STATESMANSHIP CONFERENCE

8th-9th August

SMUN²

BACKGROUND GUIDE

UNITED NATIONS HUMAN RIGHTS COUNCIL

Agenda - Combating Racism, Racism, Xenophobia And Other Intolerant Ideologies

Letter from the Executive Board

Dear delegates, It gives me great pleasure to welcome you all to the academic simulation of the UNHRC committee at statesmanship conference 2020. We hope this experience enriches your public speaking skills and that you learn about a pressing world issue that complicates the lives of many people both in our country and abroad. Before coming for the conference, it is very important to break the larger agenda into smaller subtopics and ask questions to yourself about the agenda. We would be using the UNA-USA rules of procedure to facilitate this simulation. You may consult http://www.unausa.org/global-classroomsmodel-un/how-to-particip ate/model-unpreparation/rules-of-procedure if you have any queries regarding the same.

Our agenda is "Combating Racism, Xenophobia and Other Intolerant Ideologies" While this guide aims at providing you with the foundational knowledge and gives concrete real world examples, it is not exhaustive. Not all aspects of each case are discussed in detail since our objective is to explain the territorial dispute and state failure as opposed to finding a solution for each case. However, we have tried to provide extra links for research under each category to provide a nuanced context. We shall, to the best of our abilities, ensure that a fair simulation is conducted. There is ample scope for fruitful and meaningful discussion paving the way for a nuanced learning experience.

Sincerely, Aditya Verma(Chairperson), Monalika Jayani(Vice Chairperson)

Proof/Evidence Accepted In The Council Evidence or proof is acceptable from sources: 1. News Sources: a. REUTERS – Any Reuters article which clearly makes mention of the fact or is in contradiction of the fact being stated by a delegate in council. (http://www.reuters.com/) b. State-operated News Agencies – These reports can be used in the support of or against the State that owns the News Agency. These reports, if credible or substantial enough, can be used in support of or against any Country as such but in that situation, they can be denied by any other country in the council. Some examples are, i. RIA Novosti (Russia) http://en.rian.ru/ ii. IRNA (Iran) http://www.irna.ir/ENIndex.htm iii. BBC (United Kingdom) http://www.bbc.co.uk/ iv. Xinhua News Agency and CCTV (P.R. China)

http://cctvnews.cntv.cn/ 2. Government Reports: These reports can be used similar to the State Operated News Agencies reports and can, in all circumstances, be denied by another country.
 a. Government Websites like the State Department of the United States of America (http://www.state.gov/index.htm) or the Ministry of Defense of the Russian Federation (http://www.eng.mil.ru/en/index.htm)
b. Ministry of Foreign Affairs of various nations like India (http://www.mea.gov.in/), People's Republic of China (http://www.fmprc.gov.cn/eng/), France(http://www.diplomatie.gouv.fr/en/), Russian Federation(http://www.mid.ru/brp_4.nsf/main_eng)
c. Permanent Representatives to the United Nations Reports http://www.un.org/en/members/ (Click on any country to get the website of the Office of its Permanent Representative)
d. Multilateral Organizations like the NATO (http://www.nato.int/cps/en/natolive/index.htm), ASEAN (http://www.aseansec.org/), OPEC (http://www.opec.org/opec_web/en/), etc.
 3. UN Reports: All UN Reports are considered are credible information or evidence for the Executive Board of the Security Council. UN Bodies: Like the SC (http://www.un.org/Docs/sc/), GA (http://www.un.org/en/ga/),HRC Definition of Important Terms Discrimination In all its possible forms and expressions – is one of the most common forms of human rights violations and abuse. Discrimination occurs when you are treated less favourably than another person in a similar situation and this treatment cannot be objectively and reasonably justified. The Human Rights Act makes it illegal to discriminate on a wide range of grounds including 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'. Discrimination and intolerance are closely related concepts. Intolerance Intolerance is a lack of respect for practices or beliefs other than one's own. It also involves the rejection of people whom we perceive as different, for example members of a social or ethnic group other than ours, or people who are different in political or sexual orientation. Discrimination occurs when people are treated less favourably than other people are in a comparable situation only because they belong, or are perceived to belong to a certain group or category of people. Discrimination, which is often the result of prejudices people hold, makes people powerless, impedes them from becoming active citizens, and restricts them from developing

their skills and, in many situations, from accessing work, health services, education or accommodation. Discrimination has direct consequences on those people and groups being discriminate against, but it has also indirect and deep consequences on society as a whole. A society where discrimination is allowed or tolerated is a society where people are deprived of freely exercising their full potential for themselves and that society. Xenophobia The Oxford English Dictionary defines xenophobia as "a morbid fear of foreigners or foreign countries". In other words, Xenophobia is a prejudice related to the false notion that people from other countries, groups, cultures, or speaking other languages are a threat. Xenophobia is one of the most common forms of and grounds for discrimination and it is for this that it is a challenge to human rights. Slavery, particularly the Transatlantic slave trade was the worst manifestation of racism, xenophobia, and intolerance throughout human history. It is a stain on the human race. Racism Racism involves discriminatory or abusive behaviour towards people because of their imagined "inferiority". All humans belong to the same species and, therefore, it makes no sense to talk of "races". The impact of racist ideologies has been devastating to humanity; it has justified slavery, colonialism, apartheid, forced sterilizations and annihilations of peoples. It has been the basis of the Nazi ideologies and the programs to exterminate Jews and other "inferior peoples". Unfortunately, racism continues to be present in contemporary European societies and politics. Racism and Racial Discrimination The concept of racism dates back to the 18th century, where scientists, biologists and philosophers attempted to categorize human populations into different groups based on their abilities and characteristics. These scientists and political philosophers subscribed to the belief that these racial groups can be placed in a hierarchal order and that one race can be superior or inferior to another race. The position of a racial group in the hierarchal order can then used to determine the distribution of rights and freedoms accorded to the people belonging to a particular racial group. But let's trace our steps back and decide for ourselves if racism is real or not? Most biologists argue that till date there is little evidence in human genome research that indicates that race can be defined in a manner that would be useful in determining a genetic classification of humans. On the other hand, modern sociologists consider racism to be a social and political construct processes, judicial mechanisms etc. This social construct gets reinforced in our minds time and again through a continuous loop of implicit biases and prejudices thus

fueling racial discrimination. Therefore, it is important to understand that the concept of racism is a social construct that leads to subconscious biases and prejudices that result in racial discrimination. Though the United Nations does not define the term racism, the International Convention on the Elimination of all Forms of Racial Discrimination offers a formal and acceptable definition of racial discrimination. Under article 1, racial discrimination is defined as: "distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin that has the purpose or effect of annulling or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." The Preamble of the Convention concludes that the doctrine of supremacism based on racial discrimination is scientifically false, is morally condemnable, socially unjust and dangerous and that there is no justification for racial discrimination. Furthermore, it is important to note that the definition of racial discriminate subscribed to by the UN fails to make a distinction between discrimination based on race or ethnic origin in accordance to the definition. Therefore, for all purposes of this committee simulation, references to racial discrimination also include discrimination based on one's descent, national or ethnic origin. Individual Racism vs Institutional Racism Sometimes racist attitudes can become so deep-seated in our mindset that racial discrimination becomes a part of the normal functioning of societies and institutions. This is called institutional racism or institutional racial discrimination. Individual racism refers to isolated cases of racial discrimination that one person might face. In cases of individual racism, a person discriminates against another person on the basis of race, ethnic or national origin. On the other hand, Institutional racism refers to discrimination against a person or a group of persons that has been incorporated in the structures, policies, procedures and practices of social institutions – such as governmental organizations, public schools and hospitals, judicial bodies and courts etc. One historic example of institutional racism is the exclusion of African-American students from attending certain public schools and separate schools for AfricanAmerican children. This ended up limiting the educational opportunities of African-American children and precluded them from achieving status equal to that of others. US. Similar institutional racism exists in the hiring processes of job applicants. It has been seen that job applicants with a Caucasian sounding name had a 50% greater

chance of getting a call back after circulating their resume as compared to a person with a colour sounding name. It can be argued that racism and racial discrimination can exist with access to public facilities. History of Racism Whilst racism is partly a result of fear and ignorance, the origins of racism are to be found in history. Slavery was not an invention of the middle ages – it had existed for more than a thousand years – but it started to become a more organised trade towards the end of the fourteenth century, when the Europeans began to take people from Africa against their will. The slave trade originally developed because of the growing demand for sugar, which lasted in Britain for about 150 years. By the early eighteenth century, Britain was one of the richest slave trading nations in the world, with large numbers of slaves being transported from African and Asian colonies to Europe and America. A trading system known as triangular trade was created. Ships left Bristol, Liverpool and London carrying textiles, gunpowder, silk and other goods. These were then traded in Africa for slaves. The slaves were taken to the Caribbean and America to work on plantations, where they were exchanged for sugar, cotton, spices and rum. These goods were then taken back to Britain and sold. Over 30 million people were taken from West Africa and sold into slavery. They were transported in horrific conditions often beaten and mutilated, with one in five failing to survive the journey. Many slaves tried to escape or rebel, and even suicides were a daily occurrence. Many people were horrified by the brutality of the slave trade and wanted to stop it. This led the people who supported it to develop theories to justify what they were doing. They claimed that some slaves had caught a rapidly spreading disease, the symptoms of which made the slaves run away. Blacks were naturally lazy, people were told, which is why they hated working on the plantation. Defenders of the slave trade also said that blacks were less intelligent than whites; they were "sub-human" Racism in Europe Government and community responses to racism have varied considerably. In some countries particularly Germany and Switzerland—it is difficult for immigrants to obtain naturalisation, and even children born to immigrant parents do not automatically become citizens. In such cases, community conflicts are exacerbated by immigrants' weak legal status and their insecurity about whether they can remain in the country. Moreover, anti-discrimination laws cannot be introduced or enforced where the state itself discriminates, for instance by giving preference in employment to its citizens. In eastern and south-eastern Europe, the collapse of communist states has led to

explosive ethnic conflicts. The current struggles in the ruins of the former Yugoslavia that split into six nations are well known. The conflicts in Bosnia, Croatia and other parts of former Yugoslavia show vividly that racism can present a major threat to democratic states and the international community. The extreme racism of 'ethnic cleansing' has evoked widespread horror. The failure of European countries and supranational bodies like the United Nations to stop the fighting acts as a major setback to attempts to create a new global order after the Cold War. The response to the new refugee emergency has also been far from adequate, and the suspicion exists that some countries have put restrictive immigration policies before humanitarian considerations. . Racial Segregation in the United States Immediately following the Civil War and adoption of the 13th Amendment, most states of the former Confederacy adopted Black Codes, laws modelled on former slave laws. These laws were intended to limit the new freedom of emancipated African Americans. Vagrancy Laws allowed blacks to be arrested for minor infractions. A system of penal labour known as convict leasing was established at this time. Black men convicted for vagrancy would be used as unpaid labourers, and thus effectively reenslaved. This would set precedent for Black Codes & Jim Crow Laws. Jim Crow laws were laws created by white southerners to enforce racial segregation across the South from the 1870s through the 1960s. Under it, "whites only" and "coloured" signs proliferated across the South at water fountains, movie theatres, swimming pools, and public schools. African Americans who dared to challenge segregation faced arrest. Other Intolerant Ideologies Xenophobia Xenophobia as an intolerant ideology is consistently increasing worldwide. Studies have shown that xenophobia has been a consequence of racism and jingoism. The reason for this ideology is not only based on the notion that the immigrants may exhaust a foreign country's resources and it may not provide room for growth to the in-born people but also on the idea of accepting Muslims and Jews as unfavorable and not wanting. Poland, Czech Republic, United States, Hungary, etc. are amongst the top countries which discriminate against Muslim immigrants. Even xenophobia has led countries to introduce new policies which only favor their natural citizens. Anti-Semitism, Apartheid, Islamophobia and Homophobia (discussed further) are reasons for this excessive development of Xenophobia as an ideology. Delegates can also discuss about Immigration restriction acts and the respective countries' citizenship norms as to get a clear idea of influence of xenophobia in that

country. Delegates to note it's up to them to discuss about xenophobia specifically or not, if they do they can talk about any country with Executive Boards permission and are not bound by the countries mentioned above. Islamophobia A by-product then of the "measured response" claim is the suggestion that it is somehow acceptable to be Islamophobic on the basis that the fear of religion is genuine, logical and non-racial. This not only deflects accusations of racism but also situates Islamophobia a more favourable position. Anti-Muslim racism is a particular type of discrimination against all those perceived to be Muslim, which is itself determined by ideas about physical appearance (wearing of the hijab or burqa), religious custom (prayer or observation of Ramadan), and biological features (brown skin), which result in a sense of post-colonial superiority over all those considered to be Muslim. Along with ideas about failed multiculturalism, a lack of community cohesion, and the need for tighter border controls and national security (prevention of terrorist activity), nations have used "a narrative which connects race with culture with multiculturalism with national identity with community cohesion with wider social relations" around crime and security. This "logic" has resulted in attempts to further control brown bodies at every possible level, including the wearing of clothing often associated with Muslims. For instance, in 2011, France banned the wearing of the Islamic veil in public places. Punishable with fines of up to 150 Euros, the 2011 ban added to the 2004 ban on hijabs in France's state schools. Later, in 2016, many French towns banned the wearing of a "burkini" (the term used in the media to refer to a swimsuit that covers most of the body and which are mostly worn by Muslim women). Counter-terror measures have been criticized for excessively focusing on Muslims, and for their simplistic, generic and one-dimensional notions. This has presented the view that extremism and radicalisation are inherent within Muslim culture. This logic presents all Muslims as extremists, rather than criticizing the extremist mind-set of individuals themselves. Rooted in these anxieties is the idea that Muslims are uncivil, inferior and inhumane. This logic not only helps to justify their unequal treatment in society but also helps to ensure that accusations of abuse and torture by the state are viewed with relatively little or no sympathy. Homophobia omophobia encompasses a range of negative attitudes and feelings towards homosexuality or people who are identified or perceived as being lesbians, gay, bisexual or transgender (LGBT). It has been defined as contempt, prejudice, aversion, hatred or antipathy, may be based on irrational fear and ignorance, and is often related to

religious beliefs. Homophobia is observable in critical and hostile behaviour such as discrimination and violence on the basis of sexual orientations that are non-heterosexual. Recognized types of homophobia include institutionalized homophobia, e.g. religious homophobia and statesponsored homophobia, and internalized homophobia, experienced by people who have same sex attractions, regardless of how they identify. Negative attitudes toward identifiable LGBT groups have similar yet specific names: lesbophobia is the intersection of homophobia and sexism directed at lesbians, biphobia targets bisexuality and bisexual people, and transphobia targets transgender and transsexual people and gender variance or gender role nonconformity. Countries like Saudi Arabia, Nigeria, Yemen, South Sudan, Pakistan, etc. are generally more inclined towards there intolerant typologies. Racism in the 21st Century Black Lives Matter The Black Lives Matter movement originated out of the unwarranted deaths of three AfricanAmerican men, Trayvon Martin, Eric Garner & Michael Brown. BLM surrounds its main conversation around the deprivation of basic human rights that the African-American community has been through. The Black Lives Matter movement has demonstrated an unparalleled ability to not only reach, but to affect, a massive audience. According to several studies conducted by Pew Research Center, 43% of Americans support the movement, including 65% of AfricanAmericans. White Democrats, and those under the age of 30, have been particularly vocal in their support of the movement. 59% of black Americans believe that the movement will be effective, in the long run, in helping black Americans achieve equality. 34% of white Americans agreed with this sentiment. While the movement has garnered attention and conditional support, from many people, famous personalities of film, television & sports, even presidential candidates as well as the former president Barack Obama, it is also facing some criticism, as well as out-right opposition from numerous sources. Many of those who oppose the movement are politically Conservative. One rather conservative media source, Fox News has repeatedly criticized the movement, going so far as to label it a terrorist movement, while using military-like language to describe the behaviour of Black Lives Matter protesters. Much of the Republican backlash towards the movement focuses on the perception that it is anti-police, giving rise to the slogan "Blue Lives Matter " (referencing police uniforms) in response. The recent rise in the sentiments of people upon the death of George Floyd, further instigated by the death of Breonna Taylor has led to widespread

criticism from around the world. Multiple statues were asked to be taken down in Europe which glorified the slave era. CAMPAIGN ZERO A movement linked to Black Lives Matter - Campaign Zero - outlined a 10-point objectives in relations to police brutality in the U.S. after many critics commented the Black Lives Matter movement lacks direction. 1. End Broken Window Policing: Campaign Zero calls to end Broken Window Policing and racial profiling as well as establish alternative approaches to the Mental Health Crisis. Broken Window Policing criminalizes minor offences such as trespassing, jaywalking and marijuana possession as a preventative measure. According to the Campaign Zero website, 287 people were killed by the police department because of such a policy. 2. Community Oversight: Campaign Zero calls for community oversight for policy-making and jurisdiction of police offence and complaints. According to the U.S. Department of Justice, less than 1 of every 12 policy misconduct results in disciplinary actions. 3. Limit Use of Force: Campaign Zero calls for setting restrictions of excessive use of force by establishing standards and revise current policy. 4. Independent Investigations and Prosecutions: in the case of police violence, Campaign Zero aims to shift police investigation of themselves to independent investigation. 5. Community Representation: Campaign Zero aims to challenge the police department to reflect the cultural diversity of the population and utilizing community feedback to inform rooms of improvements in the local police department. 6. Body Cams/ Film the Police: Campaign Zero noted that video evidence was crucial in the jurisdiction process of most police violence cases, thus, they aim to push forward using technologies to hold the local police department accountable. 7. Training: Campaign Zero has the intent to push forward a new set of training regimes that will put more emphasis on community interaction. 8. End For-Profit Policing: through limiting the use of ticket and arrest quotas, fines and fees for low-income individuals, as well as any form of corruption, Campaign Zero challenges the police department to work for the people instead of aiming to make profits. 9. Demilitarization: establishing policies that limit the use of weapons that could potentially harm unarmed individuals. 10. Fair Police Contracts: rewrite police union contracts that are focussed on protecting the police from unfair prosecution while holding them accountable for their actions Racism against Muslims Given that Muslims are not considered to be a group defined by race, the perception is that they cannot experience racism. A by-product then of the "measured response"

claim is the suggestion that it is somehow acceptable to be Islamophobic on the basis that the fear of religion is genuine, logical and non-racial. in 2011, France banned the wearing of the Islamic veil in public places. Punishable with fines of up to 150 Euros, the 2011 ban added to the 2004 ban on hijabs in France's state schools. Later, in 2016, many French towns banned the wearing of a "burkini" (the term used in the media to refer to a swimsuit that covers most of the body and which is mostly worn by Muslim women). Reasons for the ban cited health concerns, security issues, assimilation agendas, as well as gender equality issues. Unsurprisingly, there has been a rise in the number of reported racist attacks, which have specifically used visual markers of Muslimness as a focus of hate, for example, bearded men being attacked and (women especially) having clothing forcibly removed or torn off. More recently, in March 2017, the European Court of Justice ruled that companies could ban its staff from wearing visible religious symbols whilst at work. Although the ruling covered the wearing of symbols of any religion, it was openly welcomed by those of the right of the political spectrum who had been preoccupied with women wearing Islamic headscarves in the workplace. International Legal Instruments and Prior action of the UN Committee on Elimination of Racial Discrimination The Committee on the Elimination of Racial Discrimination (CERD) is composed of 18 independent experts that monitor implementation of the Convention on the Elimination of all Forms of Racial Discrimination. The State parties to the convention are obligated to submit regular reports on the implementation. Under the current reporting procedures, a State acceding to the Convention must submit a report in the 1st Year called the Initial Reports and then submit Periodic Reports every 2 years. The Committee examines each report and addresses its concerns and recommendations to the state parties in the form of "concluding observation. The Committee on Elimination of Racial Discrimination is often considered the custodian of International Convention of Elimination of all forms of racial discrimination (ICERD), it is responsible for monitoring the implementation of the Convention. The Committee does so through 3 mechanisms: • Early warning procedure of the Committee • Dispute Resolution mechanism on Inter-state complaints • Individual Complaints mechanism The Committee also publishes its interpretation of the content of human rights provisions known as general recommendations and organizes discussions on thematic issues relating to racism and racial discrimination. It can be argued that the International Convention of

Elimination of Racial Discrimination has become an international standard and has gained acceptance across the globe. The agreement has had a strong bearing on national legislations, resulting in numerous state parties banning racism and racial discrimination in all aspects of life. Some examples include the Civil Rights act of 1964 in the United States, the Race Relations act of 1971 of New Zealand, Race Relations act of 1976 in the UK and the Canadian Human Rights act of 1977. But there exist numerous challenges to the implementation and reporting standards. Some state parties still need to report their progress to the Committee. It has been noted that, as of 23 November 2015, 92 state parties have not submitted their initial or periodic reports on time. For instance, Sierra Leone has failed to report its progress since 1976. Key Issues Legal Equality Equality of all individuals under the law would seem almost universal at this point, having been espoused by the UN Charter and the ICERD. Discrimination based purely on race is illegal in most cases - the Gulf States being a potential exception that we will address in a moment. However, even if racism has been somewhat purged from legal codes, xenophobia has not. In many cases, it is still legal and common for discrimination to take place explicitly based on country of origin. Significantly, ICERD allows states to - make distinctions, exclusions, restrictions or preferences between citizens and non-citizens as long as all non-citizens are treated equally. This means that citizenship can become a tool of discrimination, especially against foreigners. The United Arab Emirates, for instance, has exploited this distinction for years. Out of a population of 9.2 million people, 7.8 million are expatriates, with the vast majority being migrant workers from South Asia. While the 1.4 million Emirati citizens enjoy great prosperity, the migrant workers suffer under the Kafala system, in which employers take workers' passports and essentially force them to work below international labour standards. Another easily exploited legal distinction is that which separates legal and illegal immigrants. Most countries do not (explicitly at least) guarantee all economic and political rights to illegal immigrants. However, the committee must determine which of these rights only belong to legal immigrants and which belong to all. Economic Inequality The true contentiousness begins after equality under the law has been established. Under one perspective, this might be described as conservative or perhaps neoliberal, the establishment and enforcement of legal codes are sufficient. All individuals enjoy equal protection under the law, and with it, equal opportunity for

economic gain. Conservatives in the United States commonly hold this view: underprivileged minorities, particularly blacks and Hispanics/Latinos, have enjoyed equal rights since the civil rights movement of the 1960s. Affirmative action policies that explicitly target those minorities are therefore unnecessary. The other, more left-wing side of that argument would support affirmative action policies in education and elsewhere because these programs would simply be adjusting for previously created inequities. Under this perspective, legal equality is not sufficient; there should also be programs that explicitly target the economic divide between racial or ethnic groups. This perspective stems from the belief that past racist and xenophobic social structures directly caused economic challenges for these minority groups. The interplay between these two sides will significantly influence the policy directions taken in committee. For what it is worth, the Durban Declaration explicitly endorses affirmative action programs in education, the workplace, and other areas. It is unclear how many countries, especially poor and ethnically homogeneous ones, will be willing to do the same. Delegates should also focus to throw light upon why economic equality leads to racism and racism leads to economic equality. They can also target methods to achieve economic equality for the wellbeing of all people to stress upon minority rights as well as violations of right to equality through discrimination. TERRORISM AND XENOPHOBIA Xenophobia has become a relevant international topic in part because of Islamophobia in the United States and Western Europe, the by-product of a rise in Islamic terrorism since the turn of the century. While events like 9/11 and Charlie Hebdo have left these countries traumatized, the fact remains that their populations are still comprised of many peaceful Muslims; 7.5% of France's population was Muslim as of 2010. In committee, delegates will essentially have to decide whether or not national security and minority rights are mutually exclusive or go hand in hand. It might be necessary, for instance, to subject certain individuals from minority groups to extra security at airports in the name of national security. On the other hand, effective cultural and economic integration of Muslim and other immigrants might reduce the chances of home-grown extremism. Important Issues for Research This section consists of important issues or questions regarding a delegate's portfolio. It is expected that a delegate is researched on these questions. Issue 1: Does your country have a documented historical past of engaging in institutional racism, ethnic discrimination or xenophobia? Issue 2: What policies or measures

has the Government implemented to combat racism, racial discrimination or xenophobia? Issue 3: Whether public rights and minority rights go hand in hand Issue 4: Has the Government accepted the recommendations contained in the Durban Programme of action? If not, then the reason for the same. Issues 5: Immigration restrictions in developed and western countries