



Northern Ireland  
**Council for  
Racial Equality**

**NICRE & ALL PARTY GROUP ON ETHNIC  
MINORITY COMMUNITY  
JOINT SUBMISSION  
TO  
NI AFFAIRS COMMITTEE  
ON  
“EXPERIENCE OF MINORITY ETHNIC AND  
MIGRANT PEOPLE IN NORTHERN  
IRELAND INQUIRY”**

**May 2021**

## Introduction

NICRE is a black led membership based organization. It is currently had 18 ethnic minority and migrant organizations as well as individuals' members. NICRE was set up to continue the policy work of the previous NICEM (NI Council for Ethnic Minority) which was under voluntary administration in November 2016. The former Executive Director, Dr Patrick Yu OBE, is now the Secretary of NICRE, was the first group to give evidence before the NI Affairs Committee on Hate Crime in 2003. It is long overdue to look at the experience of ethnic minority and migrant community in Northern Ireland.

The All Party Group on Ethnic Minority Community was set up in 2007 to look at issues and concerns facing by the BME and migrant community. It has been sponsored a number of Assembly Motion Debate such as Racial Equality Strategy on 3 July 2007<sup>1</sup>, 26 May 2009<sup>2</sup> and more recently the Chair of the APG, Dr Steve Aiken MLA OBE, sponsored the Private Member's Bill on Hate Crime.

We welcome the inquiry on the experience of minority ethnic and migrant people in Northern Ireland. It is long overdue. At the same time, we need to look at the local, national and regional politics. The recent resignation of both the Democratic Unionist Party as Leader and the First Minister, Arlene Foster, will have repercussions in the Northern Ireland Assembly, the UK Parliament as well as other regional institutions. The Brexit and the Irish Sea border are opposed by the two unionist political party and more alarming by the Loyalist paramilitary groups. The Republicans paramilitary group acts to set bomb in Derry/Londonderry. These could contribute to the destabilize our society.

## Experience of ethnic minority and migrant people living in Northern Ireland

### 1. Institutional and Structural Racism

Disparities do persist. Racism and discrimination remain a factor in shaping people's life outcomes, and the adherent attitudes continues in our society's institution and increasingly online. Institutional and Structural Racism continue to add the experience of BME and migrant people living in Northern Ireland. The McPherson Report defines **Institutional Racism** as

**“The collective failure of an organisation to provide an appropriate and professional services to people because of their colour, culture or ethnic origin which can be seen or detected in processes; attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.”**  
**(McPherson Report 1999)**

The government evidence confirms that institutional racism does not existing is frankly disturbing. We challenge the Race and Ethnic Disparities Commission in its recent published

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<sup>1</sup>file:///Users/patrickyu/Dropbox/NI%20Assembly/Motion%20Debate/Racial%20Equality%20Strategy%20The%20Assembly%20-%20Official%20Report%2003:072007.html

<sup>2</sup> <http://archive.niassembly.gov.uk/record/reports2008/090526.htm#a11>

Report which forced Tony Sewell to resign. We also asked in particular Samir Shah to resign immediately as he and Tony Sewell were the former Chair of Black Think-Tank Runnymede Trust over two decades. We also ask the entire Commission to resign who could no longer represent ethnic people. Dr Halima Begum, the Chief Executive of Runnymede Trust questioned the suitability of the two former Chair.

The Commission continuously uses rhetoric which pits the white working class against ethnic minorities, suggesting that for the white working class the 'door may be only half open'. This Commission lost the confidence of ethnic minority communities when Tony Sewell was appointed to lead it, a figure who had previously asserted that institutional racism does not exist, and whose commitment to the wider equality's agenda was questionable.

Sewell report is historically illiterate<sup>3</sup>. And though our education on these issues may indeed, have been what David Olusoga condemns as "Wilberforce-centric", it was nevertheless, morally admirable and effective so that, even in the 1960s, most schoolchildren believed that slavery was an obscenity on a par with the Holocaust, that colonialism had a dubious legacy and that the empire was a jingoistic joke.

By denying the evidence of institutional racism and tinkering with issues like unconscious bias training and the use of the term 'BAME', the government have insulted not only every ethnic minority in this country – the very people who continue to experience racism on a daily basis – but also the vast majority of the UK population that recognize racism is a problem and expect our government, whether it is Central or our Regional NI, to contribute to eradicating it.

As No 10's special adviser for civil society, Samuel Kasumu, resigned recently. He first attempted to resign earlier this year. At that point a leaked letter to the prime minister shows Kasumu raised concerns about the conduct of Kemi Badenoch, the equalities minister, after she publicly criticized black journalist on social media.

## **2. Experiences of ethnic minority and migrant people living in Northern Ireland**

The UN Committee on Racial Discrimination (CERD) on 26<sup>th</sup> August 2016 published the Conclusion observation on UK periodic reports<sup>4</sup>. Mr. Patrick Yu, the former Executive Director of NICEM addressed to the CERD members with dialogue about his concerns. This crucial roles as an NGOs to voice out the most vulnerable groups in our society such as asylum seekers and refugees, Irish Travellers, as well as intersection of gender and race. We raise it in my oral statement and additional information in post oral statement which reflects our members' concern, in particular Bronko Bronko (Women Refugee Group), Irish Travellers and Gypsy Network and BME Women's Network.

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<sup>3</sup> <https://www.theguardian.com/commentisfree/2021/apr/02/sewell-race-report-historical-young-people-britain>

<sup>2</sup> [https://nicre.org/wp-content/uploads/2018/07/CERD\\_C\\_GBR\\_CO\\_21-23\\_24985\\_E.pdf](https://nicre.org/wp-content/uploads/2018/07/CERD_C_GBR_CO_21-23_24985_E.pdf)

<sup>3</sup> <https://nicre.org/wp-content/uploads/2018/07/PY-Oral-Statement-at-CERD-on-3-August-2016.pdf>

He said that “Regrettably our Northern Ireland Executive Government failed to supply all basic data and information under Article 2 to 7 of the Convention except what measures they have been introduced in this report. Without basic information and data set, we cannot benchmark the progress of the Convention in Northern Ireland and indeed across the whole United Kingdom or do we know whether these measures have any impacts? **How on earth ethnic minorities could enjoy the progressive realization of rights, if no benchmark data collected.**”<sup>5</sup>

Para. 13 “... the Committee expresses concern that data are neither collected systematically in all fields where racial discrimination exists, nor uniformly across the State party’s jurisdiction, most notably in Northern Ireland... It is also concerned at the lack of systematic and effective use of data to develop policies to tackle racial discrimination... The Committee also notes the concern that a shift of the State party’s policies away from special measures that are targeted specifically towards vulnerable groups may, in the present circumstances, exacerbate the existing inequalities on the grounds of race, colour, descent, or national or ethnic origin (art. 2).”

The Committee further requested the UK government in Para. 14 “Given the importance of collecting accurate and updated disaggregated data to develop effective policies to combat racial discrimination and to monitor the impact of measures taken, the Committee recommends that the State party ensure that the governments of Northern Ireland, Scotland, Wales, the British Overseas Territories and the Crown dependencies systematically collect and publish disaggregated data on the enjoyment of rights by members of ethnic minorities in all fields of life, and to include such information in the next periodic report. The Committee also recommends that the State party:

- **Carefully review the impact of existing policies and programmes aimed at promoting integration so as to ensure that they do not constitute indirect discrimination;**
- **Consider adopting a detailed action plan with concrete targets, monitoring mechanisms and sufficient resources, including temporary special measures, to secure the adequate advancement of certain ethnic groups to ensure that persons belonging to such groups are able to enjoy their rights on an equal footing, taking into account the Committee’s general recommendation No. 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination”**

### **3. Challenges that ethnic minority and migrant people living in Northern Ireland**

When I was before this Committee in 2004 on Hate Crime Inquiry<sup>6</sup>. NICEM was subsequently published its first hate crime report “The Next Stephen Lawrence? Racist Violence and Criminal Justice in NI” in June 2006.<sup>7</sup> The author, Dr Robbie McVeigh used one of the two hundred plus cases supported by NICEM between 2003-2006 and interviewed the couple.

*“In September my husband returned from Nigeria. He had gone over there because there had been a bereavement in his family. On his return home he was immediately greeted with racist abuse from*

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<sup>6</sup> <https://publications.parliament.uk/pa/cm200405/cmselect/cmniaf/548/54804.htm>

<sup>7</sup> <https://nicre.org/wp-content/uploads/2018/07/the-next-Stephen-report.pdf>

*local youths in the area shouting at him and taunting him. This was very difficult for my husband as it was in stark contrast to his experience in Nigeria where he was treated with respect. Within months of his return from Nigeria my husband was diagnosed with high blood pressure and diabetes. My husband attributed the onset of these conditions to the intimidation and persistent attacks on our home and us. My husband's mental state was very poor and he was afraid that he would snap and he decided that he could no longer remain in Northern Ireland. He felt that our complaints to the police were not being taken seriously. They could not guarantee the safety of our family. My husband was physically assaulted by youths throwing stones and water balloons on numerous occasions and **he did not want to remain to be the next Stephen Lawrence.**"*  
(NICEM client)

*"I think that that's what will probably happen, somebody is going to get killed. Racist harassment is going to happen until there's somebody from the ethnic minorities that does get killed and then they will start pushing for new laws and trying to do something - but as we all know, that is going to be too late...."*  
(NICEM client)<sup>8</sup>

Nothing has been changed since the Next Stephen Report and Race and Criminal Justice in Northern Ireland Report: Towards a Blueprint for the Eradication of Racism from the CJSNI in January 2013.<sup>9</sup> In our submission<sup>10</sup> to the UN Committee on Racial Discrimination, we highlighted **"Disturbingly, there is a paramilitary component to racist hate crime in NI, with both the PSNI and the Northern Ireland Affairs Committee acknowledging 'significant loyalist paramilitary involvement in racist violence'"**<sup>11</sup>.

CERD in Para. 15 stated that:

"The Committee is seriously concerned at the sharp increase in the number of racist hate crimes especially in England, Wales and Northern Ireland in the weeks prior to and following the referendum on the membership of the European Union held on 23 June 2016. In particular, the Committee is deeply concerned that the referendum campaign was marked by divisive, anti-immigrant and xenophobic rhetoric, and that many politicians and prominent political figures not only failed to condemn it, but also created and entrenched prejudices, thereby emboldening individuals to carry out acts of intimidation and hate towards ethnic or ethno-religious minority communities and people who are visibly different. The Committee remains concerned that despite the recent increase in the reporting of hate crimes, the problem of underreporting persists, and the gap between reported cases and successful prosecution remains significant. As a result, a large number of racist hate crimes seem to go unpunished. It also remains concerned at the negative portrayal of ethnic or ethno-religious minority communities, immigrants, asylum-seekers and refugees by the media in the State party, particularly in the aftermath of terrorist attacks, as well as the rise of racist hate speech on the Internet. Notwithstanding these challenges, the Committee regrets that the State party continues to maintain its interpretative declaration on article 4 of the Convention (arts. 2, 4 and 6)."

In Para. 16 it recommends the followings:

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<sup>8</sup> Ibid. p.7

<sup>9</sup> [https://nicre.org/wp-content/uploads/2020/07/Race\\_and\\_Criminal\\_Justice\\_2013.pdf](https://nicre.org/wp-content/uploads/2020/07/Race_and_Criminal_Justice_2013.pdf)

<sup>10</sup> <https://nicre.org/wp-content/uploads/2018/07/NICEM-CERD-Alternative-Report-2016-Edit.pdf>

<sup>11</sup> Committee for Justice, 'Report on the Committee's Inquiry in the Criminal Justice Services Available to Witnesses and Victims of Crime in Northern Ireland' (2012), para.683

**“(a) Investigate all reported acts of racist hate crimes, prosecute and punish the perpetrators with sanctions commensurate with the gravity of the offence, and provide effective remedies to victims;**

**(b) Systematically collect disaggregated data on hate crimes, ensure that measures to combat racist hate crimes are developed with the meaningful participation of affected groups, and undertake a thorough impact assessment of the measures adopted to ensure their continued effectiveness;**

**(c) Adopt concrete measures, in consultation with affected groups, to increase the reporting of racist hate crimes by ensuring that the reporting mechanism is transparent and accessible, and that victims have trust in the police and the justice system;**

**(d) Taking into account the Committee’s general recommendation No. 35 (2013) on combating racist hate speech, adopt comprehensive measures to combat racist hate speech and xenophobic political discourse, including on the Internet, particularly with regard to the application of appropriate sanctions, and ensure that public officials not only refrain from such speech but also formally reject hate speech and condemn the hateful ideas expressed so as to promote a culture of tolerance and respect;**

**(e) Take effective measures to combat racist media coverage, taking into account the Committee’s general recommendation No. 35 (2013) on combating racist hate speech, and ensure that such cases are thoroughly investigated and, where appropriate, sanctions are imposed. “**

**The European Commission Against Racism and Intolerance (ECRI) of the Council of Europe adopted ECRI Policy Recommendation No. 11 on Combating Racism and racial discrimination in Policing on 29<sup>th</sup> June 2007. It recommends the followings: 1. As concerns racial profiling; 2. As concerns all forms of racial discrimination and racially-motivated misconduct by the police; 3. As concerns the role of the police in combating racist offences and monitoring racist incidents; and 4. As concerns relations between the police and members of minority groups.<sup>12</sup>**

There are other issues such as Black Lives Matters in which we are the only region that Police Service Northern Ireland used COVID law to prosecute organizers and peaceful demonstrators who wore facemask with social distance.

#### **4. The “discriminatory” nature of hate crime**

The Chair of the All Party Group on Ethnic Minority Community, Dr Steve Aiken MLA OBE, has sponsored the Private Member’s Bill on Hate Crime in February 2020. In his Irish News<sup>13</sup> interviews he warned the Justice Minister Naomi Long MLA in her plan to introduce legal protection on hate crime is too late until next Assembly which have already been outpaced by extensions to legislation in England and Wales. The Justice Minister has received a comprehensive report from Judge Desmond Marrinan who chaired the Independence Review on Hate Crime in last December. However, the Law Commission in England and Wales published their consultation paper on the Hate Crime Final Paper in September 2020 which is much more progressive than that proposed by Judge Marrinan.

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<sup>12</sup> <https://nicre.org/wp-content/uploads/2018/07/First-decade-fighting-against-racism-speech.pdf>

<sup>13</sup> <https://www.irishnews.com/news/northernirelandnews/2021/02/18/news/-bring-in-race-hate-crime-before-it-is-too-late---assembly-members-urge-justice-minister-naomi-long-2227302/>

## What is the proposed purpose or policy objective?

The purpose is to consolidate the existing laws on hate crime in England, Wales and Scotland which do not apply to Northern Ireland as well as the EU Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, 28 November 2008 in order to fulfil the UK Government obligations under EU Charter of Fundamental Rights as well as international human rights standards which was identified in the Belfast/Good Friday Agreement and the subsequent signed Brexit Agreement and the annexes to Northern Ireland.

We propose to use the “group selection” model also known as the ‘discriminatory model’. An offender must have “selected” his or her victim because of victim’s protected group characteristics. Evidence of the offender’s prejudiced or bias motivation is not required. Instead, it is considered that, by virtue of specifically targeting a victim because of the victim’s identity characteristics, the offender has evinced prejudice or bias towards that individual. For example, the Criminal Code in Illinois read as follows:

“Sec. 12-7.1. Hate crime

- (a) A person commits hate crime when, **by reason** of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individuals, regardless of the existence of any other motivating factor or factors, he commits assault, battery, aggravated assault, misdemeanor theft, criminal trespass to residence, misdemeanor criminal damage to property, criminal trespass to vehicle, criminal trespass to real property, mob action, disorderly conduct, harassment by telephone, or harassment through electronic communication...”<sup>14</sup>

In our Briefing Paper: The Reform of Hate Crime Law in NI- Hate Speech & Negationism<sup>15</sup> that based on the Framework Decision on Racism and Xenophobia (Framework Decision).<sup>16</sup> The uniformity of the Union law requires Member States to ensure that hate speech with intentional conduct is punishable when directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin:

- Publicly inciting to violence or hatred, including by public dissemination or distribution of tracts, pictures or material;
- Publicly condoning, denying or grossly trivializing
  - Crimes of genocide, crimes against humanity and war crimes as defined in Article 6, 7 and 8 of the Statue of the International Criminal Court (ICC) or
  - The crimes defined in Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945.

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<sup>14</sup> France, Bulgaria and Denmark use a version of the discriminatory selection model: see OSCE, Hate Crime Laws – A Practical Guide (Warsaw: OSCE, 2009).

<sup>15</sup> <https://nicre.org/wp-content/uploads/2019/09/The-Reform-of-Hate-Crime-Law-in-NI-Part-II-Final.pdf>

<sup>16</sup> Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, 28 November 2008.

According to the international best practice from Article 20 of the International Covenant Civil and Political Rights and Article 4 of the International Convention for the Elimination of all forms of Racial Discrimination as well as the European Commission against Racism and Intolerance of the Council of Europe provides a comprehensive analysis which identifies issues and concerns to reform the current law that based on the legal case study. We endorse his approach and form the basis to reform the hate crime law in the context of incitement to violence and hatred whether it is a speech or a behaviour.

#### **5. Steps UK Government can take to help ensure effective racial equality legislation in Northern Ireland**

In my oral statement at the UN CERD I stated that: “Devolution in the UK created a national Parliament in Scotland, a national Assembly in Wales and a national Assembly in Northern Ireland. This process transferred, and continues to transfer, varying levels of power from the UK Parliament to the 4 nations of the devolved administration. This complex transfer of power disguise the United Kingdom as a whole in terms of law, policy and practice under the Convention obligation for full implementation to all the devolved governments.”

**We urge the CERD as the matters of urgency to ask the 4 nations of the UK government in the future report to provide information on all areas of devolved policy and good practice within their jurisdiction in order to compile with the Reporting mechanism of the Convention.**

In Para. 7 about **Implementation of the Convention**, CERD said that:

“The Committee notes that the State party maintains its position that there is no obligation to incorporate the Convention into domestic law. It reiterates its concern that the provisions of the Convention have not been given full effect in the State party and throughout the overseas territories and Crown dependencies. In particular, it expresses concern that several provisions of the Equality Act 2010 have not yet been brought into legal effect, including Section 9(5)(a) on caste-based discrimination and Section 14 on dual discrimination. It also reiterates its concern that the Equality Act 2010 does not apply to Northern Ireland, where comprehensive anti-discrimination legislation has yet to be adopted (arts. 1 and 2).”

It further state that:

“The Committee recommends that the State party ensure that the principles and the provisions of the Convention are directly and fully applicable under domestic law in England, Northern Ireland, Scotland and Wales, as well as the overseas territories and Crown dependencies. In particular, the State party should:

**(a) Invoke Section 9(5)(a) of the Equality Act 2010 without further delay to ensure that caste-based discrimination is explicitly prohibited under law and that victims of this form of discrimination have access to effective remedies, taking into account the Committee’s general recommendation No. 29 (2002) on descent;**

**(b) Taking into account the Committee’s general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination, ensure that equality legislation in all jurisdictions of the State party provide effective protection to victims of dual or multiple discrimination, including, in the case of England, Scotland and Wales, by bringing into force Section14 of the Equality Act2010 on dual discrimination;**

(c) Ensure that the authorities of Northern Ireland act without further delay to adopt comprehensive legislation prohibiting racial discrimination in accordance with the provisions of the Convention.”

Therefore, we urge the Northern Ireland Affairs Committee, as a matter of urgency, to ensure the UK Government introduces the race law to Northern Ireland that mirrors the Race Relations (Northern Ireland) Order 1997.

#### 6. Four dimensions of racism in Northern Ireland

Based on the experience in Northern Ireland, racism can be seen to operate in our society in four dimensions: 1. denigratory stereotyping, hatred and violence; 2. a cycle of disadvantage; and 3. the negation and even obliteration of culture, religion or language; 4. exclude, expel or repatriate<sup>17</sup>. I use my speech ten years ago on four dimensions of racism to conclude this submission.

#### Denigratory stereotyping, hatred and violence

It is not about objective characteristics, but about relationships of domination and subordination. To put it into the local political context it is the territorial issue. It is the hatred of the “Other” in defense of “Self”. It was perpetrated and legitimated through images of the “Other” as inferior, abhorrent, even sub-human. The “Yellow People” leaflet distributed in Donegall Pass is a good example. I quote the followings from the leaflet:

“These immigrants occupy a vast amount of our houses stopping any Protestant families moving in that would be more beneficial for the betterment of our community in all aspects of community life. The overwhelming mass of Chinese immigrants in Donegall Pass are driving our youth to move out of the area where they were reared, because they see no future for them in the Chinatown/Donegall Pass. The Chinese only take from our community and provide nothing for it. These foreign immigrants have no sense of Christian values or decency and have no respect at all for our community.

**I firmly believe that it is our duty to defend our community and our Protestant way of life within it.** The influx of the yellow people into Donegall Pass has done more damage than 35 years of the IRA’s recent campaign of republican propaganda and violence waged against the Protestant community of Donegall Pass.....”<sup>18</sup>

This view is not just the loyalist paramilitary UVF who made and distribute the leaflets. It is also shared by majority local community based on false information. The White Nationalist Party leaflet described asylum seekers as bogus and also shared the same by the local majority.

Another good example is the recent arrival of migrant workers from Portugal, Eastern Europe EU countries and overseas nurses (predominant from Philippine) in our health care system,

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<sup>17</sup> Patrick Yu, First Decade Fighting Against Racism, speech at NICEM 10<sup>th</sup> Anniversary, 25<sup>th</sup> May 2007.

<sup>18</sup> See the then Leader David Ervine of PUP condemns the leaflets.

both public and private. The fear of outsiders taking insiders' jobs means that the local people need to defend themselves, not just the jobs but also their cultures and identities. As a result, petrol bomb and pipe bomb were thrown into houses of migrants, racist attacks have been widely reported in those areas where they are working and living.

Interestingly the post-September 11 not only does it have more attacks against Muslim alike (local people have no distinction between Sikh and Muslim who wear turban. It also transforms the international conflicts between Palestine and Israel into local sectarian politics. Therefore, it is not surprising that the loyalist areas display the Israel flag and the republican areas display Palestine flag to show their support. More interestingly Combat 18, the extreme UK right wings group disassociate with the UDA and UFF as the result of the Israel flag.

### **A cycle of disadvantage**

Polices, through immigration law, aimed at ensuring that newcomers remain in such jobs are justified and apparently legitimated by characterizing workers as inferior, not fit for any other work or preferring to remain as they are. In general, migrant workers are working in an insecure employment with low pay in Northern Ireland.

On the other hand, the long settled Chinese community works exclusively in catering business and the same Asian community works also exclusively in catering and shops or as traders to sell goods. These are typical economic segregation. At the same time, we have the highest unemployment rate in Northern Ireland within the Travellers community.

### **Racism as assimilation**

The issue of access to the basic public services due to language, cultural or religious barriers in addition to unfamiliar to the local system create a much disadvantage position in our society. This links, intrinsically, to the wider issue of institutional racism as the McPherson Report defined as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin which can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.”

Racism is insensitive to diversity between ethnic groups. Thus, it is not uncommon to refer to “ethnic minorities” as a homogeneous group, without noting the differences between those groups. The assumption of an undifferentiated “Other” assumes that a group has a fixed essence, and that individuals can be wholly defined by their membership of their group. This in turn makes it easy to stereotype individuals, often linking their group identity to denigratory ascriptions. Such essentialism creates a rigid and static view of culture, described from the outside, ignoring the dynamic evolution of culture and religion.

In addition, while membership of a cultural or religious group is an important aspect of people's lives, many people belong to several different overlapping and intersecting groups. It is therefore more appropriate to speak, not of racism but of multiple racism (disabled Muslim women).

### **Racism as exclusion**

This most usually takes the form of immigration controls, which frequently impact most heavily on people from the Third World. Ironically, strict immigration control is often justified as the necessary complement to “good race relations at home”. Race discrimination legislation in

Great Britain was coincident with the imposition of stricter immigration control, and it may be no accident that the EU Race Equality Directive came soon after the agreed imposition of immigration control around "Fortress Europe". Therefore, it is not uncommon in the UK immigration law to invoke citizenship exception to legitimate the treatment of aliens as second-class people, often with racist implications.

A similar manifestation is in the current attitudes in Great Britain, to certain extent in Northern Ireland, to asylum seekers. Those seeking refuge in Great Britain and end up in Northern Ireland for political reasons, and therefore not viewed as performing an economically useful role and in fact they are banned from work, are characterized as bogus, cream off our benefit system, manipulative and unwelcome intruders.

**Address Racism: racism is the violation of human rights and fundamental freedoms**

In order to address racism, we need to shift the focus from non-discrimination to human rights protection and the equality principles under human rights. It is about mainstreaming race into government policy and practice and the positive duty of the state to ensure that fundamental rights are guaranteed without discrimination and distinction. It is also the use of affirmative action to redress the inequality of the past and the social institutions, as well as disadvantage position of ethnic minorities in our society. It is also the recognition, acceptance and accommodating social and cultural differences of minority ethnic people in our society.

**Firstly, we need to break the cycle of disadvantage of ethnic minority. It must be asymmetric and targets disadvantage of groups. It should place the importance of the equality of result, rather than the usual equality of opportunity. Equally important is to equalising capability of minority ethnic people in order to have more power of influence and the issue of equitable redistribution of resources.**

**Secondly, we need to promote dignity and worth for all. Dignity means equal recognition at law as human beings. There is no superiority or inferiority. It is about dignity and worth for all. It is never be acceptable to denigrate the dignity of any individual. Dignity does not connote an isolated, sovereign individual; but a relationship between individual and community. It is a relationship that resolves conflicts within the community and to the wider extent to the society. Dignity also addresses the inequality of power and status in our social institution. Reverse discrimination does not infringe dignity but creates a social condition to achieve dignity for all.**

**Thirdly it is the affirmation of community identity in order to promote wider diversity in our society. There is no abstract and universal individual. Individuals partly constituted by group membership no matter what community background constituted. The group membership maximises positive consequences of social capital, namely mutual support, cooperation, trust and institutional effectiveness. It also minimises negative manifestations of sectarianism, ethnocentrism and corruption. A group rights approach can and should solve racism and the conflicts in our society in a much more imaginative way.**

**The last but not the least is to be facilitating full participation in society. This is the only meaningful means to compensate for the absence of political power or the democratic deficit in our society. Participation, therefore, is an indicator in achieving equality. Or put it into another way: equality principle is to promote wider participation for those disadvantage groups in our society.**

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