

Xenophobia

What is xenophobia?

Xenophobia is a broad notion, associated with a variety of meanings. The term “xenophobia” comes from the Greek words ξένος (*xenos*), meaning “foreigner”, “stranger”, and φόβος (*phobos*), meaning “fear”. Manifestations of xenophobia are usually triggered by intense dislike or hatred against people that are perceived as outsiders, strangers or foreigners to a group, community or nation, based on their presumed or real descent, national, ethnic or social origin, race, colour, religion, gender, sexual orientation or other grounds.

Manifestations of xenophobia include acts of direct discrimination, hostility or violence and incitement to hatred. Xenophobic acts are intentional as the goal is to humiliate, denigrate and/or hurt the person(s) and the “associated” group of people.

What do human rights have to do with it?

The lack of promotion and protection of human rights creates an environment conducive to manifestations of xenophobia, and xenophobic acts are violations of human rights.

Hatred is not a natural and spontaneous sentiment and xenophobic acts are usually the outcome of propaganda and incitement to hatred, hostility and violence carried out at several levels, including social, political and media.

All core international human rights instruments contain provisions, which are essential for preventing and combating manifestations of xenophobia. Of particular importance are the provisions on prohibition of discrimination, the right to equal and effective protection against discrimination on any ground, prohibition of advocacy of hatred, the right to equality before the courts and tribunals, the right to liberty and security of person, and the prohibition of torture or cruel, inhuman or degrading treatment or punishment.

Several human rights mechanisms, including treaty monitoring bodies, special procedures and intergovernmental mechanisms established by the Human Rights Council, have addressed different issues related to xenophobia such as the importance of prompt, impartial and thorough investigations and punishment of perpetrators with appropriate penalties, taking into account the grave nature of such acts, equal access to public services, data collection and statistics, effective remedies for

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Ms. Navi Pillay, United Nations High Commissioner for Human Rights, Cape Town, July 2012

victims, and measures to overcome negative stereotypes and promote diversity.

What are the challenges with regard to manifestations of xenophobia?

Issues related to lack of accountability and recurring impunity remain largely unaddressed. Some manifestations of xenophobia are defined as acts of “hooliganism”, without analysing the underlying motivation. Disaggregated data collection is scarce.

Frequently, those who had committed xenophobic acts are not held accountable or are released shortly after being arrested. The lack of prompt and effective investigation and prosecution generates distrust: victims and witnesses of hate crimes are reluctant to report them and seek effective remedies. Thus, many incidents of xenophobic threats, verbal abuse, rape and violence go unreported, leaving the false impression that such problems do not occur.

Sometimes, victims of xenophobic acts are even mistreated by law enforcement officers when they make an effort to report an incident. Victims are also forced by relatives or other members of their group to withdraw charges against perpetrators. The underreporting of hate crimes impedes accountability and encourages the recurrence of such acts.

Who is the hardest hit by xenophobia?

Manifestations of xenophobia occur on a day-to-day basis and more often than acknowledged. For offenders it is sufficient to perceive someone as having certain characteristics to trigger a xenophobic act.

Migrants, refugees and asylum seekers, indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities are among the hardest hit by xenophobic acts. People with different sexual orientation or gender identities are also victims of hate crimes. Abuse of persons with disabilities is also widely unaddressed. Women and children who belong to these groups are often at greater risk and suffer from multiple forms of discrimination.

When does xenophobia increase?

It has been noted that manifestations of xenophobia often increase during periods of economic hardship, election campaigns, political instability and conflict.

In situations of increasing poverty and diminishing opportunities in the areas of employment, housing, social welfare, education and healthcare, perceived outsiders or foreigners might easily become targets of hostile attitude and physical assaults.

During election campaigns, vulnerable groups are often used as scapegoats for already existing domestic problems: they are presented to potential voters as threats to security and safety; they are the first ones to blame for pickpockets and burglaries; they are accused of "stealing" jobs and unfairly taking advantage of social welfare systems.

What is the impact of xenophobia?

Manifestations of xenophobia impede integration policies and processes. Such acts spread fear, which affect negatively not only the victims but also their communities. People who identify themselves with the victims may feel vulnerable and frightened to attend public places and access public services, limiting their educational and work opportunities, jeopardizing their health and choosing to live in places that are predominantly occupied by people with similar background.

Manifestations of xenophobia limit social development and restrict transfer of useful know-how. Societies in which diversity is presented and perceived as a threat and not as a source of enrichment do not encourage people to perform to their full potential, which affects economic development.

Xenophobic acts and respective fear lead to displacement of persons. Some people move within a country, others try to flee a country.

Manifestations of xenophobia pose challenges to security and public order.

What is required to prevent and address manifestations of xenophobia?

Holistic, human rights based approach is required to prevent and address effectively xenophobic acts, including policy, legal, administrative, educational and awareness raising measures such as:

- Developing effective awareness raising and educational campaigns, which cherish diversity as a source of enrichment;
- Adopting and enforcing laws effectively addressing hate crimes;
- Ensuring prompt, impartial and thorough investigation and prosecution;
- Combating impunity and lack of accountability for offenders; giving harsher sentences for hate crimes;
- Ensuring effective remedies for victims and equal access to such remedies;
- Making hate crimes visible: collecting and publicizing disaggregated data;
- Condemning unequivocally manifestations of xenophobia and encouraging distinguished personalities to speak against xenophobia;
- Ensuring that public administration staffing, including law enforcement institutions, reflects truly the multicultural diversity of the respective population;
- Ensuring full and effective participation of victims groups in the design and implementation of measures against xenophobia;
- Inviting media to avoid negative stereotypes and xenophobic rhetoric.

Normative standards and further reading

- Committee on the Elimination of Racial Discrimination (CERD), [General Recommendation No. 35: Combating racist hate speech \(2013\)](#)
- [Report of the Secretary-General on promotion and protection of human rights, including ways and means to promote the human rights of migrants, UN Doc. A/68/292 \(2013\)](#)
- CERD, [General Recommendation No. 31: the Prevention of Racial Discrimination in the Administration and Functioning of the Criminal Justice System \(2005\)](#)
- Human Rights Committee (HRC), [General Comment No. 34: Article 19: Freedoms of opinion and expression \(2011\)](#)
- Committee on Economic, Social and Cultural Rights (CESCR), [General Comment No. 20: Non-discrimination in economic, social and cultural rights \(2009\)](#)
- [Durban Declaration and Programme of Action \(2001\)](#)
- [Outcome Document of the Durban Review Conference \(2009\)](#)