

UNHCR’s contribution to the Secretary-General’s report with recommendations on global trends in the fight against racism, racial discrimination, xenophobia, and related intolerance to the General Assembly for its 66th session pursuant to A/RES/64/148

The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomes the invitation to contribute information to the Secretary-General’s report with recommendations on global trends in the fight against racism, racial discrimination, xenophobia, and related intolerance to the General Assembly for its 66th session pursuant to A/RES/64/148 entitled “*Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.*”

UNHCR is particularly pleased to contribute to this report in the context of the **Commemorations for the 60th Anniversary of the 1951 Convention relating to the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness**. UNHCR would like to use the commemorations to strengthen the protection regime by filling existing protection gaps and strengthening States’ commitment to core values and principles, as well as to raise public awareness and build solidarity with forcibly displaced and stateless persons, through a communications strategy aimed to influence public opinion and expand protection space.¹

In his speech at the 2010 Dialogue on Protection Gaps and Responses, the **UN High Commissioner for Refugees** stressed that, “despite the efforts of some governments and much of civil society, promoting tolerant and diverse societies remains an enormous challenge.”

The issue of racism and discrimination has become a major protection challenge in many parts of the world, including in the region of North Africa and the Middle East, where escalating violence has particularly affected persons in need of international protection and has generated forced displacement in some of these countries. During the High Level Segment of the 16th Session of the United Nations Human Rights Council, **Ms. Janet Lim, UNHCR Assistant High Commissioner for Refugees (Operations)** specifically highlighted that refugees, asylum-seekers, stateless and internally displaced persons, due to their specific protection needs and vulnerabilities, can suffer multiple forms of discrimination, and may become victims of rejection, stigmatization, exclusion, or event

¹ For further information on the commitments, refer to the document “Additional Guidance Note to Support the State Pledges Process”, available at <http://www.unhcr.org/4dee17b89.html>

violent attacks. The **UNHCR Director of International Protection** has also addressed racism, racial discrimination, xenophobia and hate crimes as a key challenge and “atmospheric protection gap”.²

As it can be understood from these statements, **UNHCR is seriously concerned about the prevalent climate of intolerance, xenophobia and racism. Combating these and other forms of related intolerance is central to UNHCR’s protection mandate and one of its principle objectives**, as these are among the greatest threats to the rights of refugees, asylum-seekers and other persons of concern.

While recalling many positive developments, it remains a fact that racial discrimination and related intolerance are common causes of flight and can threaten the protection of asylum-seekers and refugees at subsequent stages of the displacement cycle. This occurrence is not only an important driver of displacement, but also a phenomenon that accompanies those fleeing when they seek safety, as it has become ever more difficult for people in need of international protection to have access to the territory of countries where they can obtain asylum and if they reach safe territory, they often faced a diminished protection space and limited equal access to economic and social rights or even become targets of racially motivated acts. Ideas based on the superiority of one group over another can also hamper the search for durable solutions. They can hinder integration into the host society or that of resettlement and make return less viable, especially if this takes place in conditions where peace is fragile and racial or ethnic tensions remain high. Discrimination on the basis of race, colour, descent, or national or ethnic origin, sometimes in combination with discrimination on other grounds, is also a recurring reason for the denial or deprivation of nationality and is therefore a cause of statelessness. Statelessness itself often leads to discrimination and where stateless populations belong to racial, ethnic or other minorities; their lack of nationality may reinforce existing patterns of discrimination.³

Generally, the manifestations of racism and xenophobia are not directed against asylum-seekers or refugees, *per se*, but against non-nationals in general. Extremist political parties, movements and groups often rely on intolerance, discrimination, exclusion and xenophobia, thereby undermining the principle of non-discrimination. They frequently incite discrimination against specific groups of individuals, creating or exacerbating racist or xenophobic attitudes by designating certain vulnerable groups, such as refugees,

² Presentation on “Current Challenges and Commitments in the OSCE Region Relating to IDPs, Refugees and Stateless Persons” by Mr. Volker Türk, UNHCR Director of International Protection, during the OSCE Special Thematic Event on Internally Displaced Persons and Refugees in Vienna, Austria, 27 May 2011.

³ UN High Commissioner for Refugees, *Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach*, p. 3, December 2009, available at: <http://www.unhcr.org/refworld/docid/4b30931d2.html>

asylum-seekers and members of minorities as the main source of the problems causing anxiety among the population. This may lead to the stigmatization and perpetration of racist and xenophobic crimes against migrants, refugees, asylum-seekers, internally displaced persons and other vulnerable groups, as reflected by a variety of reports, documenting serious and violent attacks against persons of concern to UNHCR in many States.

UNHCR recognizes the value of the Durban Declaration and Programme of Action (DDPA) as an important international platform for the fight against racism, xenophobia, and related intolerance and for reaffirming the right of all individuals - regardless of their legal status or nationality – i.e. to equal enjoyment of the civil, political, economic, social, and cultural rights set out in international human rights instruments. The 16 paragraphs⁴ in the DDPA, which made specific reference to the forcibly displaced and stateless persons, are of particular importance for the promotion of UNHCR’s work to protect refugees, asylum-seekers, returnees, stateless and internally displaced persons.

Following the DDPA and the Durban Review Conference, UNHCR Offices, both in countries of origin and of asylum, have been encouraged to continue to work with relevant government counterparts, NGOs, and IGO partners to raise awareness of the problem of racism and xenophobia against refugees, asylum-seekers, returnees, stateless and internally displaced persons. The refugee-related paragraphs in the DDPA provide a frame for these efforts and for specific activities through which to build capacity in this area.

In the context of the 10th Anniversary of the DDPA, the validity of the **UNHCR 2009 note entitled “Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach”⁵ that drives its work on these areas is of great relevance.** This Strategic Note emphasizes seven elements taking into consideration the particular situation of persons of concern to UNHCR, namely the following: (i) monitoring signs of racial discrimination, xenophobia and related intolerance, and tracking and reporting hate crimes; (ii) analyzing the underlying reasons; (iii) assessing the manifestations of these phenomena and their impact on protection; (iv) understanding legal obligations to protect all individuals from racial discrimination and multiple forms of discrimination; (v) engaging a network of diverse organizations and actors that implement complementary activities targeting different groups in society; (vi)

⁴ Paragraphs in the Declaration: 16, 28, 52-55, 65, 89 and 111. Paragraphs in the Programme of Action: 34-36, 78 (d), 138, 144 (e) and 185.

⁵ UN High Commissioner for Refugees, *Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach*, December 2009, available at: <http://www.unhcr.org/refworld/docid/4b30931d2.html>

including affected communities in the strategic approach; and (vii) providing individual support to victims.

It is clear from this Strategic Note that **UNHCR alone cannot change racist or xenophobic sentiments; and working in partnership becomes paramount.** Efforts have been undertaken in 2010 to strengthen current engagements with different organizations including the European Union Agency for Fundamental Rights, the European Integration Working Group, the Inter-American Commission of Human Rights and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The formalization of an ongoing partnership with ODIHR will be consolidated with the signing of a MoU during the Standing Committee in June 2011. Effective partnership was also addressed during the 2010 UNHCR Annual Consultation with Non-Governmental Organizations, with a thematic Session entitled “Working together: Strategies for Protection from Xenophobia, Racism, Intolerance and Bias-Motivated Violence”, convened by Human Rights First and UNHCR, with the participation of ODIHR, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and AFRODES, to discuss strategies for improving protection for refugees, returnees, asylum-seekers, stateless and displaced persons who are affected by xenophobia, racism, intolerance and bias-motivated violence.

It is obvious that concerted efforts are required from all concerned parties – States, the United Nations and other international and regional organizations, as well as NGOs and community groups – including persons of concern to UNHCR – to address these issues. The success of any such effort will be directly proportional to the political will of States to put in place systems for the protection of basic rights and mechanisms for ensuring their effective implementation. This needs to be complemented by activities aimed at preventing racist and intolerant attitudes from developing, such as human rights education and public information campaigns to promote respect and tolerance.

Several countries have launched **creative awareness-raising campaigns** in cooperation with UNHCR to “roll back xenophobia”, and a number of regional organizations are implementing programmes that promote tolerance towards, and respect for, foreigners, including refugees. NGOs and civil society have played a vital role in raising awareness about this issue, highlighting abuses as they occur, lobbying for change, and providing training and advice. UNHCR has an integral role to play in this regard and seeks to address public attitudes towards persons of concern in a more strategic manner.⁶ The UNHCR campaign launched at the end of 2010 in the Americas region, “Let’s put ourselves in the shoes of refugees and displaced persons and take the first step to

⁶ UN High Commissioner for Refugees, Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach, p. 4, December 2009, available at: <http://www.unhcr.org/refworld/docid/4b30931d2.html>

understand their situation” (Pongámonos en los zapatos de los refugiados y los desplazados y demos el primer paso para entender su situación) to promote tolerance and local integration of refugees and displaced persons. The campaign is still on-going and has proved to be very successful in the region, bringing refugee stories to host communities and creating awareness of their situation.⁷ Other examples of successful advocacy campaigns to promote tolerance are as follows:

- **Italy** has implemented a national campaign against racism and xenophobia called “*Do not be afraid, open yourself to others, open to rights*” (*Non Aver Paura, Apri Agli Altri, Apri Ai Diritti*) in 2010. This campaign not only aimed at creating awareness, but it was also meant to be a cultural initiative directed at ordinary people, both Italians and foreigners. It was the first time that 27 organizations and associations with different mandates and missions joined the forces to organize a common event.⁸ The objective of the campaign was to foster mutual knowledge and to tear down the walls of prejudice and unjustified fear, which are the propelling forces behind racism. The campaign also invited individuals to sign a petition focused on principles based on the Italian Constitution and Universal Declaration of Human Rights. The signatures were delivered to the President of Republic, Giorgio Napolitano in a ceremony. More information on the campaign can be found in the website www.nonaverpaura.org

- **In Ecuador**, the campaign “Living Together in Solidarity” (*Convivir en Solidaridad*) has been organized with the goal to promote a peaceful coexistence and integration of all the social groups living in Ecuador, among others, women, children, youngsters, adolescents, indigenous groups, afro-descendants, refugees, migrants and persons with special needs. Within the framework of this campaign, several activities have been taking place during the year 2011, among which the following ones can be highlighted:⁹
 - o The House of Human Mobility, the Presidency of the Equality and Gender Commission, the Ombudsman’s Office, FLACSO University and UNHCR organized the event “The World in Quito: academic and cultural sessions and fairs for the diversity and cultural integration” (“EL Mundo en Quito: jornadas académico culturales y ferias por la diversidad e integración cultural”) as well as different cultural fairs.
 - o UNHCR and HIAS organized a micro entrepreneur fair to promote better understanding of the integration of refugees and local population.

⁷ More information on the campaign is available at <http://www.ensuszapatos.org/>

⁸ Organizers included UNHCR, Amnesty International and Save the Children, many Italian NGOs, religious charities, and major Italian trade unions

⁹ More information on the campaign and planned activities is available at http://www.acnur.org/t3/el-acnur/eventos/ecuador-convivir-en-solidaridad/?tx_ttnews%5Bpointer%5D=2

- Following the launch of the campaign in Cuenca, a Manifesto was signed by 30 organizations, including NGOs and public sector entities. Additionally, a public recognition was made to individuals and institutions that have fought against different forms of discrimination.
- **In Costa Rica**, UNHCR took part in a biennial video festival as part of its effort to tackle xenophobia and the widespread negative perceptions about refugees in the country.
- On 28 February 2011, the book “Eloísa y los bichos” was presented during the XXXII International Book Fair organized **in Mexico**. This book aims at promoting awareness about refugees, promote local integration, tolerance and non-discrimination.
- In February 2011, in **Costa Rica**, a Youth Conference “Ties without borders” (Lazos sin Fronteras) included the participation of some 180 youngsters that discussed the challenges of local integration for migrants and refugees. A declaration and an action plan to work towards a more inclusive society were presented. The Conference promoted local integration and non-discrimination and was organized by UNHCR, IOM, the Costa Rica Vice-Minister for Youth, the Council for Youth and Migration. The conference included participation of afro-descendant adolescents.
- In September 2010, UNHCR took part in the festival “Integrarte” to promote local integration of migrants and refugees in Costa Rica. More than 4,000 people attended the festival.
- On 22 March, in Porto Alegre, (**Brazil**) the 1st Seminar on Protection and Integration of Refugees, sponsored by the State Public Attorney’s Office took place. The event celebrated UNHCR’s 2011 anniversaries and was attended by the State Governor and the Deputy Minister of Justice / President of CONARE, amongst others authorities.

Tolerance and human rights education is another vehicle for fostering understanding, empathy and respect. The DDPA encourages the United Nations to cooperate with States in initiating and developing cultural and educational programmes aimed at combating racism:

- **In Mexico**, the literature contest “¿Y si yo fuera una persona refugiada...? Comenzar de nuevo en otro país” has been launched by UNHCR, the Human Rights Commission of the Federal District and the National Council to Prevent

Discrimination for children between the ages of 13 and 18. The goal of this contest is to create awareness about refugees and to promote local integration and non-discrimination.

- **In Greece**, the UNHCR-IOM education toolkit “Not Just Numbers” on asylum and migration issues in the EU has been disseminated to schools and teachers nationwide, as well as teachers’ associations of primary and secondary level education. The NGO AITIMA is using the toolkit for its own outreach to schools through interactive and practical exercises, including interaction. To that extent, an interactive training seminar was organized for 50 elementary education teachers on the toolkit’s use, while UNHCR continues to liaise with the Ministry of Education for its incorporation in the national education curriculum. The publications’ main objective is to provide adequate tools to educators, in order to better combat existing clichés and stereotypes, dispel prejudices *vis-à-vis* migrants and refugees, as well as mitigate the currently fertile ground for xenophobia. The project also serves to build communication bridges between schools and centres for unaccompanied children.

UNHCR values the **use of sport in the development, dialogue and mutual understanding and social cohesion**. Sport is a means to fight against racism, discrimination and violence, as it brings together individuals despite social, cultural or ethnical differences. Sport creates a universal language and transmits essential values such as tolerance, respect, solidarity. Several activities promoting the use of sport as a tool for change included:

- On June 2010, with the World Cup finals looming **in South Africa**, UNHCR and IOM turned to football to tackle the lingering problem of xenophobia in South Africa's townships. The partner organizations, together with the Africa Diaspora Forum, have recently staged a pilot Township Soccer Challenge and through a common love for football, were able to bond with people from countries such as Ghana, Malawi, Mozambique and Zambia.
- Also in June 2010, UNHCR **Ireland**, together with Sport Against Racism Ireland (SARI), held the inaugural ‘Fair Play Football Cup’. The event, marking World Refugee Day 2010, involved eight teams, almost 100 players and people from the general public, together with friends and supporters of the participating teams. The football teams which involved refugees, community groups, Government agencies and the media competed in a World Cup-style tournament for the honour of being the first ‘Fair Play Football Cup’ champions. One of the aims of the event, which was attended by the Minister of State for Integration, was to bring different groups together to promote greater cultural awareness, mutual respect

and peaceful coexistence. UNHCR & SARI have seen how sport can play a key role in helping to build tolerance, understanding and respect among different communities, setting aside cultural differences and giving young people a sense of self worth.

- In September 2010, **in San Lorenzo (Ecuador)**, UNHCR supported the association of young afro-descendants in the organization of a street football festival as an event to promote peace. This event gathered both Ecuadorian nationals and Colombian refugees. Teams were made up of both men, women, Colombian and Ecuadorian nationals and no referees were present during the game. Instead, mediators promoted agreements on the rules for the games. The festival was initiated by a parade along the city that contained messages of peace and integration.

In the global context we operate, media can maintain and reinforce tendencies of xenophobia, social distance and discrimination. However, the **media can also play an important role in shading and breaking down stereotypical attitudes and prejudices, and to expose abuse and discrimination**. Therefore journalists are critical protection partners in addressing racism, xenophobia and intolerance. The media will usually be both a channel of communication and a target of awareness raising and education. UNHCR firmly believes that educating the media and addressing public opinion and political rhetoric can play an important role in advancing – or impeding – a favourable protection environment. UNHCR therefore endeavours media as a positive agent for change:

- **In Ireland**, the National Union of Journalists (NUJ) in conjunction with the Irish Refugee Council and UNHCR, launched the booklet entitled ‘Reporting on Refugees’, on World Refugee Day in 2009. The booklet aimed at educating journalists, providing them with guidelines to ensure that information on asylum-seekers, refugees, the victims of trafficking and migrants is balanced and accurate. The booklet contained definitions as well as descriptions of relevant terminologies.
- The 2008 “Charter of Rome” contains a Code of Conduct for journalists regarding asylum-seekers, refugees, victims of trafficking and migrants, that had been developed in light of UNHCR’s concern regarding inaccurate media coverage of issues related to these categories of persons. The Charter continues to be valid and its application has a considerable positive impact on public opinion in the field of immigration.

- In January 2010, in Costa Rica refugees and local youth used radio to tackle xenophobia in high schools, through a project aimed at spreading awareness about refugees and combating xenophobia.

Persons of concern to UNHCR and their communities are essential partners in addressing racism, xenophobia and intolerance; without forgetting the different needs and capacities of women, children, adolescents, persons with disabilities and members of minority groups or indigenous communities. **They need to be engaged in all stages**, from development of the strategic approach through its implementation. The most effective way to eradicate fear of ‘the other’ is typically through personal encounters and interaction.

- UNHCR is supporting the organization in Washington DC of a Refugee Congress to be held in August 2011, with the purpose of having refugees speaking for refugees, celebrating achievements and addressing obstacles. The event aims at having a refugee perspective on global displacement, identifying challenges and proposing recommendations to address them.
- **In Greece**, UNHCR together with the local and national authorities and other organizations has been implementing youth projects during the past 17 years as a means to create tolerance at a young and tender age to promote a better overall understanding of the protection needs of refugees and asylum seekers. These projects target students, educators and local communities with the objective of transforming xenophobia and fear to knowledge and empathy, so as to generate more receptive public attitudes. Refugee children hosted in reception centres country-wide are also invited to participate with their personal stories. During the last few years some of these projects, in particular the Student Contest and Award Ceremony, have drawn considerable attention by the Greek national and local media that have given the floor to refugees and asylum seekers to share their stories.
- As part of the organization's 60th anniversary commemorations and its commitment to give female refugees a voice, during 2011 UNHCR has staged a series of dialogues around the world with more than 500 forcibly displaced women and girls, as well as some refugee men. These provide an important platform for participants to come together with UNHCR staff, implementing partners, government officials and community-based organizations to discuss the main protection problems they face and to recommend possible solutions. Gatherings have been held in India, Colombia, Jordan, Uganda, Zambia, Thailand and Finland. Racism, racial discrimination and xenophobia manifested in different form have been a prevalent concern. The outcomes of the Regional Dialogues will

feed into other events during the year, particularly a ministerial-level meeting facilitated by UNHCR for December 7-8 in Geneva. It is hoped that participating States will make forward-looking pledges at this meeting that will address some of the most pertinent issues facing refugee women and girls.

UNHCR is involved in a variety of other anti-discrimination activities. For instance, within the UN human rights network, UNHCR, along with other bodies, contributes to the work of the Committee on the Elimination of Racial Discrimination and continuously cooperates with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. In general, UNHCR promotes the strategic use of human rights mechanisms and uses their recommendations as protection advocacy tools. Moreover, UNHCR gives direct support to individuals who are victims of crimes motivated by racism or xenophobia, such as by providing legal aid and counseling. UNHCR also strives to promote its anti-xenophobia efforts in industrialized asylum countries, forging closer partnerships with academia and other elements of civil society, as well as international organizations. At the same time, UNHCR strives to broaden the number of countries willing to resettle refugees and advocates forcefully for the even-handed treatment of all refugees.

UNHCR continually engages in the debate and efforts to combat the challenges of discrimination, racism, and xenophobia from the particular perspective of its mandate to provide international protection to refugees and to assist governments in finding durable solutions for them, as well as to prevent and reduce statelessness and protect stateless persons. In this connection and in the framework of the Commemorations for the 60th Anniversary of the 1951 Convention relating to the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness, UNHCR encourages countries during the ministerial-level meeting on December 2011 to make forward-looking and specific pledges of commitments to undertake address specific protection gaps in the area of racism, racial discrimination, xenophobia and related intolerance, which will concretely improve protection for refugees and stateless people.

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