

Make Xenophobia a Hate Crime

Submitted by Robert Liow

Conference believes:

1. International students and other migrants face nationality-related harassment and violence (xenophobia), which includes but goes beyond race-based discrimination and harassment.
2. The Brexit referendum resulted in the largest spike in hate crime on record. Regardless of the outcome of Brexit in March 2019 there is likely to be a similar response.
3. The NUS has paused funding to the International Students' Officer for 2019/20¹.
4. Currently, while race is a protected characteristic under the Equality Act 2010, nationality is not.
5. The Law Commission is currently reviewing hate crime laws, including "the existing range of protected characteristics, identifying gaps in the scope of the protection currently offered and making recommendations to promote a consistent approach."

Conference further believes:

1. Regardless of race, no person, student or not, should be the subject of xenophobia.
2. Criticism, protest or boycott of a state or a person who is defending or condoning its behaviour should not be considered xenophobia.
3. If the remit of the International Officer is transferred to a NUS Vice-President, National Conference can pass policy defending international students.
4. While the ideal solution to xenophobia is to eliminate its roots, an interim solution to the problem is urgently required.
5. Recognising xenophobia as a separate hate crime will send a message that it is unacceptable and give international students another avenue of legal recourse.

Conference resolves:

1. To work with student unions and partners in the education sector and government to lobby the Law Commission for xenophobia to be recognised as a separate category of hate crime.
2. To support student unions in supporting students who are victims of xenophobia.

¹ https://nusdigital.s3-eu-west-1.amazonaws.com/document/documents/46295/ef759eaa92b6a6d2c288dd3880303085/Letter_to_all_NUS_members_22_January_2019_-_Turnaround_update.pdf