

## Denounce racism in your parties, UN rapporteur urges Australian leaders

*Mutuma Ruteere warns xenophobic hate speech on the rise, and political leaders need to 'censure this kind of divisive and racist rhetoric' in their ranks*



*Xenophobic hate speech in Australia is leading to negative perceptions of Muslims, people of African descent and Jews, the UN special rapporteur on racism said on Monday. Photograph: Quinn Rooney/Getty Images*

**By Paul Karp**

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Mainstream Australian political leaders need to denounce divisive and racist rhetoric, particularly from members of their own parties, a United Nations expert has said.

The UN special rapporteur on racism, Mutuma Ruteere, made the comments on Monday while releasing a preliminary report on racism in Australia that called for better treatment of Indigenous people in the justice system and retention of race speech laws.

Ruteere said he was “concerned about some remarks made by elected politicians about newly arrived migrants, and in particular against Muslims”.

He said xenophobic hate speech was on the rise, leading to negative perceptions of Muslims, people of African descent and Jews.

Earlier this year One Nation senator Pauline Hanson warned in her maiden speech to parliament that Australia was “in danger of being swamped by Muslims”, and the immigration minister, Peter Dutton, said mistakes had been made in bringing some migrants to Australia during the 1970s, noting that 22 out of 33 people charged with terrorism offences were of Lebanese Muslim background.

Ruteere applauded Malcolm Turnbull’s “unequivocal statement against racism”, but noted some “populist politicians” continued to fan hostility.

“I call upon mainstream political leaders to denounce and censure this kind of divisive and racist rhetoric particularly when made by members of their own political parties and urge those sections of the media to resist the tempting descent into racist and xenophobic stereotyping rhetoric and scapegoating.”

Ruteere said most racist political speech came “from the margins” but warned of the danger that those attitudes “keep moving to the mainstream”.

Ruteere called for the retention of section 18C of the Racial Discrimination Act, which prohibits speech that insults, offends, humiliates or intimidates people based on their race but is subject to fair comment defences in section 18D. The sections are currently under review.

He said removing the provision would “undermine the efforts undertaken by the various levels of governments for an inclusive Australia and open the door to racist and xenophobic hate speech which has been quite limited thanks to this provision”.

Ruteere said the law provided a “useful balance of freedom of speech” with the need to protect racial minorities. He said it was the role of courts to interpret the law, warning against trial by public opinion that would produce “no consensus” about the balance of rights.

The rapporteur said he was “particularly concerned about attacks made by some politicians against the Australian Human Rights Commission” and its president, Gillian Triggs.

Triggs, who will leave her post when her term expires in mid 2017, has been heavily criticised by Coalition MPs who questioned her independence over comments she made in a Senate committee about being misquoted in an interview, then subsequently retracted.

Triggs and the Coalition government have had a fraught relationship over the commission’s handling of section 18C complaints, the release in 2015 of a report critical of treatment of children in detention and an incident in which she was asked to resign by a government official on behalf of the attorney general, George Brandis.

Ruteere noted the commission dealt with more than 20,000 inquiries and 2,000 complaints ever year, the “vast majority” of which were resolved successfully.

The rapporteur said he was concerned about high rates of Indigenous incarceration, and welcomed the royal commission into youth detention sparked by revelations of abuse at the Don Dale detention centre.

He recommended governments “avoid mandatory sentences” and set justice targets where Indigenous people are most disproportionately represented in incarceration.

Ruteere called on the Australian government to constitutionally recognise the “role and rights of its Indigenous peoples ... and to seize this unique opportunity of reconciliation to consider a broader human rights bill”.

He said such a bill need not be decided at the same time as constitutional recognition, but said a “comprehensive act of parliament ... would go a long way in addressing the problems of human rights and discrimination”.

Despite the criticisms, Ruteere acknowledged Australia had a diverse people, a strong commitment by the government to multiculturalism and achieved relatively good integration of migrants into society.

The preliminary findings will be followed by a report to the UN Human Rights Council in 2017.