



General Assembly

Distr.: General
23 November 2023

English only

Human Rights Council

Fifty-third session

19 June–14 July 2023

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 May 2023]

* Issued as received, in the language of submission only.



Discrimination against African Migrants in Europe

Migration remains a contentious issue in Europe, and EU politicians still tend to prioritize concern for the local interest rather than seeking practical compromises that might help forge a common approach, which drives it to maintain the idea of a "Fortified Europe" and it's not considered a coherent policy.

African migrants in Europe face racist attacks, exploitation and discrimination at work, as well as structural barriers to getting employment in the position of the first rank, in addition to hate speech. They hear politicians and far-right terrorist groups say they pose a threat to Europe, describe them as criminals, infiltrators, and rapists, and should be barred from entering at whatever cost or policy they can.

Politicians and other high-ranking officials classified African migrants who need humanitarian protection in Europe, as economic or illegal migrants. They were also subjected to widespread discrimination. These measures reinforce crimes and impunity. The rise of parties and far-right terrorist groups across Europe shows how successful they are in defining the tone of the migration debate, and this has led to anti-migrant rhetoric and policies being considered accepted and generalized in the political scene.

In light of the above, Elizka Relief Foundation reviews abuses directed against African migrants by European governments, including policies taken, and far-right parties in many countries as follows:

The United Kingdom of Great Britain and Northern Ireland:

The United Kingdom of Great Britain and Northern Ireland is considered one of the controversial countries in its statements and policies against African migrants or people of African descent in general, and this is due to the racism that is still deeply ingrained in British migration laws and the keenness to keep white the United Kingdom of Great Britain and Northern Ireland as a priority, even if it is not explicitly stated. The United Kingdom of Great Britain and Northern Ireland has proven its institutional failure in dealing with racial discrimination against black people, and this was confirmed by the Working Group on People of African Descent during its visit to the concerned country(1), and such practices towards migrants from African countries are even more exacerbated. The United Kingdom of Great Britain and Northern Ireland Home Office has been criticized by members of the British Sudanese community for the racist refugee system, as it has developed policies that affect people seeking safety, and discrimination has appeared in the refusal to provide the level of sanctuary and safety for the Sudanese refugees compared to white Ukrainians.

Some official data indicated that blacks are seven times more likely to die following police restraint, which confirmed that the British system of investigating deaths after contacting the police fails black families(2), an apparent reference to institutional racism by police.

The mistreatment of African migrants working in agriculture was mentioned, as a South African woman reported a series of problems faced by migrants with a visa, such as not going to the toilet for fear of being beaten, insulted, and screamed at her; working in strong winds; not Having proper healthcare; and drowning in debt, some of her colleagues were threatened by recruiters with deportation or blacklisting(3).

This is in addition to a draconian new anti-refugee bill introduced by the Home Secretary on March 7, 2023, which will effectively criminalize anyone who arrives into the country illegally and remove them with no recourse to judicial review. Once it becomes law, it will affect thousands of Africans who undertake the Channel crossing from France(4).

Italy:

Italy is considered one of the countries that practice severe repression on African migrants, and it was subjected to pressure from the European Union and the Supreme Administrative Court in the Kingdom of the Netherlands due to the various violations reported by migrants there.

A case was brought by two migrants from Nigeria and Eritrea; the Nigerian applied for asylum three times in Italy, and the other man arrived in Italy but didn't seek asylum there(5), and the failure to receive migrants resulted in a lack of access to shelter, food, and water. Those charges have grown because of the arbitrary laws they impose on migrants, as the Italian Parliament has enacted a decree to crack down on irregular migration, under the Cutro decree. This legislation limits protection status that Italian authorities can grant to migrants who do not qualify for asylum, including health care, access to employment, language courses and legal advice at reception centers(6). Elizka Relief Foundation is concerned that this has a devastating impact on the rights of African migrants, including access to fair asylum procedures and freedom of movement.

On March 26, 2023, an aid ship for migrants has been seized by Italian authorities for allegedly violating new migrant rescue protocols enacted by the country's far-right government. Under new Italian legislation, fines of up to €50,000 are applied to detained ships. According to Tunisia's coast guard, bodies of at least 29 migrants from Sub-Saharan Africa who were attempting to cross the Mediterranean Sea to Italy were found in sea(7), at a time when Italy seeks to intensify efforts to prevent those trying to enter Europe by sea.

Italian Football's federation inability to combat racism against players from African migrants, as a player in an Italian club was subjected to racist abuse in a match that took place on April 4, 2023, as it included cheers by some fans, some of whom described him as a "monkey". This is not new, as Premier League players have received many threats and abuses, with widespread abuse of social media, racist chants and personal threats(8).

Recommendations:

1. We call on the Special Rapporteur on the Rights of Migrants to look at the institutional and legal difficulties facing African migrants in European countries, including pressure on governments to include human rights in the application of migration law.
2. We call on the United Kingdom of Great Britain and Northern Ireland and Italian authorities to abandon their policy of discrimination and treat all migrants equally, whether by police agencies or migrant authorities.
3. We call on the United Kingdom of Great Britain and Northern Ireland government to stop the law that was informed to Parliament criminalizing entry into the country, or to introduce amendments to it to suit the situation of African countries in which there are humanitarian crises and conflicts.
4. We call on the Italian government to provide health, protection, and food services in reception centers without conditions.
5. We call on the Italian government to reduce the fines that are applied to the detained relief ships, and to allow them to dock in the areas most in need of relief.

(1) UK failing to address systemic racism against black people, warn UN experts, The Guardian, 27 Jan 2023, <https://bit.ly/3OtLy36>

(2) NEW REPORT: Black men seven times more likely to die following police restraint but racism not being addressed, Inquest, 20 Feb 2023, <https://www.inquest.org.uk/police-racism-report-2023>

(3) They treat you like an animal': How British farms run on exploitation, The Bureau of Investigative Journalism, 27 March 2023, <https://bit.ly/3MJLYBi>

(4) UK slams the door on illegal migrants, New African, 9 March 2023, <https://newafricanmagazine.com/29152/>

(5) Dutch Court Bars Return of African Migrants to Italy, US News, 26 April 2023, <https://bit.ly/3Iws3Dv>

(6) Italy: New law curtails migrants' rights, DW, 9 May 2023, <https://bit.ly/45oqIbF>

(7) The inhumanity defies words': Italy seizes Banksy-funded migrant rescue ship as dozens drown, The African, 28 March 2023, <https://bit.ly/421CqWC>

(8) ALVISE CAGNAZZO IN ITALY: Juve fans racially abusing Romelu Lukaku is another abhorrent incident in Italian football... politicians seem SCARED to act but it's time for action in a country that continually denies and ignores this disgusting issue, Daily Mail, 6 April 2023, <https://bit.ly/3BQqCM4>