Programme of Action,**

14th session

(Geneva, 3-7 October 2016)

**Statement by Mr. Mutuma Ruteere
United Nations Special Rapporteur on contemporary forms of racism, racial
discrimination, xenophobia and related intolerance**

(Geneva, 4 October 2016)

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Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

I would like to warmly congratulate this Inter-Governmental Working Group for all the work undertaken since the adoption of the Durban Declaration and Plan of Action and present my regrets for not being able to be here in person today. Please note that I was only given notice about two weeks in advance regarding my participation, and although I tried very hard to re-schedule my agenda in order to come to Geneva even for one single day, I was unfortunately not able to do so. I will certainly do my best to come in person to next year's meeting.

I would also like to contribute to the discussions on this 14th session of the Inter-Governmental Working Group, by sharing my reflections on the challenge of xenophobia.

My report to the Human Rights Council (A/HRC/32/50) focused on the problem of xenophobia. Most recently during the World Summit on Refugees and Migrants, I had the occasion to address this issue.

From Europe to the Americas, to the Middle East, Asia and Africa, xenophobia has now become the currency with which political elites easily seek to purchase popular appeal as a preferred ticket to political power.

The increasing movement of refugees and migrants from the Middle East to Europe has fanned the embers of latent xenophobia and racism into the flames of abuse and in some cases violence. Those fleeing wars in Syria, Libya, Somalia and other regions have found themselves the unwanted guests in a world that views them with suspicion on account of their nationality and status as foreigners. So have those migrants who have made perilous journeys in search of a better life.

Public fears over terrorism as well as economic pressures have provided the context easily exploited by those keen on casting refugees and migrants as security threats, their cultures and religion as incompatible with liberal values and their numbers as a drain on the economies of the host countries. This misrepresentation as well as scapegoating of whole groups threatens the system of values and norms on which the international human rights system is built and the pillars of diversity and inclusion that keep open and democratic states standing.

For thousands of people risking their lives to cross seas and oceans, migration offers the only hope for a better future for their families. As for refugees, they are literally fleeing for their lives from the brutal and devastating violence of conflicts that now engulf their countries. These thousands of people cross borders in the belief, with the knowledge and

hope, that the values of compassion common to all cultures and religion, bridge the divide established by state borders. They also carry with them the belief that the system of international law that all state of the world have built since the end of the Second World War, recognizes and protects their humanity beyond borders, across nationalities, faiths and race. In many places and in many countries however, their faith and hopes have been met with hostility, prejudice and even violence.

Fifteen years ago, in Durban, South Africa, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance reaffirmed through the Durban Declaration and Programme of Action that “racism, racial discrimination, xenophobia and related intolerance constitute a negation of the purposes and principles of the Charter of the United Nations.” The World Conference and the text of the final document also underlined the close intersection and interconnection between racism and xenophobia. Like racism, xenophobia rests on the idea that those seen as foreign and different are a threat or are inferior on account of their place “outside” the dominant community identity rather than their conduct. In many cases, it is difficult to distinguish between racism and xenophobia, since differences in physical characteristics are often assumed to distinguish the ‘other’ from the common identity. Manifestations of xenophobia also occur against people of identical physical characteristics, even of shared ancestry, when such people arrive, return or migrate to States or areas where occupants consider them as outsiders.

At its most severe, xenophobia can lead to the expulsion or eradication of population groups. At the other end of the spectrum — the most micro and informal level — one finds discrimination that can range from bullying to mild hate speech premised on a person’s language, appearance or origin. Between the two extremes, there is a range of practices including political scapegoating, administrative exclusion, selective and restrictive immigration policies, ethnicized competition, police harassment and profiling, stereotyping in the media. Regardless of the way in which it manifests itself, xenophobia violates the fundamental principles of equality and non-discrimination that are at the core of international human rights law.

Extremist groups and political movements promoting xenophobia and racism appear to be growing in many parts of the World. Some of these groups have succeeded in winning seats to local assemblies, national legislatures and in the case of Europe, even to the regional parliament. Beyond these political movements, there are many other smaller groups organized around racial and xenophobic platforms who have found the anonymity and global reach of the Internet the handy and effective tool for recruitment and mobilization.

More worrying is the growing embrace of xenophobic movements and platforms by leaders of mainstream political parties in their political campaigns. In every part of the world, there are worrying examples of this “mainstreaming” of hatred by politicians including those running for the highest political positions. Fifty years after the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination, many political leaders appear to have forgotten the lessons of the horrors of racialized and nationalist wars of the 20th Century.

However, the picture is not all bleak. In some countries, political leaders have shown moral strength in denouncing the rhetoric of those who seek to slur every foreigner, refugee or migrant as a closet terrorist, unworthy of welcome and underserving of the human rights protections that the current system of international human rights law extends. In many small towns, mayors have put in place policies and programmes that provide basic services to their new residents irrespective of their nationality, colour or religion. Ordinary citizens have also led governments in demonstrating that today's strangers are tomorrow's friends, neighbors and fellow citizens.

These national and local examples are the building blocks for a more cosmopolitan world envisaged by the United Nations Charter, the Universal Declaration of Human Rights, the Bills of Rights in the constitutions of many states and the values of all religions of the world. National measures such as hate crimes legislation and effective prosecutions are a key tool in combatting xenophobic discrimination and violence. Local and properly contextualized diagnoses of the problem are necessary for the design and implementation of policies and programmes that promote diversity and inclusion. Unfortunately, policy interventions in many countries are still limited by the lack of credible data and statistics on the nature and extent of the problem. It is therefore appropriate that the United Nations 2030 Development Agenda for Sustainable Development has stressed the need for "quality, accessible, timely and reliable disaggregated data" as central to the building of "just and inclusive societies which are free from fear and violence."

Above all, xenophobia, racism and the attendant practices of discrimination and violence can only be prevented and eradicated when political leaders rediscover the morality and vision that has driven the rights revolution of the 20th and 21st centuries. That revolution is why we have erected many monuments to the shame of the Holocaust, slavery, apartheid and the World Wars- to be lighthouses to help leaders steer away from the politics and violence of racial and ethnic hatred and discrimination. Unfortunately too many leaders are steering towards, rather than away from these dangers. More than any other time, the world needs leadership that will not exploit the fears over terrorism and national discontent over jobs and incomes, to promote division over diversity and xenophobic discrimination over rights.

Mr. President,

Excellencies,

Distinguished Delegates,

Ladies and Gentlemen,

I thank you for the kind invitation and I look forward to be able to interact with you directly in the future.

I thank you for your attention.