

INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION
21 MARCH 2018

Statement of the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination and Related Intolerance for the International Day for the Elimination of Racial Discrimination Event Hosted by the Japan Network for the Elimination of Racial Discrimination in Cooperation with IMADR

I want to begin by thanking you all for this unique opportunity to address your celebration in honor of the International Day for the Elimination of Racial Discrimination.

Globally, racial equality is under attack. Vile discourses of explicit hate and ideologies of racial supremacy have moved from the fringe to the mainstream. Today, racial, ethnic and religious bigotry fuels human rights violations, including extreme violence against minorities, and against refugees, migrants, stateless persons, and internally displaced, with a particularly acute effect on women, and sexual and gender diverse populations. This bigotry is unashamed. From crowds of youths marching to neo-Nazi chants in Charlottesville, Warsaw, and Berlin, to the racist and xenophobic attitudes of politicians in the highest levels of office world-wide; from the ethnic cleansing of Rohingya Muslims, to the excessive use of military force to police Afrodescendant communities in different parts of the world—the assault on the human dignity of millions around the world has reached alarming proportions.

The recent xenophobic shooting outside the headquarters of the General Association of Korean Residents in Japan is just one recent example that underscores that Japan, like other countries around the world, is not immune to the escalation in extreme racial, national, ethnic and related intolerance.

This escalation of explicit racism and xenophobia makes celebration of the International Day Against Racism all the more important, especially in this year, which marks the 70th anniversary of the Universal Declaration of Human Rights. This day calls for unity locally, nationally, and globally in the affirmation of principles of human dignity, substantive equality, and non-discrimination. Significantly, this day should also serve as a reminder that the problem of racism today remains larger and deeper than the shocking manifestations that are now common-place in the media and even in mainstream national political discourses. The fight against racial discrimination must be understood and waged at a structural level, even in the current alarming climate, which risks training global attention solely on the most explicit and individual occasions of discrimination and intolerance.

Any meaningful efforts by states—including Japan—to combat and eliminate discrimination and intolerance must be built on the firm foundation of comprehensive legislative and policy frameworks that implement the existing international human rights anti-racism standards, including those enshrined in the International Convention for the Elimination of Racial Discrimination. For this reason, it is a matter of the highest urgency that Japan adopt such comprehensive national legislation, as it is required to do as a matter of legal obligation under the international human rights law that it has commendably agreed to be bound by. For example, as the Committee for the Elimination Against Racial Discrimination has underscored, it is vital that Japan adopt national legislation providing a comprehensive definition of prohibited racial discrimination, one which integrates the grounds of national or ethnic origin, colour and descent, in full compliance with article 1 of the International Convention for the Elimination of Racial Discrimination. Both the Office of the High Commissioner for Human Rights and my mandate remain eager and willing to provide any technical assistance that might facilitate the adoption of such legislation.

Of course, a comprehensive national anti-racism legislative framework is a fundamental step that must be accompanied by a commitment to enforcement of this framework. And in addition to this enforcement, it is vital that the Japanese state, civil society organizations, social movements and activists devote renewed energy and attention to the structural *drivers* of racial inequality, including, as recognized by the Durban Declaration, those rooted in the history and legacy of colonialism and related projects of empire. At the same time, urgent attention must also be paid to the structural economic, political and legal conditions that facilitate misplaced racial resentment and xenophobic scapegoating by national populations that perceive minorities and non-nationals as existential threats. Combatting discrimination and intolerance requires structural reforms that incentivize cohesion, and that make this cohesion a fundamental logic of government policy and private sector involvement in any given community or society. The government of Japan must urgently take robust action to protect its national, ethnic, racial and other minorities, as well as the migrant populations in its territory.

Resurgent hate, and the structural racial and xenophobic discrimination that operates alongside it threaten more than the specific groups that are their direct target. As High Commissioner for Human Rights, Zeid Ra'ad Al Hussein recently cautioned: “[W]e are growing accustomed to the stoking of hatred for political profit [...]. Cultivation of a siege mentality among majority populations is a marker of today's ethno-populism. It creates a sense of overwhelming grievance, with an indicated outlet for that rage. And it shores up power.” Extremism *and* systemic racial exclusion threaten the very political and legal foundations of every single state that forms a part of our international order, and Japan is no exception.

An important purpose of the International Day Against Racism, is to create a platform for states to recommit to upholding the fundamental principles of human rights and to guaranteeing substantive equality to all, by eliminating all forms of discrimination intersecting with racial discrimination, including discrimination based on gender, sexual orientation, citizenship and any other social category that is traditionally deployed to systemically subordinate groups in society.

I have recently made a request to the Japanese government for a country visit. I strongly urge the government to accept this request, as a country visit would provide a valuable opportunity for mutual engagement on strategies for advancing racial equality. I also wish to reiterate that the working methods of my mandate include receipt of complaints or allegations of racial discrimination. I strongly encourage civil society actors in Japan to take advantage of the communications procedure as a means of advancing dialogue and action against racism. More information on the complaints and communications procedure is available if you email racism@ohchr.org.

The time for action is now, and I thank you again for the privilege of addressing your gathering.