International Day for the Elimination of Racial Discrimination: 21 March 2019

Introduction

This briefing has been prepared to mark the United Nations' International Day for the Elimination of Racial Discrimination on 21 March 2019. The UN General Assembly adopted a Declaration on the Elimination of All Forms of Racial Discrimination in November 1963, and a convention in 1965. In 1966, the UN proclaimed an annual 'international day' to promote international awareness and action on the issue.[1] It chose 21 March, the date of the 'Sharpeville Massacre' in South Africa in 1960.

The UN has stated that although its convention is "nearing universal ratification", nevertheless, "in all regions, too many individuals, communities and societies suffer from the injustice and stigma that racism brings".[2] In December 2018, following an updated report, the General Assembly adopted a further declaration, calling for "concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance".[3]

The UN's special rapporteur in the area, E. Tendayi Achiume, produced two reports in August 2018 which investigated, on a global basis, "contemporary forms of racism, racial discrimination, xenophobia and related intolerance".[4] In them, Ms Achiume identified particular threats from increasing "nationalist populism" and neo-Nazi and supremacist organisations. These reports provide the theme for the 2019 international day, which is "mitigating and countering rising nationalist populism and extreme supremacist ideologies".[5] Both reports considered the role of new forms of media in promoting extremism.[6]

Accordingly, this briefing considers the links between racism and, in turn, the concepts of 'nationalist populism' and neo-Nazism/extreme supremacism. It then explores the contemporary forms of these two ideologies by discussing their use of new forms of media, and how this use might be controlled. Finally, it summarises recent related developments in the UK.

This briefing was prepared prior to the attack on two mosques in Christchurch, New Zealand, on 15 March 2019. The New Zealand Prime Minister, Jacinda Arden, described it as a terrorist attack based on extremist views.[7] In the House of Lords, the Lord Speaker stated that the thoughts and prayers of the House were with the families and friends of those who lost their lives, and with the people of New Zealand.[8] Following the attack, the UN Secretary-General, António Guterres, reiterated the urgency of "working together globally to counter Islamophobia and eliminate intolerance and violent extremism in all its forms".[9]

'Nationalist Populism'

In the first of her two reports, the UN special rapporteur stated populism attempts to split society between the general populace and "unaccountable or corrupt elites".[10] She continued that populism's "most dangerous variants" deploy a "monolithic, exclusionary vision of who qualifies as 'the people'".

Groups excluded from this vision then become targets of populist antagonism. Therefore, she concluded that populism can be "not just anti-elitist, but anti-pluralist".

Identifying populism more closely with racism, the special rapporteur then stated that some populists argue that "those identified as 'the people' are long-suffering victims of multi-cultural society", thereby relegating racial and other minorities to the status of "illegitimate interlopers" who are "part of the problem".[11] In summary, she concluded that:

> Ascendant nationalist populist ideologies pose a sobering threat to racial equality by fuelling discrimination, intolerance and the creation of institutions and structures that will have enduring legacies of racial exclusion.[12]

A range of other descriptions of the concept of nationalist populism (or populist nationalism) have been put forward.[13] For example, Francis Fukuyama contrasted it with the "dominant liberal order", which he identified with the "rules-based system of international trade and investment".[14] However, other academics have found both populism and nationalism, and the links between them, less easy to define: for example, Michael Kazin described populism as "a contested and ambiguous concept".[15] Several writers have stressed that nationalism and populism, and racism in turn, are not equivalent.[16]

Michael Kazin provided one summary of the issue by saying that "populists are praised as defenders of the values and needs of the hard-working majority and condemned as demagogues who prey on the ignorance of the uneducated".[17] However, in 2016, the UN High Commissioner for Human Rights gave a more cautionary message about "how effectively xenophobia and bigotry can be weaponised", and called for the guarding of human rights law to safeguard societies.[18]

Neo-Nazism and 'Extreme Supremacism'

In her second report, the special rapporteur looked at the spread of "neo-Nazism and related ideology".[19] She immediately identified these ideologies with racism, stating that at their core was a "visceral hatred of Jews", but that they also targeted "many other racial, ethnic and religious groups" as well as "lesbian, gay, transgender and intersex people, persons with disabilities and in some cases women".

Similarly, the *Blackwell Encyclopaedia of Social and Political Movements* defines neo-Nazism as "groups that emerged after World War II advocating for the fascist, nationalist, white supremacist, and anti-Semitic ideals of Nazi Germany".[20] It continues:

> Neo-Nazi groups are part of an overlapping web of racist movements […] While some ideological and stylistic differences exist across these movement networks, members also agree on some basic doctrines. First and foremost, neo-Nazis imagine they are part of an innately superior biogenetic race (ie, 'master race') that is under attack by race-mixing and intercultural exchange.[21]

The UN special rapporteur wrote that there was "growing support" for such views.[22] This concern was also echoed in a European Parliament resolution from October 2015, which stated that there was an "increasing normalisation of fascism, racism, xenophobia and other forms of intolerance in the European Union".[23] The *Blackwell Encyclopaedia* quoted one study which found that while "accurate counts of neo-Nazis are exceedingly difficult to perform", one report found that "activism among American neo-Nazis grew at an alarming rate during the first decade of the 21st century".[24]

New Forms of Media

Role of Media in the Spread of Extreme Views

The UN special rapporteur argued that "new forms of media" were partly responsible for the rise in nationalist populism, describing how they "aided or amplified the influence of nationalist populism".[25] She stated that a more diversified media, including social media, increasingly focused on "sensationalism", and that this was a communication style favoured by populists.

The special rapporteur's report on neo-Nazism and supremacism looked in some detail at the role of technology in spreading extreme-right beliefs. She found that the internet enabled the dissemination of such views, because of its "largely unregulated, decentralised, cheap and anonymising nature".[26] She suggested that the "easy transnational accessibility" of digital technology had aided the move of extremist groups "nearer the mainstream".[27] However, she also stated that "the exact roles of the internet and social media in contributing to any radicalisation process need further exploration".[28]

The special rapporteur then considered individual examples of social media and other digital technology. She reported one study which suggested that American white nationalist movements saw their Twitter followers grow by more than 600 percent between 2012 and 2016.[29] Turning to YouTube, she described this as an "essential tool of communication for neo-Nazi and other hate groups" and a "hotbed for neo-Nazi music videos".[30] Similarly, a report by the Data and Society Research Institute in August 2018 specifically investigated YouTube, finding a network of "political influencers" who used the site to "build audiences and 'sell' them on far-right ideology".[31] The report stated that YouTube was particularly well suited to such influencers, and that it has "allowed racist, misogynist and harassing content to remain online—and, in many cases, to generate advertising revenue—as long as it does not explicitly include slurs".[32]

The special rapporteur also investigated "hate-based video games", which promote "discrimination and even extreme violence towards groups of people considered as enemies, such as blacks and Jews". She found that these were often modified versions of classic games, in which the original enemies were replaced with religious, racial and/or ethnic minorities.[33]

In December 2018, the European Parliamentary Research Service (EPRS) published a review of online encyclopaedias across Europe.[34] It included information on 'Metapedia', which it described as a "right-wing extremist encyclopaedia".[35] Metapedia is freely accessible and uses software made publicly available by Wikipedia, a popular online encyclopaedia which the EPRS stated was the fifth most popular website in the world. The two sites therefore have a very similar appearance.[36] However, the EPRS described Metapedia as being "openly racist".[37] Metapedia's own guidance states that its "suitable topics" for discussion include "eugenics" and "ariosophy".[38] Metapedia is available in 18 languages.[39]

Controlling Extremism on New Media

The UN special rapporteur also considered measures to combat neo-Nazi and related ideologies, and set out a variety of approaches in relation to online content.[40] For example, in the European Union, she noted that two-thirds of member states have a national contact for online hate speech. Similarly, while in some countries all Nazi-related messages are criminalised, in others, including the United States, she reported that "racist speech is protected on the grounds of freedom of speech". The special rapporteur stated that such differences in approach can create "regulatory problems" given the transnational nature of the internet.[41] She called on all states to adopt "comprehensive legislation against racial discrimination" as a "minimum requirement", together with other measures such as working

collaboratively with the technology sector. She also appealed to the technology companies to invest sufficient resources to ensure that their "codes of conduct and actual practices reflect a serious commitment to racial equality".[42]

The *Financial Times* has also suggested that social media companies should do more to reduce extremist content on their platforms.[43] It noted that Facebook, for example, stated that "we lean towards free expression". However, the article argued that while extremists may have the right to free speech, they do not have "a claim on others to host and promote it". Therefore, it concluded, "platforms must work out how to curb abuses they have facilitated".

Conversely, an American academic has argued that social media should not be regulated, as this would constitute censorship by government, and could allow government to "interfere" more with these companies, and news organisations, in the future.[44]

Policies to Counter Extremism in the UK

In a written answer in August 2018, Victoria Atkins, Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability, set out some of the issues faced by the UK in relation to extremism and the Government's strategy for countering it. She said:

> The 2015 Counter-extremism Strategy sets out a four-year programme of work for defeating extremism at source. Since 2015 the Government has funded additional security measures in 129 places of worship, including places targeted by far-right extremists; excluded and refused entry to the UK to known far-right extremists; created a network of more than 160 civil society partners confronting extremism in their communities; and supported local authorities tackling far-right extremism. The newly established independent Commission for Countering Extremism has been given a clear remit to identify and challenge extremism in all its forms.
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> In December 2016, the neo-Nazi group National Action became the first extreme right-wing group to be proscribed by Government as a terrorist organisation. The Government's updated and strengthened Counter-Terrorism Strategy (CONTEST) addresses all forms of terrorism and confirms that extreme right-wing terrorism is a growing threat. Since 2017, the police and the security and intelligence agencies have disrupted four extreme right-wing terrorist plots. CONTEST confirms the security service will have greater involvement in the assessment and investigation of extreme right-wing terrorism.[45]

The charter for the establishment of the Commission for Countering Extremism was published in March 2018, and in September 2018 the commission published the terms of reference for an investigation.[46] It intends to publish a "wide-ranging study on all forms of extremism" in spring 2019.[47]

In December 2018, six people were jailed for belonging to National Action.[48] At the time of its being banned, the then Home Secretary, Amber Rudd, stated that it was a "racist, antisemitic and homophobic organisation which stirs up hatred, glorifies violence and promotes a vile ideology".[49]

Controls Over Media in the UK

In September 2018, the UK regulator for communication services, Ofcom, published a discussion document about the need for regulation of online content.[50] It noted actions already being taken, such as that "the major online platforms have introduced a range of initiatives aimed at protecting their users

from harmful content, although concerns remain around the consistency and effectiveness of these measures".[51] It concluded that existing standards of broadcasting regulation could not be transferred "wholesale" to the online world, although some areas, such as protections against illegal or harmful content, could be relevant.[52]

The Government has previously announced that a white paper on internet regulation would be produced in 2018.[53] This has not yet been published, but a statement on 18 March 2019 confirmed that it will be "shortly".[54] The same answer stated that the Government had been pressing social media companies to "do more to respond to the threat of terrorism online", including meeting with industry representatives and encouraging them to develop "innovative solutions". The Government has also called for a "layered international approach to regulation", stating that "otherwise, companies will simply move their servers to escape their obligations".[55]

According to press reports, one of the measures which the white paper will include is a requirement on websites to remove illegal hate speech within a specific time period.[56] However, one commentary warned that enacting effective legislation in this area was not straightforward, because 'harmful' content is often difficult to define, identify and remove.[57] It suggested that legislation in Germany, for example, had met with criticism. Furthermore, it argued, there was a balance between regulation and competitiveness: it concluded that "strong sanctions would likely have the benefit of boosting compliance but could risk impairing the UK's digital economy going forward if equivalent measures are not introduced at an international level".

Concerns over social media content and its regulation have also been expressed by two House of Commons committees in 2019.[58] The Digital, Culture, Media and Sport Committee's recommendations included that "clear legal liabilities should be established for tech companies to act against harmful or illegal content on their sites".[59] It also called for a compulsory code of ethics, overseen by an independent regulator with statutory powers.

Further Information

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