report

No escape from discrimination: minorities, indigenous peoples and the crisis of displacement

A Rohingya refugee boy from Myanmar's Rakhine state collects water at a pump in Balukhali camp, Bangladesh.
Tommy Trenchard/Panos

Minority Rights Group International
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Executive summary: minorities and indigenous peoples facing the challenge of displacement

While the world is currently going through an unprecedented era of migration, with tens of millions of people moving to new cities, countries and continents every year, this movement takes many forms and is driven by a host of different forces. Though the decision to move can be the result of positive factors, such as the search for opportunities and a better life, in many cases violence, persecution and other human rights abuses are the primary drivers of migration. This is especially the case for minorities and indigenous peoples, who in the context of widespread discrimination in their places of origin can face a distinct experience of migration where their own agency is severely curtailed – one often characterized by further discrimination as entrenched patterns of exclusion are replicated elsewhere. This report focuses specifically on the situation of minorities and indigenous peoples subjected to this form of forced migration, including its causes, impacts and potential solutions.

Though the most direct and visible examples arise from the mass displacement of particular ethnic or religious communities due to sectarian violence, migration of minorities and indigenous peoples can also result from broader factors such as natural disasters or exclusion. These are issues that, while affecting all communities, frequently take a disproportionate toll on the most marginalized groups. In fact, the unfolding crises in Iraq, Syria and other conflict zones, while tragic in their scale and severity, are only part of the picture. Land rights violations, for example, leave many in a limbo of displacement for generations, but often just a short distance from their ancestral territory. A broader climate of persecution can also over time create a steady flow of migration elsewhere: in Pakistan, according to some estimates, as many as 5,000 Hindus leave the country annually for India, driven in large part by the discrimination they face as a religious minority.

Furthermore, many communities find themselves uprooted by more subtle and indirect forces: the negative impacts of gentrification, for instance, for the urban poor are widely recognized, but it is not always acknowledged that rising house prices and the accompanying dislocation of established residents frequently have a strong minority dimension. In New York, many of the city's minority neighbourhoods have seen their historic communities dwindle due to the arrival of more affluent, primarily white, newcomers and the contraction of affordable housing stock. Displacement for minorities and indigenous peoples therefore takes many forms, at times concealed behind larger social or economic shifts.

Conflict

Displacement is a defining feature of conflicts today, with minorities in many cases specifically targeted by governments, militias or terrorist groups. High-profile atrocities, such as indiscriminate killings of civilians, often have the effect of forcing much larger numbers of people to leave a particular city or region. In Central African Republic, for instance, violence by anti-*balaka* fighters has led to the virtual removal of the country's Muslim minority in some areas: 99 per cent of Bangui's pre-conflict Muslim population fled the capital and Muslims make up the large majority of the more than 480,000 refugees in neighbouring countries: as much as 93 per cent of refugees in Cameroon, for example. As with other conflicts, displacement has been used as a tool of ethnic cleansing to remove minorities from areas where they have lived for many generations.

In Iraq, following the summer offensive of 2014 launched by the extremist group Islamic State of Iraq and al-Sham (ISIS), a wide range of ethnic and religious minorities have been targeted by insurgents with the explicit aim of permanently eradicating their presence in the country. Yet for many of the communities most affected, such as Yezidis – long vilified by religious extremists for their faith - these brutal attacks are rooted in a long history of persecution in Iraq carried out not only by militants but also by Iraqi authorities themselves. And while minorities only make up a portion of the more than 3 million internally displaced persons (IDPs) in Iraq, the impacts on them can be especially acute. Some estimates suggest that some 100,000 of Iraq's Yezidis, for example, once numbering some 700,000 people, are now largely displaced elsewhere, while between 100 and 200 more leave the country every day. For thousands of others, stuck indefinitely in displacement camps, the possibility of

returning to their homeland is becoming ever more remote, particularly given the widespread devastation of their homes and places of worship by ISIS – a strategy intended to remove evidence of their centuries-long presence in Iraq. A large proportion of the country's Christians, too, have left to build a new future elsewhere, a process that pre-dates the recent rise of ISIS: of the estimated 1.4 million Christians at the time of the US-led invasion in 2003, only around 300,000 are thought to still live in Iraq.

While the targeting of minorities during conflicts frequently occurs as an extension of pre-existing discrimination against them, conflict can also enable further abuses against marginalized communities such as land-grabbing, at times incentivizing certain groups to sustain the violence. This is the case in Colombia, where the decades-long civil conflict has particularly affected its Afro-Colombian and indigenous populations as military and business interests have exploited the vacuum to appropriate large swathes of communal land. These groups have been increasingly affected even as the country's peace process has presented the possibility of an end to the conflict: Afro-Colombian and indigenous communities continue to be disproportionately affected, comprising 70 per cent of those displaced in the first half of 2017. This also illustrates that a lasting end to the conflict will require that the underlying structural forces of discrimination are addressed, including full protection of minority and indigenous rights.

Beyond the numbers, there are also distinct challenges that minorities and indigenous peoples face during displacement that are often overlooked. This includes, for instance, members of religious minorities from Syria who have fled to neighbouring states such as Jordan or Lebanon, where they may face continued discrimination not only from officials and citizens in their host country but also from fellow Syrians belonging to other communities. In fact, there are reports that many members of minorities are hesitant to register themselves with UN and other humanitarian agencies, for fear of being identified as belonging to minority communities and thereby risking harassment and discrimination. These qualitative aspects need to be properly recognized by governments and organizations supporting humanitarian services and inclusion, both to prevent further displacement and to create acceptable conditions for displaced communities.

The rise of right-wing populism

Despite the fact that the number of people displaced worldwide is the highest it has been since the wake of the Second World War, the response of Western governments in particular, in Europe, North America and Australia, has become markedly less welcoming. From US President Donald Trump's travel ban on a number of Muslim majority countries to Hungary's border fence, the UK's rollback of its stated commitment to host thousands of lone refugee children to Australia's policy of detaining asylum seekers in third countries such as Nauru, growing restrictions have created an increasingly hostile environment for those seeking sanctuary from conflict, persecution and violence. As a result, thousands are now concentrated at the edges of Europe, caught in a limbo largely of the EU's making. This includes many communities, such as Afghan Hazaras, who have been forced to migrate multiple times as a result of deep-seated discrimination.

Meanwhile, in Austria, France, the Netherlands and Germany, anti-migrant rhetoric is paying substantial electoral dividends for extremist groups, which are able to exploit popular concerns and resentment around immigration to further their agendas. Recent elections have seen right-wing parties such as Marine Le Pen's *Front National* in France and Geert Wilders's Party for Freedom in the Netherlands, organizations with a strong anti-migrant and anti-Muslim platform, make substantial advances. In Germany's September 2017 elections, the far-right Alternative für Deutschland won its first seats in the Bundestag, marking the first time in six decades that an openly nationalist party has gained places in the country's parliament. Strikingly, instead of providing the impetus for other parties to present a united front against them, the rise of these groups has pushed centrist parties to adopt similar rhetoric against immigration. As a result, what were once regarded as fringe perspectives on diversity, multiculturalism and the position of minorities within society have now become mainstream.

As a result, in many countries government officials, media and other powerful groups have repeatedly stigmatized 'immigrants', creating profound social exclusion for a range of communities including refugees, asylum seekers, documented migrants as well as members of ethnic or religious minorities born in the country. Importantly, a number of right-wing parties – some of them with strong historic links to racist and fascist ideologies – have blurred the discussions between current immigration and the presence of long-established minorities within their countries. In Hungary, for example, there is a correlation between the longstanding discrimination against its Roma community and the recent vilification of refugee arrivals, particularly Muslims, while in the Netherlands Wilders has specifically spoken about the country's 'Moroccan problem' and was convicted by a court in December 2016 of inciting hatred.

A re-energized politics building on resentment against migrants, driven in part by economic hardship and

demographic fears, has already had direct implications for minorities in many countries. In the US, for example, while discrimination against minorities and indigenous peoples has been evident for generations, Trump's repeated attacks against Muslim 'terrorists', Mexican migrants and other groups does appear to have contributed to a rise in hate crime. Independent organizations such as the Council on Islamic–American Relations, for example, have reported an increase of 44 per cent in the number of anti-Muslim hate crimes recorded by them compared to 2016, making it the worst since they began documenting incidents in 2013. However, following Trump's election, it looks likely that levels of hate crime have reached new levels during 2017, with the organization recording a 91 per cent rise in anti-Muslim hate crimes during the first half of the year compared to the same period in 2016.

Furthermore, governments may pursue a nationalist agenda by seeking to exclude or stigmatize a particular minority: in these instances, presenting them as a 'migrant' population has become a common pretext to justify harassment, deportation and even attacks against them. In Myanmar, where longstanding marginalization and persecution of the approximately one million Muslim Rohingya minority has clearly become ethnic cleansing as hundreds have been killed and hundreds of thousands forcibly displaced into Bangladesh by military atrocities in Rakhine state, the community has been labelled 'Bengalis' as a means to undermine their claims to citizenship. In future, without a concerted pushback from civil society, politicians and others, it is likely that migration will continue to be exploited as a means for nationalist and racist groups to target minorities within their country by extension.

Climate change

Climate change and its associated impacts, from rising sea levels and higher temperatures to more frequent weather events such as flooding, have become increasingly significant as drivers of migration. Yet while there is now increasing recognition that the burden of climate change is felt disproportionately by the poorest members of society, there is perhaps less acknowledgement that it frequently discriminates along religious and ethnic lines, with minorities and indigenous peoples among the worst-affected.

Like other marginalized groups, this is in part because of their location in vulnerable settlements such as slums or areas with a high risk of landslide, inundation or other natural disasters. But when, as is the case for India's Dalit minority, they are also regarded as second-class citizens their situation is even more precarious. Their social invisibility and lack of resources significantly impair their

ability to cope with the damage wrought by climate change on traditional livelihoods such as livestock rearing, while also sidelining them from state support systems.

Many minority and indigenous communities, faced with the deterioration of the ecosystems on which they have depended for generations, find themselves forced to migrate as a coping strategy to towns and cities elsewhere. More often than not, however, their difficulties are replicated in new ways as they struggle to adapt to their lives as urban dwellers. Hundreds of thousands of nomadic herders in Mongolia, for example, have been forced in recent years by increasingly unstable weather conditions to resettle in Ulaanbataar, where they reside in informal settlements without access to basic services or adequate housing.

The unique connections that indigenous peoples in particular have with their land also mean that the cost of climate-change-induced displacement extends far beyond its economic value. Across the world, communities forced to leave their land as a result of climate change frequently struggle to maintain their traditional governance structures, cultural practices or religious beliefs elsewhere. This is especially evident in the Pacific, where the impacts of climate change are already proving especially devastating for impoverished populations who have long relied on local forests, mangroves and coastlines to sustain themselves spiritually as well as physically. In some cases, such as the embattled nation of Kiribati, entire countries may become uninhabitable as sea levels rise – leaving the indigenous population with no choice but to relocate en masse.

Land rights

Another factor that contributes to the displacement of minority and indigenous communities is their lack of land rights, leaving them particularly vulnerable to expropriation. As the majority of indigenous land is not formally recognized, governments, businesses and criminal groups are frequently able to seize large swathes of territory with impunity. Whether this is achieved through quasi-legal means or through the threat or use of violence, the communities in question typically end up in a state of protracted displacement, often in remote or unsuitable locations far from their homes.

In most cases, once evicted, they have little resource to formal justice mechanisms, leaving protests and peaceful reoccupation of appropriated land as their only option. The response, whether from police, private security guards or armed gunmen, is frequently violent: almost half (49 per cent) of the 281 activists recorded by Frontline Defenders as killed in 2016 were engaged in indigenous and land rights issues. However, these

figures reflect only part of the picture, as hundreds of others are injured or intimidated with the aim of forcing out entire communities from their land.

While these forced displacements are often initiated by criminal gangs or gunmen hired by powerful groups, in many cases governments or corporations are themselves responsible for these evictions. From Brazil to Indonesia, Ethiopia to Myanmar, states frequently claim ownership of land and resources owned by minority or indigenous communities, either for their own benefit or to transfer ownership to businesses for logging, mining, plantations and other lucrative uses. The presence of minority and indigenous communities in many resource-rich regions, as well as their limited legal protections, exposes them disproportionately to the risk of land-grabbing and dispossession: in India, for instance, of the more than 60 million displaced by mining and industrial developments since independence, around 40 per cent are Dalits and another 40 per cent tribal people.

Many minority and indigenous communities face a permanent cycle of displacement that undermines their access to a whole range of rights. Within Europe, a recurring source of discrimination for the marginalized Roma population is land. In France, over 10,000 Roma were forced to leave their homes in 2016, amounting to over six out of every ten families living there. Some communities still struggle with the legacy of forced displacement from their land generations later, such as Australia's Aboriginal peoples. The steady dispossession of their land and their displacement to reservations and urban areas during the colonial era has contributed to their continued social disparities today, with average Aboriginal life expectancy still a decade lower than that of non-indigenous Australians.

Ways forward

Migration, though often driven by violence and persecution, can also be a positive choice for many ethnic and religious minorities who leave their village, region or country to seek a better life elsewhere. The short thematic chapters in this report, however, focus primarily on the drivers of involuntary displacement – conflict, extremism, climate change, land rights – as well as the rising tensions among majority communities to migration and by extension minorities themselves. Yet in general, even when fleeing extreme situations, there is a measure of agency and positive action in the decision of minority and indigenous migrants to leave. Indeed, in terms of their fundamental freedoms, for many communities stasis and restrictions on movement can be almost as much a challenge as displacement. While important to recognize, this report primarily considers the rights violations and discrimination driving displacement among minorities and indigenous peoples, as well as shaping their experience of displacement and barriers to inclusion elsewhere.

As the different chapters argue, there is a need to identify the forces that are driving displacement among minority and indigenous communities, as well as to take positive steps to protect them and provide the means for safe return or resettlement elsewhere. More fundamentally, however, whether considering conflict, land rights violations or communal violence, is to recognize that displacement is generally the culmination of a protracted process of exclusion that leaves minorities and indigenous peoples particularly vulnerable to eviction, ethnic cleansing and other abuses. Establishing stronger rights protections for all, including minorities and indigenous peoples, rather than building walls or restricting travel, is ultimately the only effective way to respond to the reality of displacement.

The continued persecution of Myanmar's Rohingya

Nicole Girard

While right-wing populism and anti-migrant rhetoric are widely reported in Europe and North America, they are by no means confined to these regions. From Côte d'Ivoire to India, many political groups are actively exploiting fears and resentments around migration to further their own identity-based platforms. Yet there are few instances where the intensification of hostility has occurred so rapidly in recent years as against Myanmar's Rohingya – a group long discriminated against who in the past few years have seen attacks escalate against them, including pogroms, mass displacement and government-sponsored crimes that may amount to genocide.

While tensions were evident before 2012 between Muslim Rohingya and the Buddhist majority, 2012 saw a major turning point with the outbreak of mass violence in June in Rakhine state following rumours that three Muslim men had raped and killed a Buddhist woman. Security forces reportedly not only failed to halt the violence, but even supported anti-Rohingya militias in their attacks on villages and blocked international humanitarian organizations from accessing the area. This and further communal violence in October killed hundreds of mostly Rohingya civilians and displaced in total more than 100,000, with further waves of forced migration bringing the total number to around 140,000. After the violence of 2012, internally displaced persons (IDP) camps in central Rakhine have become home to an estimated 120,000 Rohingya, including other Muslims known as Kaman. The camps segregated the Muslim population, restricting their freedom of movement and preventing their access to a means of livelihood or basic services.

In the wake of the violence, Buddhist extremist groups in the country, such as the notorious 969 Movement led by Buddhist clergy, were emboldened to escalate their activities. Further attacks occurred periodically, concentrated in Rakhine state and characterized by large-scale communal violence: this was enabled in large part by the inaction of security forces, who on multiple occasions were filmed doing nothing while Rohingya were assaulted and their homes looted or burned to the ground. These developments were accompanied by the continued contraction of Rohingya rights and recognition, including the revoking of their voting rights.

Tragically, these developments also coincided with the country's apparent progress towards democratization after decades of military rule, including the election in 2015 of Aung Sang Suu Kyi as the first State Counsellor of Myanmar after years of imprisonment by the ruling junta. Yet there have been few improvements since her taking power and indeed, Suu Kyi has been strongly criticized for her failure to condemn the abuses.

This criticism only intensified in October 2016 when, following the killing of nine police officers by a newly formed Rohingya militant group, the army launched an indiscriminate attack on Rohingya civilians in northern Rakhine state. Between 9 October and mid-December 2016 Burmese military soldiers stormed Rohingya villages in northern Rakhine state, killing, raping, beating, pillaging and setting fire to whole villages. Those who survived escaped only with their lives: 75,000 Rohingya managed to reach the Naf River and cross into Bangladesh, while an estimated 22,000 were displaced within Myanmar. Many were women and children. While the Myanmar government summarily denied the allegations, interviews with survivors showed a consistent pattern of human rights abuses including using sexual violence as a weapon of war. In the face of widespread evidence of atrocities, however, Suu Kyi maintained that the allegations were fabricated and accused the international community of undermining stability within the country.

The persecution of Rohingya has recently entered a new and even deadlier phase, however, since another attack by a recently formed Rohingya armed group in August 2017 provided the military with a pretext to launch a fresh 'clearance operation' – another indiscriminate wave of violence against unarmed men, women and children that bears all the hallmarks of ethnic cleansing. At the time of writing, thousands of Rohingya had been killed in brutal attacks on multiple villages in northern Rakhine state, with everyone from babies to the elderly massacred by security forces, with more than 620,000 people having fled to Bangladesh – numbers that are likely to continue to rise as more Rohingya cross the border to escape the violence. And yet, in the face of this violence, Suu Kyi has maintained the line that the abuses are largely fabricated and accused international agencies including the UN of supporting 'terrorists'. In response, there have been calls for Suu Kyi to be stripped of her Nobel Peace Prize for her failure to recognize, let alone halt, crimes against humanity.

Much of these abuses, like the decades of persecution preceding them, have been enabled by the myth that Rohingya – resident in Myanmar for centuries – are illegal migrants, 'Bengalis' in the government's official parlance (a stance echoed by Suu Kyi, who informed the UN that the term 'Rohingya' was 'controversial' and would be avoided). This sleight of hand, robbing the community of

their history and belonging in the country, has been reinforced by the steady attrition of their status. Since their citizenship was formally revoked in 1982, effectively rendering them the largest stateless population in the world, their situation has deteriorated as they have lacked access to services or state protection from human rights abuses. Since the violence of 2012, many have been confined to isolated settlements with little in the way of freedom of movement.

The recent displacement of tens of thousands of Rohingya into Bangladesh may well be presented by the government, then, as a return to their country of origin rather than the uprooting of entire communities from areas they have resided in for many generations. Yet while those who have managed to cross the border may have found immediate safety from attacks by the military, their hardships are far from over. In Cox's Bazaar, in Bangladesh near the border with Myanmar, even before the recent mass displacement an estimated 33,000 registered refugees were based in two camps, with between 200,000 and 500,000 further Rohingya living in areas surrounding the camps. The challenges are especially acute for women, who must frequently contend with the social, physical and psychological aftermath of sexual violence. Access to psychological and trauma counselling for victims of rape and sexual assault is crucial, yet many go without due to the lack of available support – a gap that is only likely to increase with the arrival of further displaced persons.

And desperation has driven many Rohingya further afield, frequently through the use of dangerous trafficking networks that have also been associated with widespread abuses. Thailand has long been a transitioning point for Rohingya on their way to Malaysia, with many kept in secret camps, often waiting to pay extortion money to traffickers to complete the last leg of their journey. Many were killed and buried in shallow graves, and women were reportedly abused and raped by these jungle camp traffickers if they could not pay.

Even those Rohingya who manage to reach Malaysia, where there are more than 60,000 UNHCR-registered Rohingya refugees and asylum seekers as well as at least another 35,000 unregistered, face new challenges. In some cases, for instance, Rohingya women are forced to enter into arranged marriages to pay their traffickers, and the significant proportion of Rohingya not registered with UNHCR can face difficulties in accessing government healthcare subsidies and other essential services, not to mention the threat of being reported and placed in detention centre. And since the Malaysian government does not provide formal access to education for refugees, the gap is being filled largely by NGOs – a situation that may leave many without education or skills training.

That there seems to be no end in sight for Myanmar's Rohingya is in large part due to the intensity of popular hostility towards them within the country from many of their fellow citizens. Given that the majority of the rest of the population are unlikely to have any interaction with the community, these attitudes have been stoked by government officials, media outlets and other powerful interests, creating a mutually sustaining cycle of legal discrimination, military abuses and communal violence. In Myanmar's fledgling democracy, ethnic violence has now entered a tragic new phase – one in which not only the state but also many of its citizens are complicit.

Case study
Life in displacement for a Roma family in Kiev: a double bind of poverty and discrimination

Emma Eastwood

Since the outbreak of conflict in 2014 in the east of the country, thousands of Ukrainians have been uprooted from their homes. Now controlled by armed militias, with Russian support, these areas remain off limits due to the devastation left by the fighting and ongoing human rights abuses. As a result, many have been forced to relocate to Kiev and other cities in the relative security of western Ukraine – a situation that has created a large population of IDPs who, more than three years on, still struggle with poverty, exclusion and an uncertain future. However, for Roma families displaced by the conflict, a new life in a strange city is especially difficult because of the marginalization and discrimination they face on a daily basis as members of one of the country's most stigmatized communities.

After having to flee the war in the east, Tamara, a Roma woman in her early 40s, now lives with seven other members of her close family, including her two-year-old and her elderly disabled mother, in a one-bedroom flat in a low-income neighbourhood on the edge of the capital city Kiev. Before being displaced, the family lived in Novotroitske in Donetsk Oblast in eastern Ukraine, integrated in a mixed neighbourhood where they owned their own house. Tamara, who is educated up to secondary level, made a modest but decent living selling goods in the local market.

However, the conflict that erupted in eastern Ukraine after Russia annexed Ukraine's southern Crimea peninsula in March 2014 changed everything. The family soon found themselves in the heart of the battle – their house was on the street that formed the frontline between Ukrainian and rebel forces. Her brother's house on the same street was occupied and commandeered by the Ukrainian army at such short notice that he was forced to leave without even having the time to grab his family's documents, including the ID cards and birth certificates essential to accessing services as an IDP.

Tamara meanwhile gave birth to her daughter Yana during this period, in a birth centre that was by that point converted to a military hospital. She was so stressed that her milk dried up and she was unable to breastfeed tiny Yana, who was born with a deformity in one of her legs

and problems with her lungs that need costly treatment. Soon after that, Tamara decided the family should flee the conflict zone. She made her way to Kiev with one-month-old Yana to try to find somewhere to live for her and the rest of the family. She eventually managed to find a house and sent for the family.

However, once in Kiev, Tamara and her family found that themselves on a different frontline – the entrenched discrimination that Roma have long faced in Ukraine. As both Roma and IDPs, they struggled to find landlords willing to rent them housing. And in addition to their struggle to access essential services such as healthcare or earn a living, they have regularly been on the receiving end of racism and hate speech since they were forced to move to Kiev.

In the district they live in, locals are particularly aggressive towards Roma. Her brother, who lives nearby, has an eleven-year-old son who was enrolled at the local school but was so badly bullied he has stopped attending. Her brother himself was also attacked at the market when they found out he was Roma and from the East. Their neighbours, too, are hostile towards Roma and have called the police on numerous occasions to complain about the sounds coming from Tamara's flat – though not, as Tamara was anxious to point out, of 'fighting or drinking' but the inevitable noise from a family of eight with three young children living in just one room. Yet every time the police come, they threaten the family with eviction unless they 'quieten down' – even though this would be completely illegal.

As for their hope for the future, return to Novotroitske seems an impossibility. While they have tried to go back a number of times, it is extremely difficult to get the necessary permission from the army without the right documents and the house itself, which Tamara managed to visit once, was irrevocably damaged: the roof has been all but completely destroyed and all of the windows have been broken. She thinks it is unlikely that they will ever get the house back, and while there are potential avenues for compensation, she has no idea how to access those services. In the meantime, with three generations to support, Tamara and her family continue to suffer the uncertainties of displacement in a city where, like other Roma, they still battle discrimination on a daily basis.

Case study
Repression at home, repatriation abroad: the predicament of Tibetans and Uyghurs in China

Michael Caster

While many of today's refugees are escaping major conflicts, certain communities are fleeing not sudden crises but protracted and continuous persecution by their own governments – persecution that in some cases has persisted over multiple generations. This is the case for China's sizeable Tibetan and Uyghur minorities, both groups who in the face of profound discrimination have been forced to leave their homelands for countries elsewhere. But while millions of Tibetans and Uyghurs have been uprooted by development projects, security crackdowns or forced sedentarization, those seeking to leave the country altogether face a very different challenge: the state's restriction of their right to free movement.

Since the establishment of the People's Republic of China in 1949, China's repressive policies in Xinjiang and Tibet have produced tens of thousands of Tibetan and Uyghur refugees fleeing persecution. While the number leaving the country has decreased in recent years, this does not mean that their situation within China has improved: on the contrary, it is the result of increasingly successful restrictions of movement and China's international pressure on host or transfer states, despite freedom of movement being enshrined in international law.

The Passport Law of the People's Republic of China designates the Ministry of Public Security as the passport-issuing authority – a cause for concern, given the extent of police abuse and lack of accountability, and its granting of the power to seize the passports of individuals 'where necessary for handling a case.' Yet in recent years, the blanket seizure of passports or arbitrarily prolonged processing of applications in Tibet and Xinjiang have exceeded even the extensive measures permitted in domestic law, forcing Tibetans and Uyghurs fleeing persecution to rely on perilous migration routes or human smuggling networks, in the process introducing new threats and exploitation. The prices paid to smugglers vary significantly, but the overall amount has been increasing as China makes it harder for Tibetans and those assisting them.

Beyond financial constraints, Tibetan refugees must contend with the serious environmental and health challenges of Himalayan crossings. It is common for refugees to arrive in Nepal and India with severe exposure and frostbite, or to have lost family members during the journey or soon after arrival following complications related to the trip. Tibetan women refugees are especially vulnerable to sexual and gender based violence. Medical

examiners at the Kathmandu reception centre, for example, have reported that rape of Tibetan women by Nepali police is common, but the fear of deportation back to China keeps many from reporting rape.

Newly arrived Tibetan women refugees in India and those among the diaspora face intersectional insecurities. The fact that many Tibetan refugees arrive speaking a combination of Tibetan dialects and Chinese creates further obstacles to integration, as English and Hindi are needed to secure economic livelihood. This creates vulnerabilities for women in even basic daily interactions. Language barriers, combined with race- and gender-based structural inequality, increases Tibetan women's vulnerability to financial exploitation and the risks of sexual harassment in India, a situation that can create dependencies on male spouses.

While issues such as domestic violence and other gender issues have typically been overlooked, as is the case throughout the subcontinent, recently the Central Tibetan Administration (CTA) has taken strides in addressing women's empowerment. In December 2016, for instance, 20 Tibetan nuns were awarded the Geshema degree, the highest academic title in Tibetan Buddhism – a historic moment, as the title had previously only been conferred on monks. In addition, in February 2017 the CTA hosted its first ever women's empowerment conference and released a seven-point policy on Tibetan women's empowerment. While the Tibetan Feminist Collective criticized the conference for its shortage of women represented on panels, it nevertheless represented an important milestone in terms of raising public awareness on gender within the Tibetan diaspora community.

Like Tibetans, Uyghur refugees for many years were forced to rely on perilous Himalayan routes. Recalling his childhood experience as part of the first major refugee flow from Xinjiang in 1949, Arslan Alptekin, son of Uyghur leader Isa Yusuf Alptekin, recalled passing the frozen corpses of other refugees. Alptekin lost several toes during his journey, due to frostbite. Over time, refugee routes for Uyghurs moved through Central Asia, but increasing Chinese pressure on Kazakhstan, Kyrgyzstan and Tajikistan has forced Uyghur refugees to again adapt new routes and become more reliant on elaborate human smuggling networks through South East Asia. From Bangkok or Kuala Lumpur, the destination is typically Turkey and a journey can take anywhere from a few weeks to a year and a half, passing from one smuggler network to another, each demanding additional funds accompanied by threats for failure to pay. The accumulated costs,

particularly for a group, can be astronomical: one family of six, for example, told the World Uyghur Congress they ended up spending almost US$100,000 in order to make it to Turkey.

Some countries along this route, such as Thailand, have adopted increasingly harsh policies towards Uyghur refugees in their country, with some detained for extended periods before facing further uncertainties, including deportation and family separation. In 2015, for instance, after holding them for more than a year in immigration detention centres, Bangkok freed some 170 mostly women and children Uyghur refugees and sent them to Turkey, only shortly before forcibly repatriating 109 Uyghur men and boys to China. Many of the women who were sent to Turkey were given children from those subsequently forced back to China. One woman who made it to Turkey estimated that some 40 children went to Turkey without at least one of their parents or both.

Men and women refugees are typically separated following detention in South East Asia, with children generally kept with the women. While both men and women Uyghur refugees arriving in Turkey have found it difficult to find work or send their children to school, the burden is understandably greater for those women who took on the children of others. The separation of families increases vulnerabilities for those remaining or forced to return to China. Uyghur refugees, migrants and even exchange students in Turkey also recount feeling constantly under pressure from China. One Uyghur student who had become a Turkish citizen explains, 'In China there is too much oppression. When we come here it is still strong. All Uyghur people have this kind of feeling… People are afraid to speak with each other.'

China's systematic internationalization of pressure over refugee communities and its policy of forcing returns from host countries is the result of a long evolution in propaganda and repressive measures. A 1996 Communist Party document concerning the maintenance of stability in Xinjiang called for limiting overseas Uyghur activities, specifically identifying Turkey, Kazakhstan and Kyrgyzstan, and called on China to develop bilateral cooperation, maintain pressure and establish home bases in such regions. This has also been the case for Tibetans, as revealed in a statement by State Council Information Office Director Zhao Qizheng on Tibet-related external propaganda leaked in 2001. Zhao called for a multi-pronged coordinated assault, in which China should use its departments of foreign affairs, information, security, law, religion, culture and others to expand Tibet-related external propaganda. An illustration of the extent of China's reach was the February 2017 arrest in Sweden of a man on suspicion of spying on Tibetan refugees for China. Speaking of the impact of China's intrusive measures over refugee and diaspora communities, Dolkun Isa, General Secretary of the World Uyghur Congress, notes that it has made it difficult for him to work as an advocate for Uyghur rights internationally as he cannot travel to states that may be supportive but that have tenuous relations with China: 'It is often these states that are in the best position to speak about these issues and to support NGOs and others who do this, but cannot do so for fear of causing diplomatic problems for themselves,' Isa explains.

This strategy of the Chinese government, implemented over the last 20 years, has not only caused decreasing support for Tibetan and Uyghur issues abroad, including for refugees, but has also weakened the rule of law internationally. Countries including Cambodia, Kyrgyzstan, Laos, Nepal, Pakistan and Uzbekistan have closed their borders, imposed discriminatory refugee policies or collaborated with China to forcibly repatriate Tibetans and Uyghurs. And for the communities themselves, caught between a repressive environment at home and insurmountable barriers overseas, the situation continues to deteriorate – leaving many with little hope of a better future.

Conflict: crisis and displacement of minority and indigenous communities

Nicole Girard

AN INFORMAL SHELTER IN TURKEY FOR YEZIDI REFUGEES WHO HAVE FLED ISIS ATTACKS IN IRAQ. *CAROLINE GLUCK/EU ECHO.*

- **Minorities and indigenous peoples often form a disproportionate numbers of refugees and internally displaced persons**: In Colombia, of the more than 8,300 civilians uprooted by mass displacements in the first half of 2017, an estimated 70 per cent were from Afro-Colombian or indigenous communities.

- **Conflict-induced displacements can empty entire areas of minorities**: In the Central African Republic (CAR), killings by rebel forces in Bangui had forced approximately 99 per cent of the capital city's Muslims to flee in 2014. Amidst continued insecurity and sectarian violence, the majority remain displaced elsewhere in CAR or neighbouring countries.

- **Minorities and indigenous peoples face specific vulnerabilities during transit and resettlement that affects their access to humanitarian aid**: Syrian Christian and Druze refugees in Jordan often choose to not register with the United Nations High Commissioner for Refugees (UNHCR), seeking to avoid formal refugee camps for fear of reprisal attacks and tensions arising from sectarian differences.

- **Global discussions of humanitarian crises often ignore the plight of minorities and indigenous peoples**: The first ever World Humanitarian Summit convened by the UN Secretary General in 2016 did not specifically address minorities, and no mention of minorities in humanitarian crises was made in the outcome report, despite a renewed pledge to 'leave no one behind'.

Minorities and indigenous peoples can be particularly vulnerable during times of conflict or crisis, stemming from their distinct identities, discrimination from wider society, higher levels of poverty or their geographic locale. Indeed, it is often their minority or indigenous status that singles them out as targets of violence, forcing them into displacement or obstructing their access to safe refuge, humanitarian assistance or resettlement. However, this intersection is often overlooked – a situation that further increases the vulnerability of these populations.

It is sadly the case that, despite the disproportionate risks they face, the voices and experiences of these communities have been marginalized in discussions of global humanitarian crisis. This invisibility is compounded by the fact that global disaggregated data on how minorities and indigenous peoples are affected by conflict and displacement does not exist. Yet according to the former UN Special Rapporteur on minority issues, Rita Izsàk-Ndiaye, there is a clear link between minority status and vulnerability in times of crisis that she has observed through her work: 'minorities, whether ethnic, national, religious or linguistic, can be disproportionately affected, either directly or indirectly, owing to their minority status, during the crisis itself or in the aftermath when seeking protection.' Similarly Chaloka Beyani, former UN Special Rapporteur on the human rights of internally displaced persons, has noted that minorities and indigenous peoples are 'often over-represented in internally displaced person populations.'

By looking into situations of displacement throughout the world, certain themes and patterns emerge that speak to the clear need to shine a light on the specific vulnerabilities faced by minority and indigenous communities prior to, during and after crises, to better ensure the protection of their rights following displacement.

Drivers of displacement

Many situations that cause displacement of minorities or indigenous peoples can be directly traced to rights violations, as a contributing factor or even the primary cause. But while the trigger of mass displacement usually appears to be some sort of crisis – the outbreak of ethnic or religious conflict, for example – the crisis itself is often part of a longer, protracted pattern of social or institutional persecution. Even the most egregious abuses, such as ethnic cleansing, crimes against humanity and genocide, may be preceded by a period of apparent calm where exclusionary and hateful ideologies are nevertheless propagated by state officials, local leaders and members of the majority community.

Recognizing the link between 'everyday' rights violations (such as hate speech) and the extremes of mass

killings and displacement is key to preventing crises before they occur. With this is mind, the UN Committee on the Elimination of Racial Discrimination (CERD) has developed an early-warning mechanism, comprised of a set of indicators to apply when rights violations against minorities have reached alarming levels. These include, among others, the official dissemination of ethnic or religious propaganda, the passing of discriminatory laws, policies of segregation, land rights violations and a broader climate of impunity for the perpetrators of abuses against minority or indigenous communities. These conditions apply not only to recognized crisis zones but also to a significant number of countries that, though struggling with insecurity and social divisions, have yet to experience outright conflict.

The presence of one or more of these drivers can be observed in contemporary conflicts that have resulted in mass displacement of minority and indigenous communities. For example, while the conflict in Iraq has killed thousands of civilians from all faiths and ethnicities, Yezidis have been specifically targeted by the Islamic State in Iraq and al-Sham (ISIS) on the basis of their religion, regarded by ISIS as 'heresy'. In August 2014 ISIS laid siege to Sinjar, the community's traditional territory, killing an estimated 3,100 Yezidis in that month alone and kidnapping 6,800 others. Most abducted young Yezidi women and girls have become sex slaves or been sold for profit, while young Yezidi boys were taken to be indoctrinated in ISIS-run schools. While estimates are difficult, as of late 2017 approximately 2,500 Yezidi women were still being held captive.

These crimes, which the UN has determined amount to genocide, also served to remove an entire community from an area they had lived in for centuries. Before the summer of 2014, Yezidis comprised some 400,000 people in Sinjar; those not killed or captured have now been forcibly displaced – and more than three years later, the vast majority have yet to return to their homeland. The expulsion of Yezidis is part of ISIS's efforts to purge areas under their control to create a homogenous Sunni Islamic territory. But while the scale of these atrocities against the community is unprecedented, Iraq's Yezidis had long suffered discrimination, harassment and other abuses – a situation that helped pave the way for the subsequent onslaught by ISIS.

Similarly in Myanmar, discrimination against Rohingya people, a Muslim minority from Myanmar's westerly Rakhine state, has become more acute since the transition to civilian government. The majority Buddhist administration has refused to recognize Rohingya people as citizens, reinforcing popular hostility towards them, and they continue to be the victims of hate speech from Buddhist monks and national leaders. But the persecution

of Rohingya Muslims began long before: their status was initially downgraded under the 1974 Constitution, with the 1982 Citizenship Act subsequently restricting citizenship to those who belonged to one of 135 state-defined ethnicities or whose ancestors settled in the country before 1823. Rohingya, plus a few other minorities, including those of Indian and Chinese origin, were not on the list of approved ethnicities and were therefore excluded. Violent crackdowns, dislocations and discrimination meant that the majority of Rohingya people could not meet subsequent documentation requirements, in practice rendering the whole community stateless. Repeated waves of violence and mass displacement followed, as well as a variety of discriminatory regulations.

Outbreaks of communal violence targeting Rohingya people in 2012 in Rakhine state left around 120,000 largely Rohingya Muslims displaced in what are effectively internment camps, with severe restrictions on movement and livelihood opportunities, and little effort on the part of the government to return the displaced to their homes. The internally displaced population swelled again after October 2016, when security forces attacked villages on the premise of searching for insurgents, forcing an additional 22,000 into the camps, while 75,000 fled to Bangladesh. However, the situation deteriorated even further during 2017 when the Burmese military launched a new wave of violence against the Rohingya in August. Since then, amidst an orchestrated campaign of executions, sexual assault and village burning, thousands have been killed and more than 620,000 forced to flee into neighbouring Bangladesh.

Meanwhile in Burundi, the political crisis is threatening to revert to a conflict that targets the minority Tutsi population. In April 2015, President Pierre Nkurunziza decided to run for a third term, in contravention of both the Constitution and the Arusha Accords, which had ended the previous civil war in 2000. Opposition to the President was united across the majority Hutu and the minority Tutsi, who make up 15 per cent of the population. Following a failed coup attempt in May 2015, however, a revival of anti-Tutsi rhetoric has been evident among the ruling National Council for the Defense of Democracy – Forces for the Defense of Democracy (CNDD – FDD) party, veiled in references to the enemy opposition.

Since then, attacks by security forces and the CNDD – FDD youth league members, known as *Imbonerakure,* have increased dramatically. Raids by security forces have included slurs against Tutsi. *Imbonerakure* members have been filmed comparing the opposition to lice. As of November 2017, over 400,000 people had fled the country. It is not known if Tutsis are disproportionately represented in refugee populations, but reports of targeting people on the basis of their ethnicity are increasing. Although not initially related to ethnic tensions, the situation in Burundi demonstrates that during times of political crisis, vilification of minority communities can be used to achieve political goals, particularly in countries with a prior history of ethnic violence.

While these examples represent some of the more extreme displacement crises, continuous discrimination has also resulted in steady flows of asylum-seekers elsewhere. In many cases, particularly with the hardening of Europe's refugee regime, these issues may go unrecognized by receiving countries or the international community, which may prefer to see such persons simply as economic migrants. Mass displacement is in many ways the extreme end of a continuum of persecution, the end result of a process of protracted discrimination.

Minority and indigenous vulnerabilities in displacement

Minorities and indigenous peoples face specific challenges whether they are on the journey to a safe place or living in situations of insecure displacement. Situations can include lack of equal access to humanitarian assistance, restrictions on freedom of movement, forcible return or ill treatment and detention. Statelessness or a lack of identification, which disproportionately impact minorities, can be the source of further insecurity. Minority or indigenous women, LGBTQ persons and persons with disabilities in particular may find themselves at increased risk during times of displacement.

In South Sudan, the conflict between the ethnic Dinka President Salva Kiir and the ethnic Nuer former Vice President Riek Machar has ignited a civil war in the country. Soldiers loyal to their respective sides began fighting in the capital of Juba in December 2013 and despite a peace agreement in August 2015, violence has been ongoing ever since. In November 2016, the UN Special Adviser on the Prevention of Genocide, Adama Dieng, warned that the civil war was slipping dangerously close to a genocide split along ethnic lines. Since the outbreak of conflict in 2013, 2.3 million have fled the country and 1.9 million are internally displaced.

Without adequate protection in displacement, minority women can become targets of sexual violence. In South Sudan, Nuer women in displacement have been targets of rape as a weapon of war by government soldiers, the Sudan People's Liberation Army (SPLA). Independent human rights monitors have also received reports of rape and killing by opposition forces loyal to Machar but have been unable to verify them. Minority women are

specifically targeted for sexual violence during ethnic conflict as a means to subjugate, humiliate and exterminate their whole ethnic group. Situations of displacement within Juba put Nuer women at an increased risk of targeting for sexual violence. By July 2016, over 30,000 IDPs, most of whom were Nuer, were being housed in a UN Protection of Civilians site. This site however, had no access to humanitarian assistance as the UN food supplies had been looted, forcing women to leave to buy food. Many were raped only metres away from the site, with victims accusing UN peacekeepers of standing by idle. Between 8 and 25 July 2016, the UN reported over 200 cases of sexual violence, most of which were against displaced Nuer women. Ongoing reports by human rights organizations such as Amnesty International have highlighted that sexual violence remains a prominent feature of the conflict.

Meanwhile the Central African Republic (CAR) has spiralled into civil war since a coalition of Muslim armed rebels known as *Séléka* overtook President François Bozizé's government in 2013. *Séléka* stormed through the country attacking and killing civilians, many of whom were from the majority Christian community. A Christian militia known as 'anti-*balaka*' ('anti-machete') formed in response, bringing terror to CAR's minority Muslims, who at that time comprised approximately 15 per cent of the population. As of November 2017, there are an estimated 545,000 refugees in surrounding countries, and over 600,000 internally displaced. It is estimated that the majority of refugees are Muslim, particularly in Cameroon, where they make up 93 per cent.

The mass exodus of Muslims was a planned objective of the anti-*balaka* fighters, who have used displacement as a tool to achieve the long-term eradication of the minority from CAR. Eighty per cent of the Muslims in CAR have fled and there are practically no Muslims remaining in the western third of the country, except in enclaves protected by international peacekeepers.

And yet, when minorities are at risk of targeted violence, efforts to keep them in place can also prove disastrous. In 2014, for instance, international peacekeeping forces prevented approximately 400 Muslim Peuhl nomadic herders from leaving the enclaves, ostensibly at the behest of the transitional government. Authorities had begun preventing Peuhl from leaving after African Union (AU) peacekeepers helped evacuate some Peuhl to Cameroon in April, angering the transitional authorities in CAR who said that the actions of the AU peacekeepers had been undertaken without their approval. They rejected any further evacuations, saying that they did not want to be seen as assisting ethnic cleansing. Thereafter, despite the expressed wishes of Peuhl to flee to Cameroon, AU peacekeepers threatened to shoot them if

they tried to do so. Peuhl were permitted to leave on foot, without protection from peacekeepers, but many reported family members being killed by anti-balaka on the journey. Staying in the enclaves, however, meant deprivation of food, water, sanitation and other humanitarian supplies.

Many fleeing violence and persecution at home manage to travel through multiple countries before again finding themselves targeted elsewhere on account of their ethnicity or religion. Sub-Saharan refugees and migrants travelling through Libya are exposed to increased vulnerabilities on account of their ethnicity and, in the case of Christians, their faith. Christians from Nigeria, many of whom are fleeing the conflict waged by Boko Haram in the north of the country, pass through Libya in the hope of reaching Europe. According to a report by Amnesty International in 2016 on Libyan transit routes, religious minorities, Christians in particular, are at increased risk of serious abuses at the hands of armed groups, including torture, abduction and killing, and face a heightened risk of discrimination and mistreatment in immigration detention centres. People held in these facilities report being beaten if they were identified as Christians and prevented from praying by the Muslim guards. Racial discrimination also makes sub-Saharan women more vulnerable to sexual abuse, both in detention and in transit through Libya.

The search for durable solutions

Minorities and indigenous displaced peoples often face specific obstacles and impediments in their search for lasting solutions, a safe place to call home where their human rights are protected.

Return home is often impossible. The root conditions that may have ignited conflict may remain unresolved, leading to the possibility that violence could break out if aggravating factors are provoked. Furthermore, conflicts often change the demographics of a given area, making return untenable or dangerous. Minorities and indigenous peoples may also find that their lands have been occupied by new communities or even confiscated for massive agricultural or development projects, exacerbated in the absence of land rights documentation or the legal recognition of communal lands.

Integration into new host communities may be strained in the case of minorities and indigenous peoples, as they may have been cut off from their own communities and lack wider social networks that can assist them. Discrimination and misunderstanding among the host community, as well as from other refugees from majority communities, may also be widespread. They may also be at increased risk of forcible return or *refoulement*, which can result in continuous forced displacement.

Finally, resettlement in third countries, while only accessed by a small number of refugees, can often exclude minorities as their specific needs are overlooked, such as information about application procedures in their own languages or access to translators from their own communities. They may also be actively excluded if local camp and embassy officials belonging to other ethnic groups or religious communities act as gatekeepers, restricting access to registration, interviews and resettlement-processing.

The case of Colombia illustrates how, even in a nominally post-conflict phase, minority and indigenous communities may face an uncertain peace and continued displacement. There are an estimated 7.4 million persons internally displaced by conflict in the country, the largest population of internally displaced persons (IDPs) in the world. Despite a 2016 peace agreement signed between the government and Revolutionary Armed Forces of Colombia rebels, communities are still being displaced – a situation that particularly affects indigenous and Afro-Colombian civilians. Together, they make up a disproportionate number of IDP: according to the United Nations Office for the Coordination of Humanitarian Affairs, of the 8,367-plus civilians who underwent mass displacement in the first half of 2017, an estimated 70 per cent were Afro-Colombian or indigenous.

One reason for this is that, after decades of conflict, others have been able to use the chaos it has brought to appropriate swathes of land from vulnerable communities. Indeed, over 8 million hectares of land have been abandoned or forcibly appropriated as a result of the conflict, including areas in indigenous reserves as well as small landholdings. In many cases land has been illegally appropriated for mining activities, agrobusiness like palm oil plantations and coca cultivation. A Colombian Constitutional Court ruling from 2009 stated that some 'economic actors have allied themselves with irregular armed groups to generate, within Indigenous communities, violence that eliminates or displaces Indigenous peoples from their ancestral territories.'

The Victims and Land Restitution Law (Law 1448) came into force in 2012 to address this situation, with separate decrees issued to address the specific situation of indigenous peoples and Afro-Colombian. Although the law was groundbreaking for IDP restitution, the process has been fraught with difficulties, with less than 5 per cent of cases receiving rulings. Both indigenous and Afro-Colombian leaders engaging in the restitution process have been killed, while threats against returning communities are ever-present, resulting in some cases in renewed displacement.

The situation in Colombia shows that once mass displacement occurs, it is extremely difficult to resolve issues of restitution and return, particularly when there are elements that continue to benefit from it. Displacement can be particularly acute for indigenous peoples because, as the Colombian Constitutional Court recognized in 2009, the loss of ancestral lands can be a precursor to cultural extinction. At least 35 indigenous peoples are at risk of extinction and conflict-related displacement, which often push community members to towns and cities where over time their native languages and traditional practices atrophy. Indigenous children then grow up with reduced knowledge of their cultures and no direct access to important spiritual and cultural sites.

While it is perhaps not surprising that the same forces that cause certain communities to be displaced may also obstruct their return, discrimination can also be replicated far from the home country. Indeed, systems of refugee determination in asylum-seeking processes may themselves perpetuate the attitudes the claimant faced in his or her country of origin. In Canada, for instance, more than 11,000 Hungarian claimants applied for asylum between 2008 and 2012. Though ethnicity on data was not collected in all these cases, a random sample of 96 Hungarian refugee decisions found that over 85 per cent were Roma – a minority that faces severe discrimination and persecution in Hungary, encouraged by anti-Roma rhetoric not only from right-wing groups but also from the government itself.

Despite this, the large majority of claims were rejected – decisions that an independent study by a team at Osgoode Hall Law School concluded were heavily influenced by institutional bias in the determination system. Indeed, the Minister of Citizenship and Immigration during that time often used the large number of Hungarian claims as evidence of how the system was being abused by those seeking to take advantage of social programmes. An internal Canadian Border Services report also included warnings about Hungarian Roma, drawing on entrenched negative stereotypes. The Canadian government took a number of extraordinary steps to curb applications from Hungarian Roma. Besides erecting billboards in parts of Hungary with significant Roma populations warning that illegitimate claimants would be deported, it placed Hungary on a list of countries deemed democratic with a functioning justice system and introduced a pilot project that paid refugee claimants to not appeal their rejected claims. Most of those who participated in the programme were deported to Hungary.

This case shows that some asylum regimes can replicate the very discrimination that persecuted groups are fleeing from. The large number of Hungarian asylum-seekers began to attract the attention of Canadian immigration authorities who, instead of engaging in a larger discussion about ethnicity and persecution, used this as evidence of

misuse of the immigration system and in response adopted anti-Roma rhetoric – a form of discrimination that was not previously widespread in Canada.

Ways forward

- *There needs to be broader recognition of the way crisis and displacement disproportionately impacts minorities and indigenous peoples.* Data disaggregated by minority and indigenous status can help target strategies for access to aid, safe refuge and resettlement, identifying potentially overlooked issues for affected groups and supporting the design of appropriate interventions.
- *Assistance processes must be accompanied by the meaningful participation of minority and indigenous peoples themselves.* Full consultation should be carried out at all stages of a crisis and include a wide range of voices from within the community, such as women; children; elderly people; and lesbian, gay, bisexual, transgender, queer and intersex persons, some of whom may be facing multiple discrimination and marginalization. Any programme design, assessment, monitoring and evaluation of humanitarian assistance will then be best placed to target minority and indigenous peoples in displacement.
- *As the right to maintain and develop one's group identity is one of the key pillars of international minority and indigenous law, it is essential that this right is protected at times of displacement.* The right to practise one's religion and speak one's language can become one of the crucial links to maintaining communal identities, which can be particularly strained during periods of displacement or resettlement. Humanitarian assistance should be appropriately designed to allow the continuation and development of identities.
- *Humanitarian responders should be trained and sensitized regarding these and other issues that minority and indigenous communities face in transition or host countries.* Relevant approaches include understanding discrimination, the right to self-identification (including the right to not self-identify), participatory data collection, ensuring fair access to humanitarian assistance, understanding particular vulnerabilities and potential threats to physical safety, helping provide space to practise cultural traditions and being aware of harmful traditional practices. More information can be found in the UNHCR publication 'Working with National or Ethnic, Religious and Linguistic Minorities and Indigenous Peoples in Forced Displacement.'
- *Finally, minorities and indigenous peoples need to be thoroughly involved in any peace and reconciliation processes.* These should aim to also address the root causes of conflict or marginalization during times of displacement. Minority and indigenous peoples' rights protection is one of the most robust guarantees for the resolution of conflict, both before it begins and in the peace-building stages of justice and reconciliation.

Case study
Refugees twice over: the migration of second-generation Afghans to Europe from Iran

Decades of conflict in Afghanistan, beginning with the Soviet occupation of the country from 1978 to 1992, has led to widespread displacement and migration. This continued under Taliban rule between 1992 and 2001, an era defined by widespread violence and ethnic cleansing across Afghanistan, ending with the US-led invasion in 2001 and an estimated 26,000 documented civilian deaths as a result of war-related violence. Since then, amidst deteriorating governance and a re-energized insurgency, the country has again faced the threat of instability and civil war.

Throughout these different phases, while all Afghans have been affected, ethnic and religious minorities have been particularly at risk. This is especially the case for Afghanistan's Hazaras, a community who have long faced persecution and discrimination for their faith as Shi'a Muslims and their Asiatic features. In their long history in Afghanistan, Hazaras have suffered persecution, social ostracization and mass killings, with thousands murdered under the Taliban.

Consequently, since the 1980s many have attempted to flee Afghanistan for the relative security of neighbouring Iran: today, after successive waves of migration, hundreds of thousands of Hazaras reside there. However, like other Afghan refugees, Hazaras found that their experiences of discrimination and exclusion were replicated again in their new country. Their maltreatment, ranging from limited access to education and employment to summary arrests and denial of many basic rights, was the direct result of policies that perpetuated hardship and insecurity. Many, despite living in Iran for decades, still lack legal status and documentation – a situation that leaves them vulnerable to deportation at any time.

Long-standing social prejudices about Afghans have been sustained in no small part by their second-class status in Iran's legal system. As Iranian law creates obstacles to Afghan men who marry Iranian women being able to either gain residency themselves or secure citizenship for their children, the next generation of Iran-born Afghans face similar restrictions. Many undocumented Afghan children do not have access to education as a result of these extensive bureaucratic hurdles, pushing many into underage labouring work on construction sites. And overhanging these challenges is the constant threat of deportation: in November 2012, a regulation was issued by the Iranian cabinet of ministers allowing the government to expel 1.6 million foreigners 'illegally residing in Iran' by the end of 2015. Deportations have continued into 2017, with the International Organization for Migration (IOM) reporting at the end of October that since the beginning of the year there had been around 350,000 undocumented Afghan returnees to Afghanistan.

The uncertainty of life as an undocumented resident, even in the country of one's birth, can push refugees into situations of extreme danger. Since the outbreak of the Syrian civil war and Iran's involvement in the conflict, the Revolutionary Guards have reportedly been recruiting thousands of Afghan refugees to fight alongside pro-Assad armed forces. Although the involvement of the Afghan recruits, who are reportedly mainly Hazaras, has been presented as a decision based on ideology, evidence shows that many have been bribed with promises of getting their citizenship reviewed and a chance of gaining a residence permit on returning to Iran, as well as a US$500 salary. Those refusing to fight alongside armed forces, on the other hand, face the threat of deportation back to Afghanistan.

In this forbidding environment, with basic rights such as education or healthcare out of reach and the constant fear of deportation, many Afghan refugees (a large number of whom have lived in Iran for their entire lives) have been pushed to seek sanctuary in Europe. According to Eurostat, almost 183,000 Afghans applied for asylum in EU member states in 2016, making Afghans the second largest national group seeking asylum after Syrians. Yet despite their compelling claims for sanctuary, Afghans are now treated as second-class refugees, with many claiming that the EU member states' asylum procedures systematically favour certain nationalities over others. Afghans have been described as belonging in the 'lowest-priority' camp because they are perceived as being mostly 'economic migrants.'

However, this perception not only overlooks that, with an ongoing insurgency, kidnappings and widespread misrule, Afghanistan is not yet a place of safe return for vulnerable groups but also the fact that Afghans are not a single homogenous population – so failing to take into account the diverse experiences of communities such as Hazaras who may have faced and continue to experience specific aspects of religious or ethnic discrimination.

With tightening border controls, stricter migration policies and a broader climate of stigmatization, many refugees face uncertain futures with little hope of securing successful asylum cases in European countries and the looming fear of being deported instead 'back' to Afghanistan. This uncertainty, mixed with legitimate fears of return, is made worse by the severe living conditions

evident in many refugee camps across Greece and the lack of access to basic services such as water or electricity. There have even been reports of Afghan refugees being forced into the sex trade, with fights breaking out between residents and men who had entered the camp trying to recruit young boys for sex work.

This situation points not only to a hardening of Europe's asylum regime but, even more troublingly, the role it plays as a result in perpetuating the marginalization of vulnerable communities such as Hazaras – a far cry from the international consensus on the duty to protect those displaced by conflict or persecution that informed the drafting of the 1951 Refugee Convention in the wake of the Second World War.

Case study
Trapped in a limbo: Iraq's displaced minorities and the difficulties of return

Mays Al-Juboori

With more than 3 million Iraqis still internally displaced, the country's protracted crisis – driven in large part by the 2014 offensive of ISIS through northern Iraq – is still a long way from being resolved, even with the apparent retreat of its forces from Mosul and other strongholds. Ensuring the safe return to Ninewa and other areas of former residents, many of whom belong to minorities actively targeted in the recent violence, will depend not only the defeat of ISIS but also an end to discrimination and abuses by all sides.

While the scale of displacement is a national crisis, the experiences of minority communities in displacement is often distinct, shaped by a broader context of marginalization and exclusion still evident today. Geography is one element in this: migration flows in Iraq have followed identifiable patterns in the current crisis, with Christian and Yezidi communities primarily seeking refuge in the Kurdish Region of Iraq (KR-I) while other minority groups, such as Shabak and Turkmen, have fled to Najaf and Kerbela in the south of the country.

Ashti Camp in Erbil, for example, is largely occupied by Christian families originating in the Ninewa governorate of Iraq. Until 2016, the camp consisted of two caravan-type settlements: Ashti 1 and Ashti 2. Erected inside a warehouse, Ashti 2 had markedly worse conditions than its sister settlement site, including severe overcrowding, dampness and vermin infestation. The social tensions resulting from tight confinement within the camp were indicated in the disputes occurring between individuals and families, who further demonstrated extreme emotional distress concerning their circumstances. Ashti 2 has now closed, and its residents provided with accommodation within Ashti 1.

Since then, there have been some positive changes. International funding to Ashti Camp and donations to its Christian institutional management have helped expand the camp facilities to include a medical centre, a youth entertainment centre, a church and a playground. Electricity and water are both available and accessible on the premises. Women are able to participate in vocational activities in the camp and small businesses have been established by IDPs within the site, as the effects of displacement have taken a toll on the livelihoods of displaced families. Ashti 2 has further been converted into store spaces available to lease by IDPs at a fraction of actual rental costs.

But while physical conditions in the camp are improving, the challenges of living in displacement are still prevalent. IDPs complain of having limited access to healthcare for long-term illnesses and are unable to afford treatment for major injuries. One IDP, for instance, explained that his arm, broken in several places during an attack by ISIS in 2014, remains untreated as he is unable to pay for the necessary medical treatment. And, despite livelihood opportunities being available for some, the majority of IDPs at Ashti are largely dependent on their life savings, now rapidly depleting as a result of the protracted nature of their displacement.

As a result, an increasing number of families from Ashti Camp are choosing to emigrate before exhausting their savings, as prospects of their return to their areas of origin remain uncertain. The caravans of those who leave are quickly filled by other families in the camp experiencing overcrowding or by Christian IDPs who can no longer afford to rent accommodation during their displacement. The loss of livelihood, combined with other stress factors, has had an inevitable impact on displaced people's psychosocial wellbeing and self-esteem.

Yet the difference between settlements like Ashti, managed by the government or religious institutions, and those categorized as 'critical shelters' such as unfinished structures, informal settlements and empty or abandoned

buildings such as schools, is stark. Elsewhere in Khanke, where a formal camp housing displaced Yezidis is based, another informal camp next to it also exists with little in the way of basic services – no functional sewage system, no education centre, no health facilities and little in the way of running water or electricity. This settlement, also occupied largely by Yezidis, has been built by the IDPs themselves and suffers from severe overcrowding, with up to 11 individuals in every tent. As the volatility of IDP movements has made planning new camps difficult, informal settlements have only grown in size, while admission into formal camps remains hindered by issues of capacity and ethnic affiliation.

For Yezidis in Khanke informal settlement, hopes of emigrating are offset by financial hardship. Returning home is equally unfeasible due to issues of limited security, lack of services, destruction of homes and restrictions on freedom of movement in retaken areas. The conditions of displacement have nevertheless caused a pressing desire among Yezidi youth to escape camp life. Many have indicated their intention and readiness to join any anti-ISIS armed group in the conflict, regardless of political affiliations or group legitimacy. Indeed, a large number of young IDPs from Khanke informal camp have either registered on recruitment waiting lists or are awaiting their opportunity for enlistment.

Many IDPs who remain in Iraq are living in limbo, either lacking the resources to flee the country, unable to return or simply unwilling to give up on their land. Yet exercising rights to property and land is a challenge for IDPs – and this remains a critical gap in their ability to return. Christian families have often complained of their abandoned homes being used and occupied by Kurdish Peshmerga and affiliated forces for military purposes in territories retaken from ISIS. Further to this, there have been widespread reports of looting and destruction of IDP property by forces that fought ISIS.

One IDP from Kharabat reported finding his land and other properties to be intact after his town was retaken from ISIS, but upon returning to Kharabat 15 days later the trees and plants had been uprooted from the farms, some houses were demolished and others had been taken over as bases by the Peshmerga, including his home. 'The Peshmerga,' he concluded 'are creating a situation that does not permit return.' Christian IDPs from Tel Eskof similarly described returning to check on their homes several times after ISIS had lost control over their

territories, only to find more property looted each time, despite having secured their homes and land with industrial locks. Satellite imagery of the area southwest of Mosul corroborates these accounts, in capturing the destruction of hundreds of buildings in a number of villages through use of explosives, heavy machinery and fire that occurred after anti-ISIS forces regained control. There is no evidence to suggest that demolitions were undertaken for legitimate military purposes.

Government forces, Popular Mobilization Units (PMUs), Kurdish Peshmerga and intelligence units have all been accused of the wholesale destruction of retaken villages, and in the process denying IDPs their right to land and property, allegedly aiming to ensure that former inhabitants do not return. Indeed, as ISIS is defeated, conflicts over territorial control and competing political ambitions are likely to emerge. As a result, territorial encroachments have occurred and are likely to continue in the absence of any definitive plan for the governorate of Ninewa – home to the majority of Iraq's displaced minorities.

Minority representatives express concern about ongoing tensions between the Kurdish Regional Government (KRG) and the Iraqi government, fearing that attaching the 'disputed territories' title to minority lands retaken from ISIS will strengthen the claim of both governments to minority territory and hinder minority rights to their land. These fears are fuelled by KRG's territorial ambitions, not only indicated by the political rhetoric of regional government officials, but also in the KRG's marking of a 650-mile trench running from Sinjar in Ninewa to Khanaqin in Diyala, which increases the KR-I territorial mass by up to 40 per cent.

Abuses against minorities in the current conflict, combined with deeply entrenched discrimination and longstanding marginalization, have led many to believe that there is no place for their community in Iraq. Frustrations regarding the political ambitions of Erbil, Baghdad and other actors restricting returns to minority lands have sparked concerns about demographic change, and the overwhelming perception among the displaced is that they possess no control over their ability to return home, be this a result of politics, security or destruction. In this regard, while much attention is at present focused on the military defeat of ISIS, creating an environment where protections are in place for minority communities – in particular, full assurance of their land and property rights – is essential to ensure a peaceful and inclusive post-conflict settlement for all in Iraq.

Climate change: surviving on the frontline of environmental catastrophe

Electra Babouri

YOUNG YUP'IK PEOPLE TAKE A TRADITIONAL DANCE POSE NEAR A SITE OF COASTAL EROSION IN ALASKA. *VLAD SOKHIN/PANOS.*

- **Climate change and its impacts are now an increasing driver of displacement, particularly for minorities and indigenous peoples**: while there is increasing recognition that it impacts disproportionately on the poorest and most marginalized, there is still limited acknowledgement on the specific ways it affects minorities and indigenous peoples, including in displacement.

- **The dependence of many members of minority and indigenous communities on local lands and ecosystems often exacerbates the trauma of climate-change-induced migration**: indigenous populations in the Pacific faced with rising sea levels, for instance, not only struggle to maintain their livelihoods but also their cultural traditions, spiritual beliefs and other practices.

- **Climate-change-induced migration frequently exacerbates existing patterns of discrimination**: this may be evident in the inequitable provision of humanitarian assistance after a natural disaster or extreme weather event, for example, or in the forced displacement of minority and indigenous communities to informal urban settlements.

- **Minorities and indigenous peoples, despite these challenges, frequently demonstrate resilience in the face of climate change**: while often lacking adequate resources due to their poverty and exclusion, displaced communities have used migration as a coping strategy in response to extreme climactic shocks. Yet the social impacts, such as family separation and dislocation, can be profound and create new barriers.

The severe and far-reaching impacts of climate change for both humans and the environment were recognized by the signing of a global binding climate deal by 196 countries in December 2015 in Paris at the COP21, the 21st Conference of the Parties to the UN Framework Convention on Climate Change. The manifestations of global warming have been unfolding over recent years, with 2016 being the hottest year on record, which the World Meteorological Organization stated is now taking the world into 'truly uncharted territory'. But while there is a clear scientific consensus on the pressing dangers posed by climate change, the complex social realities of those most affected are still not fully understood. This is particularly the case for minorities and indigenous peoples: poverty, discrimination and their often precarious living conditions leave these communities especially vulnerable to its impacts.

Although throughout history people have moved or resettled as a response to environmental and climatic challenges, increasingly climate change is a key factor driving more migration and displacement. This is not only because of sudden and catastrophic weather events such as droughts and cyclones – extremes that, while not new phenomena, appear to be increasing in both frequency and intensity with the onset of climate change – but also slow-onset changes in the environment, from rising sea levels to desertification. According to data from the Internal Displacement Monitoring Centre (IDMC), since 2008 climate change or weather-related disasters have displaced an average of 22.5 million people annually: a large proportion are indigenous peoples and minorities. As acknowledged by the Intergovernmental Panel on Climate Change (IPCC), these communities are often on the frontline of climate change and are disproportionately affected by its impacts.

This is because climate change is a social as well as an environmental catastrophe, disrupting livelihoods, destroying cultures and reducing communal networks. Its effects interact with the existing legal and institutional environment to create new patterns of inequality and exclusion. Hence the recognition that climate change adaptation and mitigation measures need to focus particularly on low-income settlements and traditionally marginalized groups like minorities and indigenous peoples. For those who are vulnerable both as members of these groups and on other grounds, such as minority and indigenous women, children, elderly people and people with disabilities, the exposure to climate change impacts is even more acute, and therefore their needs must be recognized as well. Furthermore, solutions need to be comprehensive and span a range of different levels – economic, cultural and political – to truly address the challenges. This is especially the case for minorities and indigenous peoples, who face unique barriers in wider society that in turn shape their experiences of climate change.

For these communities, migration may be the endpoint of a long process of adaptation to climate change that culminates in their departure from their homeland. Not all cases are as extreme as that of Kiribati, the Pacific island state currently confronting the possibility that it may disappear entirely under rising seas within a generation – a situation that would force its entire indigenous population to relocate from their homeland. Yet many minorities and indigenous peoples depend on local environments, ecosystems and farmland for their livelihoods and communal traditions, meaning that climate change can exact a very heavy toll – enough, in fact, to precipitate their departure to an uncertain future elsewhere.

Livelihoods under threat

In many parts of the world, climate change is preventing communities from being able to continue practising their traditional livelihoods. As a result, they are often forced to abandon their homelands in search of alternative work to survive. However, this act in itself places them in alien environments where different norms create new disadvantages for them. For example, hundreds of thousands of individuals from nomadic herding communities in Mongolia have had to migrate to the country's capital Ulaanbaatar over the last three decades. The country's average temperature has risen by more than 2 degrees over the last century, double the global average, exacerbating the frequency of the deadly dzud – unusually dry summers followed by freezing winters. During these intensely cold spells, lack of fodder for animals and falling temperatures lead to massive losses in livestock and in turn livelihoods. As a result, many pastoralists have had to migrate to cities to find alternative employment. In some cases families have been forced to split up as the men have moved to other rural areas for work while the women and children have been left on their own in the city.

The extreme rise in temperature is also melting the Arctic ice, thus directly impacting the traditional hunting of walruses, an essential source of food for the Yupik, an indigenous people in western Alaska. As highlighted by Vera Metcalf, director of the Eskimo Walrus Commission, by December ice normally covers the waters but at the end of 2016 had yet to appear: 'We are so dependent upon sea ice conditions. It's our life, our culture.' This, coupled with the erosion of coastlines and intense storms no longer buffered by protective barriers of sea ice, is putting pressure on many native communities to relocate.

The difficulties experienced by communities reliant on fragile ecosystems for their survival are even worse in the context of deep-seated inequalities. India's Dalit population, for example, must also contend with an entrenched caste system that places them at the bottom of a rigid social hierarchy. With many reliant on forests and public lands for agricultural labour and livestock rearing, they are especially disadvantaged when it comes to accessing resources to combat climate change. The profound effects of social exclusion, which are often internalized, further undermine their basic rights and by extension their adaptive capacity to the shocks of climate change.

Yet, as noted in a report co-authored by the National Dalit Watch, 'institutional mechanisms for disaster management do not recognize caste-induced vulnerabilities. Casualties and damage or loss of properties, infrastructures, environment, essential services or means of livelihood on such a scale is beyond the normal capacity of the affected Dalit communities to cope with.' As traditional rural livelihoods diminish due to climate change and with little in the way of protective mechanisms to support them, many Dalits are forced as a coping strategy to migrate to towns and cities, where they typically end up engaged in dangerous or poorly paid work on the urban fringes. Ironically, efforts to mitigate climate change, such as large hydroelectric projects and dam construction, can also lead to the displacement of predominantly Dalit and indigenous residents. Of the 60 million or more Indians believed to have been displaced since Independence by development projects – amounting to an average of a million displaced every year – 40 per cent are Dalits and other members of the rural poor, with tribal people making up another 40 per cent of the share.

The risk of conflict

Loss of land and resource scarcity as a result of climate change are drivers that, when combined with others such as extreme poverty and fast-growing populations, can create a perfect storm for armed conflict. This is evident in Africa's Sahel region, where a multitude of difficulties including weak governance, poverty, trans-border criminal activity, easy access to weapons and the presence of extremist groups have contributed to conditions of profound insecurity. In this context, repeated extreme weather events such as drought and desertification are eliminating livelihoods, creating pressures between communities over dwindling local resources. Survival in situ has become increasingly difficult as a result. In Kenya, for instance, desertification is changing traditional grazing routes and forcing nomadic indigenous peoples such as Masai and Oromo to relocate to urban settlements. A further factor is that communities in the Sahel and East

Africa may already have been displaced multiple times, due to repeated conflicts and droughts, each time expending resources that then leave them less resilient to the effects of climate change.

Globally, most migrants displaced by environmental crises move to areas where there are already well-established communities, which in turn can expose them to discrimination and lead to conflict. For example, increasingly many Bangladeshi communities affected by more intense droughts and floods have migrated to India across the north-eastern border to Assam to find work. However, this has caused tensions with indigenous Bodo in Assam who feel their territory is under threat from the influx of new arrivals, a sentiment founded in part on their experience of decades of government-sponsored in-migration that has led to frequent tensions and violence between Bodo and Bengali-speaking Muslims. This issue, exploited in different ways by rival political factions, dominated Assam's 2016 elections and has become a major source of contention in the region.

The dilemma of leaving

Many communities on the frontline of climate change are simply unable to migrate elsewhere, either because they lack the necessary financial and social resources to do so or because they simply cannot fathom a life beyond their homeland. For example, the remote Takuu group of atolls in Papua New Guinea's autonomous region of Bougainville is home to a unique centuries-old culture. The people are Polynesian, in contrast to their Melanesian neighbours, and are also notable for their adherence to their traditional religion, ancestor worship and a vibrant musical heritage that connects them with the generations that have come before them. Although the islanders use traditional sea walls as a defence against inundation, the atolls are gradually being submerged under rising tides, and the earth used to grow food is being salinized. With only a handful of boats that visit annually and no meaningful state support, a substantial number of islanders have recently migrated. One islander who had moved to Port Moresby voiced the plight of his people in a news interview: 'It's a very big problem, the Government isn't doing enough. We're a minority. I guess that's how they see us.'

Elsewhere in the country, indigenous communities face similar problems. Papua New Guinea's Trobriand Islands, situated in the Solomon Sea, are famed for their distinct and remarkably intact culture based on a matrilineal social structure and the custom of regionally exchanging shells called *kula*. The encroaching waves have particularly affected the island Simlindan, degrading both drinking water and soil. Recently, authorities have reached

out to the islanders to offer assistance with relocation as life becomes increasingly untenable. However, the islanders are so far refusing to give up their homeland despite the conditions, as living anywhere else is unthinkable – life as they know it could not be sustained away from their traditional land.

Safeguarding rights and dignity from climate change

The United Nations Human Rights Council has noted the implications of climate change for a variety of human rights and reaffirmed that 'in no case may a people be deprived of its own means of subsistence.' The need therefore for a rights-based framework to protect minorities and indigenous peoples from the impact of climate change has particular relevance in the context of widespread migration. On the one hand, wherever possible government authorities and the international community must take every reasonable measure to ensure these communities are able to remain in place through targeted assistance to support adaptation and the continued viability of their livelihoods.

On the other hand, in circumstances where this is no longer possible, steps must be in place to facilitate voluntary resettlement and adequate compensation to help displaced communities maintain their previous existence as fully as possible. Because of the unique relationship many communities hold with their land, the ability to ensure their subsistence and customary communal rights are respected wherever possible is also important. This approach forms the foundation of what the Kiribati government has described as 'migration with dignity'. Too often, dignity – a term that encompasses a whole panoply of rights, from health and sanitation to livelihoods and spiritual practices – is the first casualty of climate change-induced migration, particularly for minority and indigenous communities, whose ability to access them may have already been limited before the onset of environmental disaster.

Their situation is not helped by the considerable knowledge gaps that still constrain official responses to climate change and migration. Indeed, the absence of a globally agreed terminology to describe individuals affected by climate change – terms such as 'climate migrants' and 'climate refugees' are broadly used, but have yet to be officially recognized – reflects the limited acknowledgement of the fact that in some parts of the world climate change is already upheaving communities as effectively as armed conflict. The UN refugee agency, UNHCR, has expressly rejected the term 'climate refugee', stating that it is misleading. It prefers the expression

'persons displaced in the context of climate change'. 'Environmentally induced migrants', the International Organization for Migration (IOM) term, are defined as 'persons or groups of persons who, for compelling reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad.' Although this is a more encompassing term, it still does not address the specific experiences of displaced minority and indigenous communities, nor does it provide a normative framework.

A related challenge is that official data collection on environmental displacement is limited. While some authorities may collect figures on the numbers temporarily displaced by sudden events such as flash floods, there is rarely systematic monitoring of the proportion of those who permanently relocate. In addition, there is typically little or no monitoring of those forced to migrate by slow-onset climate change impacts such as rising sea levels or reduced rainfall. Ultimately, these people may be categorized (and often stigmatized) as 'economic migrants', thereby ignoring the underlying causes of their dislocation. And, beyond the numbers, the qualitative experience of those displaced is usually missing, meaning that the specific vulnerabilities of certain groups – for example, the significant risks of sexual abuse and trafficking that women and girls may be exposed to in the wake of migration – remain hidden. For displaced minorities and indigenous peoples, who typically face multiple forms of discrimination that require tailored solutions, this serves to further reinforce the challenges they face.

While there is an increasing emphasis now on community-led adaptation, the barriers to achieving this tend to be considerable for communities with a long history of marginalization and exclusion. Yet, when they are allowed the opportunity to do so, minorities and indigenous peoples are well placed to develop strategies that fit the specific economic, social and physical dimensions of their environment, so allowing them to stay in situ. Indeed, many communities, particularly those living in rural settings, have an inbuilt resilience as a result of their rich traditional knowledge, social support mechanisms and cultural heritage. For example, in the Manus Island province in Papua New Guinea, six atolls have already been submerged and rising temperatures have led to dwindling stocks of fish, an integral livelihood for the local indigenous population. However, communities have been tapping into traditional knowledge systems to help them adapt by replenishing their existing resources and identifying alternative ones. As the only long-term alternative to adaptation is migration, improving resilience is the best way of preventing displacement.

These and other examples illustrate that, when it comes to the challenges around climate change and migration, a rights-based approach is essential for any effective response. When it comes to minorities and indigenous peoples, this means ensuring that the well-developed international frameworks around minority and indigenous peoples' rights are actively mainstreamed into climate and migration policies.

Ways forward

- *Disaggregated data collection on climate change-related migration will help ensure a better understanding of its impacts on affected communities.* This should include specific information on the numbers of minority and indigenous members displaced by extreme weather and other effects to get a clear sense of the real, vast and often disproportionate impact of climate change on these communities. Until there is a solid evidence base on the scale of the problems they face, effective solutions will remain elusive.

- *A stronger rights framework for those displaced, paying particular attention to the specific needs of marginalized groups including minorities and indigenous peoples as well as women, children and persons with disabilities, is needed at a global level.* At present, the lack of clarity and governance gaps are together creating a situation where millions are displaced on an annual basis by climate change without the guarantees or protections afforded refugees and internally displaced persons (IDPs) in international law.

- *The main alternative to climate change-induced migration is adaptation, but this requires meaningful autonomy and adequate resources – both elements that minorities and indigenous peoples are frequently denied.* Locally led strategies that draw on the knowledge and abilities of communities themselves, while widely recognized as best practice, are unlikely to materialize if barriers to participation and recognition are in place. Steps should therefore be taken to ensure minority and indigenous perspectives are mainstreamed into climate and migration strategies, with the aim wherever possible of allowing them to maintain an acceptable way of life in their homes.

- *When relocation of minorities or indigenous peoples is unavoidable, it is imperative that this is planned within a comprehensive rights framework that respects their social, cultural and economic needs.* At present there are few positive examples of communities being resettled in a participatory and empowered fashion, with governments in many countries seemingly unaware, indifferent or even implicated in their displacement. The uncertainty and vulnerability that typically characterizes the experiences of those uprooted by climate change should be addressed through a systematic approach that recognizes the distinct challenges they face, particularly those already struggling with the effects of discrimination.

Kirstin Adkinson

Though Mexico's indigenous population is the largest in Latin America, amounting to around 17 million people, they continue to face discrimination on a daily basis. Indeed, the inequality gap between indigenous peoples and the general population of Mexico is the widest in the world – a stark reality that is especially evident in Mexico City. Few of the capital's indigenous residents were born there: most were forced to leave their birthplaces due to drug violence, land seizures and, more recently, the effects of climate change on their traditional livelihoods.

In Mexico's poorest state, Chiapas, indigenous peoples make up more than a third of the population. Walk down the streets of its rural villages and you are more likely to hear an indigenous language than Spanish. Most people here live in extreme poverty in the most basic of shelters and lack essential services such as water and sanitation. Farming, while providing the main source of income for many locals, has already been negatively impacted by the declining price of agricultural products globally. In Chiapas, where the main crop is coffee, farmers earn only a fraction of the wages of their counterparts in the more agriculturally diverse northern regions. As a result, many do not make enough money to feed their families, and a large proportion of indigenous children are malnourished. The region's marginalization is also reflected in worse health outcomes: for example, mothers are more than twice as likely to die in childbirth in Chiapas than in Mexico as a whole.

The agricultural crisis has been compounded by the effects of climate change in Chiapas: its coastal location makes it particularly vulnerable to these phenomena. Degrading soil quality, rising temperatures and decreased rainfall patterns have ruined much of the land used for cultivation. For farmers with barely enough land to make a living, even the smallest changes can be devastating. When farming is no longer a viable source of income, indigenous families are forced to make the decision to send a family member to the city so that they can seek out better economic opportunities. Men are traditionally the ones who participate in agricultural activities and are therefore often the ones who migrate to urban areas, predominantly Mexico City, when they are affected by soil degradation or lose their harvests.

The move to the capital, though driven by the search for better opportunities there, typically brings new forms of deprivation. Concentrated in the poorer neighbourhoods, indigenous city dwellers are frequently forced into cramped apartments that often consist of only one room. In addition, they face broader social discrimination: there have even been reports of rural indigenous migrants – who often speak very little Spanish – being detained and threatened with deportation while en route to urban centres. Language barriers also prevent newly arrived indigenous migrants from fully integrating into city life. Access to bilingual education is inadequate and of the indigenous people who can speak Spanish, many are illiterate. Low education levels are exacerbated by the fact that indigenous young people who migrate to cities are forced to look for work rather than continuing their education. This leaves indigenous peoples potentially less able to be employed in skilled labour.

The discrimination that indigenous peoples face in Mexico City leaves younger generations less willing to embrace their culture, with higher proportions unable to speak a language other than Spanish. Even those who do participate in indigenous culture in the city face the risk of being cut off from their communities back home. Peoples such as the Triqui and Zapoteac require in-person participation in certain community activities. Failing to take part in these activities can result in losing the privilege to engage in the benefits of the community, such as communal land.

Rural to urban migration has impacts on daily life back home as well. Nearly five times as many males as females emigrate from Chiapas. This has led to a rapid shift in traditional gender roles as women have had to take on new responsibilities within both the household and wider society. While this has typically been driven by economic hardship and social strains, it is also notable that many women have been able to take on more leadership roles within the community: today there are more female *ejidatarios*, or heads of communal land, than ever before.

Indigenous women have also been able to take greater initiative in the development of business opportunities. Unlike in other migrant communities, the women who are left behind in Chiapas do not necessarily rely on remittances from male family members, but instead some have been able to develop skills that enable them to be financially independent. Rather than spending their days at home and maintaining the house, many women will either go into the fields themselves if their families still have viable farms or find other jobs. Some women have even set up their own small businesses selling tamales and quesadillas.

While these experiences are by no means universal – many women are still subject to the decision-making of their absent husbands and continue to be constrained by the patriarchal norms of their community – they

nevertheless illustrate the potential opportunities of progressive social change as an adaptation strategy to climate change. In the meantime, as indigenous families remain separated by migration, a systematic approach is needed that focuses on both the difficulties of integration in urban areas and the challenges of a failing rural economy in areas like Chiapas. Until that occurs, indigenous families will remain in a limbo.

Case study
A nation facing catastrophe: Kiribati and the threat of mass migration

Fumiya Nagai

While climate change is a global challenge, with wide-ranging social, cultural and economic implications across the world, its implications are especially severe in the Pacific. In this region of low-lying atolls and coastal settlements, rising sea levels are already having a devastating effect on many communities, forcing many to leave their homes and resettle elsewhere. The challenges facing the small state of Kiribati, however, are especially severe – and risk leaving its indigenous population without a home.

Comprising a series of 33 islands with an average height above sea level of just two metres, the state is already feeling the impacts of climate change in the form of saltwater intrusion and loss of coastal land. This has hit the island's agricultural sector hard and undermined many essential food sources in Kiribati, from freshwater fish to local crops. As living conditions become more difficult, many islanders are now facing a difficult decision – whether or not a future in their homeland is still viable. While Kiribati's environmental pressures are not new, with issues such as coastal erosion and soil contamination having been evident for decades, the onset of climate change has exacerbated these issues. As a result, some predictions suggest that by 2050 large areas of its territory may effectively be uninhabitable.

In response to these challenges, while international migration from Kiribati has historically been rare, it is now seen by many as the best available option as the nation's environmental pressures intensify. Future migration flows out of the country are likely to be increasingly driven by climate change. In response, one of the strategies being pursued by the Kiribati government is 'migration with dignity', a cross-border labour migration scheme that aims to help establish Kiribati communities in other countries to support future migrants, while making Kiribati citizens more attractive by improving their educational and vocational qualifications through upskilling. However, it has been pointed out that the potential beneficiaries of this policy will only be those who would voluntarily migrate, and that many citizens – those with little education or dependent primarily on traditional subsistence activities that may not be transferrable outside Kiribati – will not be able to access these opportunities.

In the meantime, another strategy being pursued by the government is to secure space in another country for migration, with around 20 square kilometres of land purchased in Fiji in 2014. However, some have questioned whether the land – an isolated plot characterized by hills and swamps, with a community of displaced Solomon Islanders already settled there – will be adequate if resettlement is needed. Furthermore, as Kiribati will have no legal sovereignty over the land, there is no guarantee that in future I-Kiribati citizens would be allowed to move there. Authorities have also been considering the construction of artificial islands, with the support of the United Arab Emirates, to protect Kiribati's future – though the likely costs of the project, which could be as high as US$100 million, may mean that without international support it will remain out of reach.

Alongside these activities, Kiribati has also played a leading role in the Coalition of Low-Lying Atoll Nations on Climate Change (CANCC), launched at the UN Small Islands Developing States Conference in Samoa in September 2014. The CANCC consists of the five low-lying atoll states – Kiribati, Maldives, Marshall Islands, Tokelau and Tuvalu – and has launched the 'Pacific Rising' initiative: this is a plan of action, described as a 'climate change Marshall Plan', tailored to the needs of each country and focusing on a range of solutions to preserve, in the words of its mission statement, 'the lives, livelihoods and cultures of the Pacific', with the latter including education, health and heritage. CANCC has also been working at the UN to create a legal framework to protect the rights of those displaced by climate change.

The emphasis on cultural and rights-based approaches is welcome as technical solutions alone, however ambitious, could still see the social fabric of Kiribati devastated. While traditional practices and

livelihoods in the islands are already threatened by rising sea levels and the environmental toll of climate change, migration could effectively accelerate a process of cultural extinction in the years to come. One example is the *maneaba*, a community meeting space that historically has been central to Kiribati leadership and consensus-based decision-making. As the system needs to be structured around closely connected communities to function effectively, the migration of many villagers to larger urban settlements has already put it under pressure. Many fear that migration out of Kiribati could see *maneaba* vanish entirely.

Other forms of I-Kiribati heritage could also be badly affected, such as the traditional celebrations called *botaki* where each family shares food with the rest of the community, and *te karekare*, a customary system of work that promotes cooperation among families, not to mention Kiribati's rich traditions of dancing and music. Similarly, its sacred spaces and traditions – already physically threatened by rising sea levels – face a further threat in the form of mass migration from the islands, while interest among the younger generation appears to be in decline.

The importance of Kiribati's heritage of indigenous knowledge and practices highlights the need to adopt a more nuanced, rights-based approach to climate change adaptation and migration, extending beyond the technical and logistical aspects of resettlement to also incorporate ways to ensure the survival of the social fabric and cultural traditions of communities. This is especially the case when those forced to migrate by climate change and environmental disasters are indigenous peoples, such as I-Kiribati, with every aspect of their lives connected to the lands they have been uprooted from. These dilemmas now confront other small island states elsewhere in the Pacific, such as Tuvalu, where the long-established indigenous population faces a future of displacement.

Rise of right-wing populism

Mariah Grant

A GROUP OF MUSLIM SCHOOL CHILDREN AT A DEMONSTRATION IN FRONT OF THE US EMBASSY IN LONDON, UNITED KINGDOM. THOUSANDS GATHERED TO PROTEST AGAINST PRESIDENT TRUMP'S EXECUTIVE ORDER BANNING ENTRY INTO THE UNITED STATES FOR THE CITIZENS OF SEVEN MAJORITY MUSLIM COUNTRIES. *JENNY MATTHEWS/PANOS.*

- **Across the world, particularly in Europe and North America, a re-energized form of anti-migrant politics is now at work**: while the election of Donald Trump as President of the United States (US) is perhaps the most striking example, other countries, such as Austria, France and the Netherlands, have also seen right-wing parties make significant electoral gains through the exploitation of popular concerns around refugees, asylum seekers and migrants.

- **At a policy level, this is reflected in a hardening of policy attitudes towards immigration, with stronger border controls and efforts to contain those displaced by the current refugee crisis in third-party countries**: refugee admission rates to the US have almost halved during the first three months of the Trump administration, for example, and in the UK the government has stepped back from its previous commitments to resettle thousands of lone refugee children.

- **Hostile rhetoric by politicians and media outlets has been mirrored by increasingly hostile popular attitudes towards refugees in many regions**: a recent survey of European youth by the Bertelsmann Foundation found that in Hungary, where the ruling Fidesz Party has been vocal in its stigmatization of refugees, 72 per cent felt they should not be allowed into the country and 70 per cent that they posed a security threat to the country – compared to just 26 per cent and 27 per cent respectively in Germany.

- **While the explicit targets of these movements are generally refugees, migrants and other 'outsiders', in practice established minorities within the countries are also under threat**: in the US, Islamophobic sentiment has been on the rise since the beginning of Trump's campaign and his rhetorical attacks on the community, with data from the Council on Islamic–American Relations showing an increase of 44 per cent in the frequency of anti-Muslim hate crimes during 2016 and a further rise of 91 per cent in the first half of 2017.

In Greece, thousands of men, women and children endure inhumane conditions in camps on the islands closest to the Turkish shore. These people – from Pakistan, Sudan, Syria, Iran, Central African Republic, Afghanistan, Iraq and elsewhere – each have their own reasons for leaving their countries of origin to seek safety and security in Europe. Yet upon arriving in the European Union they find themselves processed into a system of black and white categories, caught between the prospects of long waits or hasty dismissal, living through freezing winters and sweltering summers in inadequate housing against a backdrop of constant uncertainty.

This is the frontline of the global 'refugee crisis' – a catastrophe created not only by bloody conflicts, persecution and insecurity in Africa, Asia and the Middle East, but also by an increasingly harsh and intransigent stance within Europe to those seeking asylum. And at its heart is a steady poisoning of attitudes towards migration – a development with profound implications not only for many vulnerable groups, including religious and ethnic minorities, beyond the walls of 'Fortress Europe', but also diverse communities within who now face increasing intolerance towards them. Similar attitudes are also evident elsewhere, particularly the United States, where the election of Donald Trump to the presidency in 2016 has ushered in a new phase in the war on migration.

While fear of refugees and migrants is nothing new, the scale of its manifestation today – not to mention its normalization at the highest levels – represents an important shift. To a large extent, this change has been driven by the rise of populist politics and the mainstreaming of viewpoints previously confined to the far right. From France to Hungary, Austria to the Netherlands, many Western countries are now contending with the resurgence of groups with explicitly racist and xenophobic platforms. Elsewhere, too, anti-migrant populism is taking hold in surprising contexts: in Myanmar, for example, the crackdown on so-called 'Bengalis', the country's longstanding and persecuted Rohingya Muslim minority. Their representation by Buddhist extremists, government officials and others as migrants has enabled the escalation of violence against them, even amidst the country's apparent move towards a more democratic politics and the election of Nobel Peace Prize winner Aung San Suu Kyi.

More troublingly, these policies have not pushed them to the sidelines, but instead pulled mainstream parties into their orbit. In this regard, Australia provides an example of the endgame of anti-migrant politics, with its draconian and inhumane 'Pacific Solution', whereby all asylum seekers without visas are automatically deported to detention centres on Manus Island and Nauru. While attracting widespread criticism internationally, this approach has been notable for the apparent bipartisan support from both of the country's main political parties. There is a danger that in Europe in particular many countries may move towards a similar stance.

The rhetorical crackdown on migration

What is behind this new politics? In general terms, the pillar of populist movements is the rejection of the power of a perceived political elite and its return to the people. This was explicit in the 'Leave' campaign's slogan of 'Take Back Control' in the lead-up to the UK's 2016 referendum on whether the country should remain in the European Union, and has also underlined movements elsewhere: Trump's exhortation, for example, to 'Drain the Swamp' of Washington politics. Yet an additional element is also present, that of an 'us versus them' dynamic – the 'them' being first and foremost refugees and migrants. However, this group may also be blurred, and include particular groups who for a range of reasons are seen as not fully belonging.

Political leaders seeking to capitalize on migration as a key source of instability, violence and job loss have managed to achieve substantial gains in recent elections. Economic hardship, rapid globalization and shifting demographics within countries, notably the relative decline of the white majority as Western countries have become increasingly diverse, have contributed to a climate where anti-migration rhetoric can effectively exploit popular concerns around everything from employment and social welfare to integration and national security. This is despite the fact that much of the evidence contradicts this vision. Indeed, rather than simply absorbing limited job opportunities, research suggests that larger immigrant populations in a country help economies grow and diversify job markets, to the benefit of many portions of the native-born population. Nor does the stigmatization of immigrant communities as a cause of rising crime appear to bear out, especially in the United States: since the 1990s, despite increasing levels of immigration, national crime rates have dropped and successive studies have found that immigrants are less, not more, likely to commit crimes than those born in the country. Despite this, after taking office Trump quickly established a new initiative, Victims of Immigration Crime Engagement (VOICE) – a move that opponents criticized as furthering the unfounded stereotype of immigrants as criminals.

The increasing frequency of terrorist incidents, in the United States, Australia and across Europe, notably in Belgium, Finland, France, Germany, Spain and the UK, has contributed to another negative image – the immigrant as national security threat. Yet within the

United States, where illegal immigration, particularly from Muslim countries, has been framed starkly in these terms, these fears do not appear to reflect reality. Analysis by the New America think tank, for example, found that while on occasion refugees have been implicated in isolated attacks, there has to date not been a single jihadist killing carried out by a national of any of the seven countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) included in Trump's original travel ban. While the reality in other countries and regions is more mixed, with attacks carried out both by citizens and at times by people arriving under the pretence of seeking asylum, the harmful conflation of refugees with extremists has helped strengthen support for right-wing populist movements that increase distrust and sanction the denial of thousands of people's rights.

The rise of right-wing populism

A landmark moment for populist politics was the UK's referendum on 23 June 2016, when a narrow majority (51.9 per cent) voted in favour of the country leaving the European Union. After then Prime Minister David Cameron announced the referendum in February 2016, in what turned out to be a failed political gamble to resolve resistance within his own Conservative Party to the EU, several months of divisive campaigning followed. For those advocating leaving, immigration became the centrepiece of their campaign. While the decision to quit the EU was motivated by a number of factors and not all those who voted to leave were necessarily opposed to immigration, there is no doubt that it was a key issue in mobilizing many to vote against remaining in the EU.

The UK Independence Party (UKIP) played a prominent part in the campaign for Brexit and engaged in overt anti-immigrant messaging in its efforts to convince voters. Prior to the referendum, the party's history in the UK had significantly focused on leaving the EU. Within their efforts to persuade public opinion towards Brexit, UKIP portrayed the influx of refugees into the EU since 2014 as a danger and strain on the UK. This image tapped into fears of the large increase in refugee and migration flows, particularly following the summer 2014 offensive by ISIS forces in northern Iraq. In 2014, the number of asylum seekers in the EU rose from 431,000 the previous year to 627,000; it increased again to 1.3 million in both 2015 and 2016. The tactics used by UKIP included a poster that cried 'BREAKING POINT' and 'We must break free of the EU and take back control of our borders' over an image of thousands of refugees entering Slovenia in 2015. The poster received

a swift backlash from those opposing Brexit and was likened to Nazi propaganda. What was striking, however, is that UKIP – previously regarded as a fringe party and since their successful referendum campaign a lower-key political player again – managed to achieve a sizeable victory for its brand of anti-migrant populism. This was secured in large part because mainstream parties, particularly some members of the Conservative Party, willingly adopted much of its rhetoric themselves.

In 2016, the US faced a similarly shocking result in their presidential election. The Democratic candidate, Hillary Clinton, attempted to present herself as the candidate of unity, with the campaign slogan 'Stronger Together'. In contrast, Republican candidate Donald Trump ran his campaign in a fashion that seemed to intentionally disregard the rules of presidential elections. Trump did not come from a political background and prior to his run for President had marketed himself as a successful businessperson and reality television star: from the day he announced his candidacy on 16 June 2015, Trump set the tone for what his campaign and proposed presidency would be about, with the declaration to voters that 'Together we will make America great again'. Trump emphasized his Washington outsider status as a strength and tended to disregard the many established norms for political discourse in favour of talking points that spoke directly to his base, which came to be largely made up of white, rural and poor voters.

He also relied heavily on the devices of populist leaders, not shying away from making brash and discriminatory comments about immigrants and even embracing his self-defined 'political incorrectness'. Trump used simple, emotive language to engage his base, many of whom belong to the country's white working class, a group struggling since the beginning of the economic recession nearly a decade before and who felt largely excluded from an increasingly globalized job market. During campaign rallies and through his personal Twitter account, Trump helped his supporters clearly define the foes to their personal success. These enemies included the mainstream media and the current Washington leadership, as well as people entering the country to work without legal documentation and people seeking to enter the country, purportedly under false pretences as refugees, to inflict mayhem.

In the weeks leading up to the election, political pundits and the media embraced polls showing Clinton with a strong lead. Publicly, Trump's many pronouncements against Muslims and immigrants from Latin America, as well as his association with the rising white nationalist movement, the 'alt-right', had seemingly disqualified him from the office of President. Yet, on 9 November 2016, the US woke to the same shocked

realization that had hit the UK a few months earlier: a new politics was at play that had by and large eluded traditional polls. While Clinton had in fact won the popular vote, Trump's overall victory brought much greater awareness of the populist forces at work and the powerful influence they are exerting over the political life of many well-established democracies.

Since then, Europe has also seen a number of landmark elections where populism has played a leading role, including Austria's presidential elections on 4 December 2016. While the role of President in Austria is largely ceremonial, the election was watched closely as incumbent President Heinz Fischer ran against Norbert Hofer of the Freedom Party of Austria (FPO), an organization founded in 1955 with historical ties to former National Socialists (Nazis). Over time, the party shifted between centre-right and far-right programmes, but generally did not earn widespread public approval due to its association with anti-Semitism. However, during the 2016 presidential election, the party shifted towards a strong anti-immigrant platform and adopted a new programme titled 'Austria first'. Within their anti-immigrant stance, the FPO was outspoken in their desire for 'cultural Christianity' in Austria and opposition to Islam. Though the FPO presidential candidate narrowly lost the election, it cemented the party's growing popularity and has also contributed to a shift within more mainstream political parties, such as the centre-right Austrian People's Party (ÖVP). Ahead of snap parliamentary elections in October 2017, the ÖVP pursued a similar campaign against migration and 'political Islam', resulting in an electoral victory for the ÖVP with 32 per cent of the popular vote, with the centre-left Social Democratic Party (27 per cent) only narrowly outpacing the FPO (26 per cent). At the time of writing the ÖVP was in coalition talks with the FPO, making the possibility of a right-wing, strongly anti-migrant government highly likely.

In both the Netherlands and France, the country's far-right parties lost bids for Prime Minister and President, respectively. In the Netherlands, the far-right Partij Voor de Vrijheid (PVV, or Party for Freedom) did not win enough seats in parliament to see their staunchly anti-Islam leader, Geert Wilders, become Prime Minister. However, the March 2017 election was not a defeat for its anti-immigrant platform. In the election, the PVV gained enough votes to go from 15 to 20 seats in parliament. Their gains came on the back of Wilders being convicted of hate speech on 9 December 2016 for comments that were 'demeaning towards the Moroccan population' in the Netherlands. The election also exposed the public's support for candidates against immigration. The incumbent Prime Minister, Mark Rutte of the centre-right People's Party for Freedom and Democracy (VVD), published an open letter in January 2017 in which he told migrants in the country to 'Act normal or go away.' Rutte was re-elected Prime Minister, whereas the centre-left Labour Party (PvdA), which did not embrace opposition to immigration, went from 38 seats to nine.

In France, Marine Le Pen of the country's far-right National Front (FN) Party made it to the last round of voting before losing to Emmanuel Macron of the newly founded centrist En Marche Party in May 2017. Similar to other populist forces in the EU and the US, Le Pen campaigned on an anti-globalization platform that included pledges to halt immigration. As in the Netherlands, she was defeated in the polls but her path to the election helped normalize anti-immigrant and particularly anti-Islamic rhetoric within political discourse and among the public. And perhaps more strikingly, the clear relief of liberal media outlets at Le Pen's defeat indicated a marked shift in how seriously the possibility of a right-wing victory is now regarded – and how plausible the threat remains.

Diversity, minorities and the politics of exclusion

But while the recent upsurge in anti-immigrant sentiment has taken many by surprise, it is not a wholly new phenomenon: indeed, much of the rhetoric and political organization mobilizing against migration now is historically rooted in xenophobic, racist or nativist movements that have long waged campaigns against non-white minorities within their own populations.

In the US, this has been reflected in the intensification of hostility towards not only migrants but also long-established minorities following Trump's political campaign. In the days, weeks and months after Trump's election, reported hate crimes increased but were also difficult to assess since the country has historically lacked official data or standardized collection methods on reports of hate crimes. Many of the reported hate crimes and bias incidents were aimed at immigrant and Muslim communities, two groups that were targeted throughout Trump's campaign. Hate crimes were reported to have increased at the highest rates following the election in the state of Oregon, known nationally as a stronghold of liberal values. When two men were stabbed to death on a train after intervening as a known white supremacist hurled hateful speech at two teenage girls, both African-American with one wearing a hijab, the state's discriminatory past came into the spotlight. Oregon had laws forbidding African-Americans from the territory

throughout much of its early history, and the state's Constitution contained language excluding their residency until the early 2000s. Within Oregon, then, as also in the country at large and elsewhere, the foundations of today's right-wing populism are rooted in long histories of segregation and discrimination against immigrants and minorities.

One reason for the success of these movements is that historical social norms, policies and public attitudes towards minority groups, now focused on immigrants, have led the way for rising nationalism. One of the countries in which this is most evident is Hungary. Instead of following the lead of Chancellor Angela Merkel's more welcoming approach to migrants in Germany, Prime Minister Viktor Orbán came out in stark opposition to resettling refugees and implored the EU to put a stop to the migration process. In an open letter, Orbán accepted the country's commitment to 'shelter for genuine asylum seekers' but expressed alarm over immigration's impact on the country's 'cultural homogeneity'. Orbán argued that the country is one of 'Christian character' and highlighted the threat posed by Muslim arrivals to the country's demographic makeup. In Slovenia, Prime Minister of the Modern Centre Party Miro Cerar reflected Orbán's views and declared that the country would only accept Christian refugees. Both countries have a long history of discriminating against ethnic minorities, including Roma, who face hurdles in securing political representation and have themselves long been regular targets of hate crimes. While Roma have realized some legal victories in these countries and Europe more broadly, the same xenophobia they have experienced is now also being directed towards immigrants of varying ethnic backgrounds.

Hungary was one of the first countries in the Balkans to erect a wall, along their south-eastern border, to physically stop people from crossing into the country. Other states in the region soon followed and thousands of refugees became stuck in Greece, spending months living in squalid conditions in informal camps along the northern Greece–Macedonia border. In the US, a mainstay of Trump's campaign was the promise to build a wall along the country's border with Mexico. While efforts to begin construction have been stalled, during the first months of his presidency Trump has initiated a very public effort to detain immigrants without documentation and expanded the powers of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) agents to detain suspects. These highly publicized arrests have instilled fear within immigrant communities and appear to have emboldened certain segments of the population to engage in attacks,

not only against immigrant communities but against other minority groups in the country.

While the White House has denied playing any role in inciting violence against any minority groups, attacks such as the one in Portland, racist graffiti in schools and vandalism at religious centres have continued. Critics have accused Trump of effectively validating right-wing groups by failing to disassociate his administration from extremist organizations such as the Ku Klux Klan who have long supported him – charges that have only intensified since Trump's failure to adequately condemn white supremacist demonstrators after the killing of a peaceful anti-fascist demonstrator by a right-wing militia member in September 2017 in Charlottesville, Virginia. For certain immigrant and refugee groups, the rising hostility towards migrants – reinforcing existing patterns of discrimination – has resulted in their increased isolation and marginalization.

This is strikingly displayed in Minnesota, where levels of poverty among the white population has remained low over the past three decades and as of 2014 was at 5.2 per cent, while the percentage of African-Americans living in poverty spiked in 1990 and has since risen again to 35.5 per cent. The state is home to the country's largest population of resettled Somali refugees, who have reported barriers in accessing education and healthcare, with 60 per cent living under the poverty line compared to 11 per cent of the Minnesota population as a whole. Yet, instead of addressing the underlying causes of these inequalities, Trump stoked divisions between the Somali population and the larger community by singling them out as a source of recruitment by terrorist groups.

One high-profile incident of racial violence early in the early days of the Trump administration took place in February 2017, when Srinivas Kuchibhotla and Alok Madasani, both Indian nationals resident in the US, were shot while at a bar in Kansas. The man who shot them first yelled, 'Get out of my country.' Madasani survived the attack but Kuchibhotla died in hospital from his wounds. While the Federal Bureau of Investigation (FBI) began an investigation into the case as a possible hate crime, Trump was chided for waiting a week to condemn the shooting. In India, the attack raised fears among parents and family members of those living in the US. Yet Indian Prime Minister Narendra Modi remained silent on the issue – raising questions from the public and other politicians as to why he was not more vocal in expressing condolences to the families and calling for the US government to hold the killer to account.

Some drew the conclusion that Modi's reluctance to speak out against this attack, apparently driven by xenophobia and racism, might be a desire to avoid drawing attention to his own brand of nationalism and

the violence associated with it in India. During Modi's bid for President in 2014 as leader of the Bharatiya Janata Party (BJP), a right-wing Hindu nationalist party, he too engaged in populist devices, emphasizing his roots as a tea vendor and promising to be a champion of the poor, to stand up to wealthy elites and to upend the long-ruling Congress Party. In these efforts, he also sought to shore up support by playing into anti-immigrant sentiments among certain segments of the population. For example, in the weeks leading up to the election, 30 Muslims in Assam were killed by Bodo tribal militants who opposed the immigration of people from Bangladesh to the area: days later, Modi held a rally in West Bengal, which borders Assam, and accused the state government of seeking votes from ethnic and religious minorities. Modi scolded them by telling the crowd that, 'You are concerned about infiltrators and not your own people… They must go back, they are robbing the youths of India of their livelihood.'

Since winning the election in 2014, Modi – previously criticized for his failure while serving as Chief Minister of Gujarat in 2002 to prevent the outbreak of anti-Muslim violence that resulted in the deaths of as many as 1,000 people – has been accused of ignoring hate crimes and killings carried out by Hindu nationalist groups against Muslims, as well as ethnic minorities from Bangladesh, Pakistan and Myanmar. While Modi and the BJP deny culpability, his government has also enacted policies that have increased tensions and seemingly emboldened people to violently oppose minorities. In May 2017, the BJP imposed a ban on the sale or purchase of cattle for slaughter, which critics argued undermined secularism and harmed religious and cultural minorities who eat beef. The country also has a long history of attacks carried out by radicalized Hindus, including at least 23 murders of individuals accused of involvement in the slaughter of cows since 2014. In June 2017, a court challenged the ban and the government proposed a reduced version. Nevertheless, violent vigilante attacks against those suspected of involvement in cow slaughter has continued, including the murder of a Muslim man in November 2017 by Hindu farmers.

Like Hungary, with its charged rhetoric against Muslim migrants, Modi and the BJP have appeared to distinguish, on a religious basis, the role they will play in taking in the rising number of people displaced from home and seeking refuge in new countries. As part of the BJP's 2014 election campaign, they promised to make India 'the natural home of persecuted Hindus around the world.' In July 2016, the parliament proposed the Citizenship (Amendment) Bill, which would extend citizenship for Hindus, Sikhs, Buddhists, Jains, Parsis and Christians fleeing persecution in Afghanistan, Pakistan

and Bangladesh. India is not a signatory to the 1951 UN Convention relating to the Status of Refugees, and this Bill would provide a legal framework to more clearly lay out how India will provide refuge to people in the region. The Bill is also more inclusive than the BJP's prioritization of Hindu refugees only. Yet, it is also clearly discriminatory as it does not include Muslims and would therefore provide no protections to Ahmadis in Pakistan and Bangladesh, Rohingya Muslims in Myanmar or Uyghurs in China, all religious minorities who face persecution at home.

In this regard, the flip side of the increased restrictions on travel that most migrant communities experience under populist regimes is an equally discriminatory asylum stance that welcomes specific favoured groups. The Trump regime has pursued a similar approach. One of the first steps following his inauguration was the signing of an Executive Order banning all people with non-immigrant or immigrant visas from seven Muslim-majority countries – Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen – for 90 days. It additionally stopped the entry of all refugees for 120 days and indefinitely banned people from Syria. Beyond the bans, the order also reduced the total number of refugees the country would resettle in 2017 from 110,000 to 50,000, and included language to prioritize refugee claims based on religious persecution but only if the applicant is part of a religious minority in their home country. The Executive Order received an immediate backlash and was also identified as a Muslim ban due to the prioritization of religious minorities. Opponents argued that, besides disregarding the many Muslims in need of sanctuary, the ban could also pose serious risks for Christian minorities in the Middle East by exacerbating existing divisions. Just as in India and Europe, this legislation discriminated along religious lines as to who would receive refuge and who would not.

Resisting the rise of right-wing populism

In response to the rise of right-wing populism, left-wing activists have sought to engage more publicly through demonstrations, voluntary work and peaceful protest. Indeed, one side effect of the recent successes of extremist political organizations is the significant pushback they have provoked from human rights organizations, civil society and other groups. Within hours of the hasty and immediate implementation of Trump's travel ban, thousands of protestors showed up at airports across the US to demand that any person detained by law enforcement be released. The travel ban was also

challenged in court, and eventually Trump signed a new Executive Order, which eliminated Iraq from the list of banned countries, removed the indefinite ban on Syrians and did away with the prioritization of religious minorities. This second order was similarly challenged in court. A third version of the travel ban was announced on 24 September and on 13 November a US court of appeals ruled that the ban could go partially into effect, meaning that citizens of Chad, Iran, Libya, Somalia, Syria and Yemen without family ties to the US could be prevented from entering the country.

Nevertheless, the swift and enduring public disapproval of the travel ban exposed the widespread opposition to policies that directly target and are harmful towards religious and ethnic minorities and immigrants in the US. There have been regular protests in cities and towns across the country against various actions taken by the Trump administration as well as state governments to limit the number of refugees resettled, arrest and deport people without documentation, and to instil uncertainty and fear within immigrant communities more broadly. The efforts to stand up to the nativist populism taking hold in the country have ranged from traditional street protests to nationwide demonstrations that also celebrate the cultures of immigrant communities. In July 2017, a group of Latina teenage activists staged a Quinceañera at the Texas Capitol to protest Senate Bill 4. The Bill, dubbed the 'show-me-your-papers law', would have expanded local law enforcement powers to request an individual's proof of legal residency while detained, even for minor infractions such as traffic violations. The activists argued that SB 4 is 'the most discriminatory and hateful law in recent history'. At the end of August a federal judge placed a preliminary injunction on most of the provisions.

In India as well, people have come out in the thousands in cities throughout the country to oppose the violence that is part of the spreading Hindu nationalism. As stories of violence and killings of Muslims increase, protestors are taking to the streets to denounce attacks and express outrage over Modi's role in emboldening nationalist groups. There has been consistent and ongoing opposition to both the BJP's cow slaughter ban (legislation that implicitly targets Muslims, who unlike the Hindu majority may consume beef) and exclusionary Citizenship (Amendment) Bill.

Protests against the treatment of refugees in Europe have also been widespread. In addition, thousands of volunteers have shown up in Greece and France to work with the refugees who have become trapped there due to the closing of borders and bureaucratic systems that hold up their resettlement. These volunteers come from around the world, and include members of diaspora communities from the countries these refugees are fleeing from. Those seeking international protection and asylum in Europe have also been part of protesting, documenting their mistreatment and speaking out when their rights are violated. On the island of Lesbos, refugees have been on hunger strike to protest inhumane conditions within the Moria detention facility, and as the informal camps by the Channel Tunnel in Calais were destroyed, those living there took pictures and posted them online.

To a significant extent, the recent success of right-wing populist movements across the world has depended on their ability to speak for the people, and by extension cast opposition to the crackdown on refugees and migrants as the preserve of a privileged and out-of-touch elite. The value of these protests is that they demonstrate, again and again, that there is also popular support for respect for human rights, inclusion and diversity – a powerful and more meaningful alternative to division and hate.

Ways forward

- *Improve the reporting, collection and disaggregation of hate speech and hate crime to develop a clearer picture of how and why minority communities are being targeted:* this will not only help highlight the challenges faced by these groups in a hostile political environment but also support the identification of causal factors, such as verbal attacks by leaders or senior officials, in raising the frequency of these incidents.

- *Develop more effective means of publicly engaging communities and their supporters through demonstrations, social media and other accessible formats:* increasing the visibility of opposition movements not only provides a visible platform for their views, but also counters the narrative that extremist populism represents the views of the majority of citizens.

- *Ensure provisions against hate speech and discriminatory language in different platforms, including policy statements, news outlets and social media, are enforced and respected:* given the increasingly hostile rhetoric and misrepresentations among senior officials and right-wing media outlets towards migrant communities, it is more important than ever to take swift and effective action against those stigmatizing or inciting hatred against refugees, migrants and minorities.

- *Counter entrenched narratives about the dangers and negative effects of migration through education and awareness-raising:* this will require not only the creation of an authoritative evidence base to challenge right-wing myths, but also clear and accessible communication to a wide audience through different platforms to challenge discriminatory views.

Bringing communities together at a time of division: the work of Milenio in Portland, Oregon

Mariah Grant

One of the most striking developments, since the election of Donald Trump as President of the United States in November 2016 and his assumption of office at the beginning of 2017, is the rapid mobilization of civic opposition to the policies of his administration. Virtually every major announcement since taking office – from the so-called 'travel ban' on citizens from a selection of Muslim countries to his announcement on Twitter that transgender citizens would no longer be able to serve in the military – has provoked widespread condemnation, including from members of his own Republican Party. Yet in many ways the most potent resistance has come at the grassroots level, through a diverse range of community groups, civil society organizations and other bottom-up initiatives.

One remarkable example of this is Milenio, an outreach and advocacy organization based in Portland, Oregon, working in particular with the local Latino community as well as other minorities to increase their engagement and visibility. Juan Rogel, Milenio's Executive Director, first became politically involved during the campaign for the Democratic presidential nomination, when he supported the candidate Bernie Sanders. Even at that stage, it was clear that immigration was going to play a central role in the election, with the Republicans adopting a hardline approach on border control, refugee resettlement and the treatment of undocumented people living in the US. Despite the very real implications this posed not only for millions of migrants but also many Latino Americans, Rogel came to realize through his door-to-door campaigning that political participation in the community, particularly the young, was very low – a situation that could leave them having little say in decisions that would directly affect them.

In the subsequent months, after Hillary Clinton and Donald Trump won the respective nominations of the Democratic and Republican Parties, Rogel continued to mobilize local Latinos to vote in the election. Though many largely took a Clinton win for granted, Rogel was acutely aware of the very real possibility that Trump would secure the election through his effective campaigning. Whereas Clinton was vocal in her opposition to Trump's anti-immigrant stance, she faltered in creating an equally resonant pro-immigrant message: Trump, on the other hand, used simple language and messaging to define his anti-immigrant platform, including his promise to 'build a wall' (along the US–Mexico border) and enact a 'Muslim ban'. In this context, Rogel and other members launched Milenio with the specific objective of educating young

Latinos on how to run political campaigns and how to get involved in local government. While part of their efforts focused on encouraging them to vote in the election, Rogel also began preparing for the possibility of a Trump victory and the impact this would have on immigrants across the country, particularly in Oregon.

As a result, Milenio was already relatively prepared when the shock results of Trump's victory became clear in the early hours of 9 November and the subsequent panic following his inauguration in January 2017, when he signed an Executive Order targeting refugees and people entering the US from seven Muslim-majority countries. While focused before the election primarily on the local Latino community, since then Milenio has been vocal in its support for the Muslim community in Portland and has sought out Muslim community leaders to be in solidarity with their mission. In this regard, their unifying approach is in sharp contrast to the divisive attitude of the Trump administration to religious, ethnic and sexual minorities.

Since the beginning of Trump's presidency, Milenio has continued to focus on their initial mission but also responded to the implementation of Trump's deportation campaign promises. Milenio has been active in demonstrating against Immigration and Custom Enforcement (ICE) raids throughout the state and started an 'ICE out of Oregon' campaign. With demonstrations in different cities, they have also been leaders in demanding the release of beneficiaries of the Obama-era Deferred Action for Childhood Arrivals (DACA) programme detained by ICE within the state, commonly known as 'Dreamers'. This includes some 800,000 minors who arrived in the US illegally and through the initiative were able to secure temporary legal migration status – protection that will disappear if Trump implements his proposed scrapping of DACA by March 2018. Through these protests, they have focused on specific communities where ICE arrests and operations have been on the rise, including in East Multnomah County. During a protest there in May 2017, Milenio called for elected officials to take action to protect its immigrant community members and to initiate a fund to provide immigrant detainees with legal counsel.

These activities have been mirrored at a national level by countrywide demonstrations against mass arrests of immigrants from Latin America and the Executive Order barring travel from certain Muslim-majority countries, with coordinated protests in cities across the US condemning the administration. Yet other incidents, while attracting international attention, have taken place closer to home. This included, on 26 May 2017, an attack on a public train

in Portland by a white supremacist sympathizer who, after yelling racial and religious epithets at two teenage girls, both African-American and one wearing a hijab, fatally stabbed two men and seriously injured another who attempted to intervene. Milenio responded in a statement in support of Muslim women, black women and 'all those affected by the culture of hate in Oregon that led to the tragedy on the Max [train line].' The statement read in part, 'We have come to the regrettable conclusion that Latinos, African-Americans and Muslims are not safe in Portland. ICE raids, police brutality and White supremacist acts of violence are the norm in Portland and we must come together as a community'. Just over a week later, Portland was overtaken by an 'alt-right' demonstration that included a number of far-right militias – although it was far outnumbered by local Portlanders who turned up to protest their presence.

To further address fears and to support immigrant communities in and around Portland, Milenio has monitored adherence to sanctuary status policies from officials at multiple levels and advocated for more cities to adopt these designations. While the sanctuary model does not have a singular legal definition, it references a movement that largely took shape in the 1980s as thousands of refugees entered the US after fleeing civil war and violence in El Salvador and other parts of Central America. To protect these individuals from deportations, Catholic and other Christian-denomination churches opened their doors and provided sanctuary. Since then, states, counties and cities have passed laws and enacted policies that self-define them as sanctuaries; this takes on various forms but usually precludes local law enforcement from assisting in the enforcement of federal immigration law. In Oregon, there has been legislation on the books since 1987 that prevents state police from enforcing federal immigration law, but this does not extend to all state law-enforcement agencies.

In February 2017, Milenio held public demonstrations in Hillsboro, a city west of Portland with a large immigrant population. The demonstration was designed to appeal to the city council and Mayor's office to declare Hillsboro a sanctuary city, and in early March they narrowly voted in favour of this policy. As Rogel explained, the advocacy efforts of Milenio in Hillsboro were representative of the role the organization intends to play. They see themselves as being able to lobby those in elected office and local leadership directly on behalf of their community. He clarified that Milenio can play this role because, 'when you

identify with the struggles of the people that's how you connect to the people that's our organization.'

It was also important for Hillsboro and cities around Portland to adopt sanctuary status, as more and more Latino families are being pushed out due to the high cost of living. Rogel highlights how the unaffordability of housing in Portland has called into question the city's sanctuary status, if the people it is meant to protect cannot afford to benefit from it. As such, people move into more affordable communities while potentially losing the supposed security provided by Portland's sanctuary status.

Milenio also holds regular community and educational events including 'Migrant Tales', during which immigrants tell their stories of life in Oregon, and 'Know Your Rights' events where attendees learn about national, state and local immigration laws. While these community gatherings address some of the outcomes of Trump's election, they are also meant to address the more deep-rooted divisions and issues within Portland, statewide and nationally. To act as a bridge between communities in Portland and to confront disparities in access to fresh foods, Milenio has also recently initiated a food justice programme, which includes a free farmer's market in a neighbourhood where gentrification has disproportionately pushed Latinos and other minorities out. Other initiatives include mentors from Milenio speaking to Latino high-school students about the importance of political participation, and organization representatives taking part in regional conferences to speak out on many issues that directly impact immigrant youth access to higher education, including lack of access to many forms of financial aid.

Rogel is clear that the backlash against immigrants and minorities did not begin with Trump. Milenio's efforts to defend the rights of immigrants within their communities go far beyond immigration reform and Trump's recent measures: prior to Trump, systems were already in place that disadvantaged immigrants and made them more vulnerable to incarceration, both nationally and within Oregon. Rogel identifies a perpetual cycle of discrimination that sees immigrant children grow up in lower-income neighbourhoods, which are then targeted by police – hence the need, in Rogel's words, to 'find a solution to the systemic oppression that we [are] living in.' Milenio hopes to do this by both defending their community against laws that undermine their human rights and mentoring future leaders who they hope to be part of a more diverse and representative government, responsive to the rights and needs of all community members.

Land rights and displacement

Michael Caster

THE OGIEK COMMUNITY IN KENYA WON AN HISTORIC LAND RIGHTS CASE AT THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS IN MAY 2017, AFTER ENDURING DECADES OF FORCED EVICTIONS FROM THEIR LAND BY THE KENYAN GOVERNMENT. *MRG.*

- **Indigenous peoples frequently lack formal recognition of their land rights, leaving them vulnerable to displacement or eviction**: while as much as 65 per cent of land globally is held by indigenous peoples and local communities through customary tenure, research by the Rights and Resources Initiative has found that only 18 per cent of land across the world is formally recognized as belonging to indigenous peoples or local communities – a situation that enables state appropriation or land-grabbing of their territory.

- **Therefore, minorities and indigenous peoples are disproportionately affected by forced displacement as a result of projects such as resource extraction, dams and other projects**: in India, for instance, Adivasis comprise 40 per cent of the more than 60 million people uprooted by mining and other industrial developments since 1947, despite comprising just 8 per cent of the population.

- **Without adequate land rights, minority and indigenous communities may find themselves in a protracted state of displacement, with no long term solutions to their plight**: in France, for example, the eviction of Roma has become routine, entrenching their marginalization within society. In 2016 over 10,000 Roma were forced to leave their homes – amounting to more than six out of every ten Roma families in the country.

- **The impacts of forced displacement on minority and indigenous communities can last generations, affecting every aspect of their lives**: in Australia, for example, colonial dispossession of land has seen Aboriginal peoples systematically evicted from their traditional homelands – policies that have heavily contributed to the continuing inequalities, alienation and deprivation experienced by these communities, which still have an average life expectancy a decade lower than non-indigenous Australians.

Given the widespread uncertainty of land tenure across the world – according to some estimates, as many as three-quarters of the global population lack access to formal land registration – land rights issues are in many ways a universal concern. The absence of secure tenure raises the threat of land-grabbing, forced eviction and displacement, largely driven by urbanization, resource extraction and climate change. Yet while land rights violations typically affect a range of marginalized groups, especially women, minorities and particularly indigenous peoples frequently face added vulnerabilities to these threats of displacement – a reflection of a broader climate of discrimination in many countries against these communities. As land is interlinked with health, food, housing, livelihoods and other issues, as well as being crucial in post-conflict resolution, the impacts extend to almost every aspect of their lives.

Violence and displacement

This uncertain situation is despite an international legal framework guaranteeing property rights and protecting communities from forcible resettlement, including declarations and conventions with provisions specifically addressing indigenous territory. Sadly, globally these measures are often poorly enforced. A common excuse given by exploitive states and corporations for dispossessing minority and indigenous inhabitants, even those with long historical ties and customary tenure, is that the land is unused or undeveloped and the property claims of the resident communities are insufficient. Although organizations such as Minority Rights Group International (MRG) and Earth Rights International have had successes with international litigation, within an overall context of limited or unenforced land rights, community-based nonviolent resistance is often the only means of preventing land dispossession and displacement. However, minority and indigenous rights defenders often face reprisals for their protests, including arrests, intimidation and extrajudicial killings.

States and private companies instrumentalize violence both to terrorize communities into abandoning their land and to persecute those who campaign against land rights violations. In 2016, the Dublin-based human rights organization Frontline Defenders reported that of 281 killings of human rights defenders that year, 49 per cent were engaged in land, indigenous and environmental rights defence. According to the environmental group PAN Asia Pacific, 2016 witnessed three times the number of killings than the previous year. But even these documented cases do not capture the full extent of these abuses: as noted by the international human rights group Global Witness, for every such rights defender who is killed, many others are

threatened with death or eviction and forced relocation. Indeed, many executions are carried out not only to silence a particular activist but also to encourage communities to flee the prospect of further violence. In this regard, the widespread displacement and evictions that frequently accompany these attacks – in some instances uprooting hundreds and even thousands of people – are often carefully orchestrated by the perpetrators.

The majority of killings occurred in the Americas. The murder in March 2016 of Honduran indigenous rights defender Berta Cáceres drew international condemnation and calls for the US to withdraw military aid to Honduras. Her daughter, Laura Cáceres, was forced into exile following death threats after her mother's murder. The year before, in recognition of her campaign against a series of hydropower projects in the Gualcarque river basin, which threaten to displace indigenous communities, Berta Cáceres had won the prestigious Goldman Environmental Prize. In January 2017, fellow Goldman Prize winner Isidro Baldenegro, an indigenous Tarahumara who had been leading a campaign against illegal logging, was gunned down in his home province of Chihuahua, Mexico. Patricia Mayorga, a Mexican journalist discussing Baldenegro's murder, explained that the region has seen a great deal of forced displacement by illegal loggers and drug cartels; as with Laura Cáceres, this violence has also forced indigenous and land rights defenders into exile. Endemic violence against indigenous activists has only continued throughout 2017, including a machete assault by ranchers in May on members of the Gamela community in Brazil over a territorial dispute that left more than a dozen hospitalized with serious injuries.

Elsewhere, similar patterns of violence persist. In the Chittagong Hill Tracts, an area in Bangladesh with a long history of conflict and ongoing displacement through land-grabbing, in May 2015 security officials blocked a team of journalists and human rights defenders attempting to enter indigenous communities to investigate land-grabbing and other issues. Shortly afterwards, in early June, nearly 6,000 indigenous Jumma villagers were driven from their homes and forced to find shelter in the forests following attacks from the Bangladeshi army and settlers. Conflict between indigenous communities and incomers over land has driven decades of displacement. The violence has shown little sign of abating, with the torching in June 2017 of more than 250 Jumma houses by settlers.

The move to the city

One of the consequences of land rights violations is the displacement of minority and indigenous community members from rural, often isolated, areas to cities. Weak enforcement or non-existent rights for traditionally

pastoral groups, for example, coupled with development and other factors, has fuelled sedentarization and involuntary urbanization. In Tibet, for example, a policy to 'build a new socialist countryside', in place since 2006, has forced millions of Tibetan nomads into urban centres, where they have often struggled to adapt to new livelihoods, while previous herding lands are used for Han-dominated agricultural or resource extraction projects. Tibetans subjected to mass relocation have not given prior informed consent or had any way to challenge their relocation. Without an independent judiciary and accountability for police violence, China has greeted both legal challenges and nonviolent protest by Tibetans resisting forced relocation with harassment, imprisonment and extrajudicial killing. Once resettled, Tibetans forced to adopt new livelihood strategies often face employment discrimination against a backdrop of increasing Han Chinese in-migration, which further disadvantages forcibly displaced Tibetans.

Maasai in Kenya and Tanzania face similar challenges of loss of traditional herding land and forced urbanization. In 2014, for example, the Tanzanian government announced plans to evict some 40,000 Maasai from ancestral land to make way for a game reserve for the Dubai royal family, with some Maasai activists who opposed the project reportedly intimidated by the police. The government had previously backed down from plans to create a 1,500-km³ 'wildlife corridor' in the area, which would have entailed large-scale evictions and caused an international outcry. A commission to find a solution to the land dispute presented its findings in spring 2017, but local Maasai activists informed MRG during the autumn that an eviction process nevertheless had commenced. By late 2017 they were reporting that, so far, hundreds of *bomas* (enclosed compounds) had been burned and thousands of people had been displaced. Young Maasai men had also been jailed, and cattle had been confiscated and sold.

The loss of traditional herding land contributes to Maasai urbanization. In Tanzania's capital Dar es Salaam alone, there are an estimated 5,000 Maasai youth attempting to make a livelihood in their new urban environment, according to Onesmo ole Ngurumwa of the Tanzania Human Rights Defenders Coalition, one group working to protect Maasai land rights. In 2016 another rights defender, Maasai leader Edward Loure, was awarded the Goldman Prize for his innovative approach to community land titling in resistance to safari and game park development. He succeeded in protecting over 200,000 acres of indigenous land and has continued his work, with the intention of reducing the threat of forced eviction and urbanization.

In cities, the lack of land or property rights often combines with discrimination and segregation, which can manifest in forced evictions, harassment and threats. This is even the case in countries where land and property rights are generally considered well respected. The treatment of Roma in Europe is emblematic. Across Europe Roma are often denied property and housing rights or subjected to forced evictions, such as in France, which according to the European Roma Rights Centre forcibly evicted some 10,000 Roma – six out of ten Roma families in the country – in 2016 alone. Likewise in Montenegro, the fate of the more than 1,000 Roma living in informal settlements in Konik, inhabited particularly by those displaced from conflict in Kosovo, is uncertain as the government plans its gradual closure in 2017, a priority for European Union membership. Discriminatory land and housing practices also influence segregation in education, which can lead to intergenerational poverty and marginalization.

Resource extraction

Resource extraction is a major source of land rights violations and displacement. Even in countries with otherwise functioning land rights, loopholes are often exploited by vested interests to push through expropriation. The construction of the Dakota Access Pipeline in the United States, to carry crude oil through the Standing Rock Indian Reservation, is emblematic. A spokesman for one of the tribes involved wrote in 2015, 'We have not been consulted in an appropriate manner about the presence of traditional cultural properties, sites or landscapes vital to our identity and spiritual wellbeing.' The project went forward despite the lack of free, prior and informed consent, sparking legal challenges and escalating protests through 2016 and into early 2017. Police and private security forces responded to the generally nonviolent protest with sophisticated surveillance, intimidation and violent attacks. In the United States, the private and state interests involved somehow overwhelmingly considered the land expropriation and violent response legal, while it garnered condemnation from the UN Special Rapporteur on the rights to freedom of peaceful assembly and association, among others.

Similarly in Canada in January 2017, a coalition of indigenous peoples, including the Coldwater Band, Tsleil-Waututh and Squamish Nations, gathered in Vancouver, British Columbia to redouble their opposition to the Trans Mountain oil pipeline. It was against this backdrop of indigenous resistance to resource and development projects that the UN Working Group on business and human rights visited Canada in May 2017 and urged that 'the Government and businesses must integrate indigenous peoples' rights into their

policies and practices governing the exploitation of natural resources.'

Mining, such as for coal, gold, or minerals and rare earth metals, is a major driver of displacement, with legal redress for victims often complicated by the involvement not only of wealthy multinational corporations but also the complicity of governments in failing to protect their own civilians. In India, where violations surrounding mining are commonplace, land rights violations and displacement often occur as a result of structural discrimination. Although in 2016 the Indian government announced it would delay the previous target of doubling coal production by 2020, a report by Amnesty International raised concerns over land rights violations of indigenous communities within the coal sector. In the report, Amnesty points out that about 70 per cent of India's coal mines are in Chhattisgarh, Jharkhand and Odisha, home to more than 26 million of India's over 80 million indigenous Adivasis. Adivasis have endured a long history of discrimination, as Indian law does not adequately recognize indigenous land rights, or uses colonial laws such as the Land Acquisition Act to expropriate Adivasi land for sale to mining interests without their consent. According to the environmental group Siemenpuu Foundation, some 30 million Adivasis have been displaced since Indian independence. In addition to widespread displacement, Adivasi land has also been fragmented due to exploitative tourism and government sponsored in-migration. In January 2017, the Indian National Human Rights Commission reported on the sexual assault and torture of at least 16 Adivasi women by Chhattisgarh police officers in 2015; sexual violence and rape is employed by authorities to force villagers to abandon their land. The insecurity of land and property rights, as well as broader marginalization, has furthermore contributed to serious public health concerns. Adivasis have the highest percentage of below-five mortality and childhood undernourishment in the country.

Other extractive industries have similarly expropriated minority and indigenous land, frequently displacing entire communities in the process. This is especially the case with palm oil production. In August 2016, the Roundtable on Sustainable Palm Oil (RSPO) convened in Guatemala amid criticism from environmental and indigenous rights groups over abusive practices in the host country. In 2014, the labour rights NGO Verité released a report documenting land grabs and displacement linked with palm oil production in Guatemala, highlighting how unregulated and predatory land titling programmes have contributed to indebtedness and land-grabbing, fuelling displacement. Palm oil production has not only dispossessed indigenous peoples

of land for farming, but has also had public health impacts: this was the case with the 2015 toxic spill on the Pasión River in Sayaxché, where thousands of indigenous Q'eqchi' Mayan residents have been adversely affected either by loss of livelihood for fishermen or the health of their children.

Indonesia, as the world's largest exporter of palm oil, has a problematic past of land-grabbing and violence against indigenous peoples. Indigenous women's livelihoods and community standing have been directly impacted, as their customary rights to land are overridden by social forces; palm oil is generally treated as a 'male industry.' In West Kalimantan for example, according to the Rights and Resources Initiative (RRI), women who once relied on forests now used for palm oil cultivation have been dispossessed not only of their land but also their ability to make a livelihood from handcrafts from the forests and to pass cultural knowledge to younger generations. Much of the country's continued deforestation – according to the Rainforest Action Network, almost 7,200 hectares of rainforest were destroyed between January and September 2016 in Aceh alone – takes place on customary land belonging to indigenous peoples, in the process driving these communities from their homeland. There may be some tentative signs of improvement, however: in a March 2017 meeting with representatives from the Alliance of Indigenous Peoples of the Archipelago (AMAN), Indonesian President Joko Widodo restated his commitment to a Draft Law on Indigenous Peoples and endorsed legal recognition of indigenous lands, especially in terms of combatting deforestation.

Minorities and indigenous peoples often already inhabit precarious environments, brought on by a history of discrimination and forced displacement, and those more recently displaced are often subjected to new vulnerabilities brought on by climate change and natural disasters, especially flooding, sometimes initiating cycles of protracted displacement. According to the Internal Displacement Monitoring Centre (IDMC), 2016 witnessed some 24.2 million new displacements caused by disasters, mostly resulting from weather-related disasters such as flooding. The most affected populations are in South Asia, East Asia and the Pacific, often in areas with high numbers of minorities and indigenous peoples. For example, in Indonesian Borneo over a three-year period flooding affected some 868 settlements, displacing between 776,000 and 1.5 million people. Spatial analysis conducted in 2016 of hundreds of Bornean villages by a group of researchers from Australia and Indonesia found that flood frequency in these settlements was closely associated with mining and palm oil production.

'Green' megaprojects

Even clean energy production and conservation efforts, frequently undertaken with the support of international donors such as the World Bank, have infringed on the land rights of marginalized communities: indeed, almost 30 per cent of World Bank projects now involve forced resettlement. Hydropower construction is particularly linked with the encroachment of land and forced displacement. Ethnic minorities and indigenous populations have been displaced by hydropower projects for decades: for example, in the 1950s the Kariba Dam in Zambia and Zimbabwe alone displaced some 50,000 indigenous people and a decade later in Ghana the Akosombo Dam displaced around 70,000 indigenous people. In Brazil, tens of thousands have been displaced as a result of the Belo Monte Dam, with some estimates ranging as high as 50,000 people. Thankfully, in a rare victory for indigenous land rights, plans for another megawatt dam, the São Luiz do Tapajós, were put on hold in April 2016 over concerns of its impact on indigenous peoples in the region, inhabited primarily by the Munduruku people. Other communities have not been so fortunate, however, even when projects have been suspended for economic, political or technical reasons. For instance, thousands of ethnic minority Kachin remain displaced in Myanmar by the stalled construction of the China-backed Myitsone Dam on the Irrawaddy River.

What these different examples illustrate is that, while minority and indigenous land rights remain weak or unenforced, subject to the whims of governments or the interests of international corporations, displacement of these communities will likely continue. In this regard, some recent signs of progress suggest that recognition, however belated, of these rights may provide the basis for some egregious examples of forcible displacement to be addressed and help prevent future abuses. In a positive ruling recognizing indigenous peoples' right to land, which will hopefully lead to further legal victories, on 26 May 2017 the African Court on Human and Peoples' Rights ruled in favour of the Ogiek community of Kenya – the conclusion of an eight-year battle with the Kenyan government. The Ogiek's case involved harassment, forced eviction and other land rights abuses dating back to colonial times. In recognizing the important role of the Ogiek in protecting land and natural resources, so protecting them from land-grabbing, the Court has likewise recognized the crucial role that other indigenous peoples play in Africa – a ruling with potentially global

significance. While the verdict is historic for the African Court, as it is its first case on indigenous peoples' rights and its largest case since establishment in 2006, such international jurisprudence-setting victories will hopefully contribute to shifting international standards on minority and indigenous land rights into more enforceable law in the future.

Ways forward

- *The international donor community should play a more active role in raising awareness among communities of their rights and avenues for redress, for example by funding the translation and dissemination of national or international laws into minority and indigenous languages.* This should include support for training programmes and materials in local languages, financial and technical assistance for grassroots legal aid and promotion of national initiatives for rights awareness.

- *The United Nations Committee on Economic, Social and Cultural Rights should issue a General Comment on the Right to Land, denoting the interconnectedness of land rights with other fundamental human rights, with clearly articulated provisions for minorities and indigenous peoples.* Such a General Comment must include clear examples of violations, explanation of the duties and obligations of both states and non-state entities such as resource extraction companies, and lay out appropriate channels for reporting and seeking redress for violations of the right to land.

- *Governments must resolve clear gaps in existing land rights frameworks, especially concerning the rights of minority and indigenous women.* Existing legally binding international instruments, such as the Convention on the Elimination of all Forms of Discrimination Against Women and others, provide a clear framework by which to draft, amend or repeal existing laws.

- *Civil society should address the increasing impunity surrounding the harassment and murder of land, environmental and indigenous rights defenders.* Greater attention to documenting and exposing these acts of violence is needed, especially those that raise awareness of the role of multinational corporations based in countries that supposedly respect the rule of law, with the aim of ensuring that independent and impartial investigations and prosecution for violence against human rights defenders become the norm.

The displacement of Guarani Kaiowá in Mato Grosso do Sul, Brazil

Genna Naccache

Numbering some 30,000 people, Brazil's Guarani Kaiowá are one of the largest indigenous communities in the country, with a long history of forced evictions dating back to the early twentieth century. Most live on the frontier of Mato Grosso do Sul, bordering neighbouring Paraguay, an isolated region far from the nearest town and with little in the way of public security. Here, in their traditional homeland, they face almost daily persecution at the hands of armed farmers or hired militias, including sexual assault, abductions and killings, enabled in large part by the widespread impunity enjoyed by the perpetrators themselves.

Crucial to understanding the Guarani Kaiowá way of life is the integral role of their ancestral lands in all aspects of their society, culture and religious beliefs. The land is much more than a material asset, as it also serves as the foundation in the construction of their unique identity, lifestyle and belief system. Since their forced displacement into overcrowded reserves – created, without any cultural considerations, by the government's controversial Indian Protection Service – more than a century ago, these have been under threat.

This resettlement also had a profound impact on the social and familial fabric of the communities. Removing Guarani Kaiowá from the land on which their subsistence as hunter-gathers depended meant that they instead had to look for other means of survival for their communities, particularly as malnutrition became more widespread. As a result many were forced to seek work in the sugar cane plantations, away from the reserves, under precarious conditions. The prolonged absences of parents were an important factor in the disintegration of families, the foundation of the tribe's cultural model.

Their current predicament is a reflection of the deep-seated discrimination experienced by Brazil's indigenous populations. While communities in the reservations were pressured to assimilate, their ancestral territories were sold to private individuals on the open market. Today very little of the communal land remains – a testament to the government's failure to implement the terms of the 1988 Constitution, which demanded the restitution of native lands to indigenous peoples by 1993. While after extensive lobbying their land was finally recognized in 2005, the community's return was short-lived: shortly afterwards, following pressure from local ranchers, the official demarcation of their territory was blocked by a federal judge and the community found themselves again expelled from their land.

For these reasons, Mato Grosso do Sul has been centre stage for conflict between farmers and the Guarani Kaiowá, in the process costing many indigenous lives. Government economic development policies, often involving large-scale deforestation, have been heavily influenced by the powerful agribusiness interest in parliament. The creation of vast sugar plantations in the region has been a significant driver of indigenous displacement, encouraged in part by the global market for Brazil's sugar, with international companies such as Coca-Cola having been accused of sourcing products from agribusinesses directly implicated in the destruction of indigenous territories in the region. In response, the community has recently begun to peacefully reoccupy their land, though this has often provoked a violent backlash. This included, in 2015, the killing of a young community activist by a gunman, alleged by the community to have been hired by a local farmer.

This protracted displacement, in some cases over multiple generations, has had a profound impact on indigenous communities. In the Dourados reserve, for example, according to Survival International, there are 12,000 Guarani Kaiowá living in not much more than 3,000 hectares as a result of unscrupulous land-grabbing in the area. Inside the reserve, suicide and homicide levels remain extraordinarily high. Indeed, a recent study by the Conselho Indigenista Missionário found that suicide rates in the community had almost tripled in the last three decades, raising them to arguably the highest in the world.

Central to their despair is their loss of land and the limbo the community now finds themselves in. In Mato Grosso do Sul more than 40 indigenous settlements are situated by roads, on the edge of farms or in town peripheries, typically without access to clean water, basic sanitation or safe housing. The roadside settlements are especially dangerous for children, who are often run over by trucks, adding to the already high indigenous child mortality rate in the area.

Nevertheless, though Guarani Kaiowá in Mato Grosso do Sul continue to face deadly attacks, destitution and demoralization, Guarani indigenous communities based in the state of São Paulo recently celebrated an important victory with the official identification in January 2017 of the territory of Pindoty/Araçá-mirim, amounting to more than a thousand hectares, by the Brazilian government. While only a first step in the land demarcation process, which has been stalled for more than a decade, it represents a successful milestone in the Guarani struggle for recognition of their land – though whether this success will be replicated in Mato Grosso do Sul remains to be seen.

working to secure the rights of minorities and indigenous peoples

No escape from discrimination: minorities, indigenous peoples and the crisis of displacement

The world is currently going through an unprecedented era of migration, with tens of millions of people moving to new cities, countries and continents every year. But though the decision to move can be driven by the search for opportunities and a better life, in many cases violence, persecution and other human rights abuses are the primary causes of migration. This is especially the case for minorities and indigenous peoples, who in the context of widespread discrimination can face a distinct experience of migration where their own agency is severely curtailed – one often characterized by further discrimination as entrenched patterns of exclusion are replicated elsewhere.

This report, *No escape from discrimination: minorities, indigenous peoples and the crisis of displacement,* focuses specifically on the situation of minorities and indigenous peoples subjected to this form of forced migration, including its causes, impacts and potential solutions.

Though the most direct and visible examples arise from the mass displacement of particular ethnic or religious communities due to sectarian violence, migration of minorities and indigenous peoples can also result from broader factors such as natural disasters or exclusion. In particular, the report focuses on four key areas - conflict, climate change, nationalism and land rights - where forced displacement among minority and indigenous communities is playing a decisive role in their ability to enjoy their most fundamental human rights.

The report, while calling for a number of positive steps to protect vulnerable communities and provide the means for safe return or resettlement elsewhere, also highlights how displacement is generally the culmination of a protracted process of exclusion that leaves minorities and indigenous peoples particularly vulnerable to eviction, ethnic cleansing and other abuses. Establishing stronger rights protections for all, including minorities and indigenous peoples, rather than building walls or restricting travel, is therefore the only effective way to respond to the reality of displacement and provide a long-term solution to the crisis currently unfolding for these groups.