**ATLANTIC INTERNATIONAL UNIVERSINTY**



**MASTERS IN PSYCHOLOGY AND COUNSELLING IN ADDICTION AND VIOLENCE**

**TOPIC**

Human Rights 2: Discrimination

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**INTRODUCTION**

Discrimination strikes at the very heart of being human. It is harming someone’s rights simply because of who they are or what they believe. Discrimination is harmful and perpetuates inequality.

We all have the right to be treated equally, regardless of our race, ethnicity, nationality, class, caste, religion, belief, sex, gender, language, sexual orientation, gender identity, sex characteristics, age, health or other status. Yet all too often we hear heartbreaking stories of people who suffer cruelty simply for belonging to a “different” group from those in positions of privilege or power.

**DISCRIMINATION**

Discrimination occurs when a person is unable to enjoy his or her human rights or other legal rights on an equal basis with others because of an unjustified distinction made in policy, law or treatment. Amnesty International’s work is rooted in the principle of non-discrimination. Working with communities across the world, we challenge discriminatory laws and practices to ensure all people can enjoy their rights on an equal basis.

**Discrimination can take various forms:**

Direct discrimination is when an explicit distinction is made between groups of people that results in individuals from some groups being less able than others to exercise their rights. For example, a law that requires women, and not men, to provide proof of a certain level of education as a prerequisite for voting would constitute direct discrimination on the grounds of sex.

Indirect discrimination is when a law, policy, or practice is presented in neutral terms (that is, no explicit distinctions are made) but it disproportionately disadvantages a specific group or groups. For example, a law that requires everyone to provide proof of a certain level of education as a prerequisite for voting has an indirectly discriminatory effect on any group that is less likely to have achieved that level of education (such as disadvantaged ethnic groups or women).

Intersectional discrimination is when several forms of discrimination combine to leave a particular group or groups at an even greater disadvantage. For example, discrimination against women frequently means that they are paid less than men for the same work. Discrimination against an ethnic minority often results in members of that group being paid less than others for the same work. Where women from a minority group are paid less than other women and less than men from the same minority group, they are suffering from intersectional discrimination on the grounds of their sex, gender and ethnicity.

**Toxic rhetoric and demonization**

The politics of demonization is on the march across many parts of the world. Political leaders on every continent are advocating hatred on the grounds of nationality, race or religion by using marginalized groups as scapegoats for social and economic ills. Their words and actions carry weight with their supporters; the use of hateful and discriminatory rhetoric is likely to incite hostility and violence towards minority groups.

**WHAT DRIVES DISCRIMINATION?**

At the heart of all forms of discrimination is prejudice based on concepts of identity, and the need to identify with a certain group. This can lead to division, hatred and even the dehumanization of other people because they have a different identity.

In many parts of the world, the politics of blame and fear is on the rise. Intolerance, hatred and discrimination is causing an ever-widening rift in societies. The politics of fear is driving people apart as leaders peddle toxic rhetoric, blaming certain groups of people for social or economic problems.

Some governments try to reinforce their power and the status quo by openly justifying discrimination in the name of morality, religion or ideology. Discrimination can be cemented in national law, even when it breaks international law – for example, the criminalization of abortion which denies women, girls and pregnant people the health services only they need. Certain groups can even be viewed by the authorities as more likely to be criminal simply for who they are, such as being poor, indigenous or black.

**SOME KEY FORMS OF DISCRIMINATION**

Racial and ethnic discrimination

Racism affects virtually every country in the world. It systematically denies people their full human rights just because of their colour, race, ethnicity, descent (including caste) or national origin. Racism unchecked can fuel large-scale atrocities such as the 1994 genocide in Rwanda and more recently, apartheid and ethnic cleansing of the Rohingya people in Myanmar.

In India, members of the Dalit community are targeted, by members of dominant castes, for a range of human rights abuses. These crimes, which include gang rapes, killings and the destruction of their homes, often go uninvestigated by the police because of discriminatory attitudes which do not take crimes against Dalits seriously.

Amnesty International has also documented widespread discrimination faced by millions of Roma in Europe, including the threat of forced evictions, police harassment and the segregation of Romani children in school.

Discrimination against non-nationals, sometimes known as xenophobia

but discrimination against non-nationals is frequently based on racism or notions of superiority, and is often fuelled by politicians looking for scapegoats for social or economic problems in a country.

Since 2008, South Africa has experienced several outbreaks of violence against refugees, asylum seekers and migrants from other African countries, including killings, and looting or burning of shops and businesses. In some instances, the violence has been inflamed by the hate-filled rhetoric of politicians who have wrongly labelled foreign nationals “criminals” and accused them of burdening the health system.

Discrimination has also been a feature of the response of authorities to refugees and asylum seekers in other parts of the world. Many people in countries receiving refugees and asylum-seekers view the situation as a crisis with leaders and politicians exploiting these fears by promising, and in some cases enacting, abusive and unlawful policies.

For example, Hungary passed a package of punitive laws in 2018, which target groups that the government has identified as supporting refugees and migrants. The authorities have also subjected refugees and asylum seekers to violent push-backs and ill-treatment and imposed arbitrary detention on those attempting to enter Hungarian territory.

We at Amnesty International disagree that it is a crisis of numbers. This is a crisis of solidarity. The causes that drive families and individuals to cross borders, and the short-sighted and unrealistic ways that politicians respond to them, are the problem.

Discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) people

Everywhere in the world, people face discrimination because of who they love, who they are attracted to and who they are. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people risk being unfairly treated in all areas of their lives, whether it’s in education, employment, housing or access to health care, and they may face harassment and violence.

Some countries punish people for their sexual orientation or their gender identity with jail or even death. For example, in October 2019, Uganda’s Ethics and Integrity Minister announced that the government was planning to introduce the death penalty for consensual same-sex sexual acts.

In 2019, Amnesty International documented how gay and trans soldiers in South Korea face violence, harassment and pervasive discrimination due to the criminalization of consensual sex between men in the military; and examined the barriers to accessing gender-affirming treatments for transgender individuals in China. We also campaigned to allow Pride events to take place in countries such as Turkey, Lebanon and Ukraine.

It is extremely difficult, and in most cases, impossible for LGBTI people to live their lives freely and seek justice for abuses when the laws are not on their side. Even when they are, there is strong stigma and stereotyping of LGBTI identities that prevents them from living their lives as equal members of society or accessing rights and freedoms that are available to others. That’s why LGBTI activists campaign relentlessly for their rights: whether it’s to be free from discrimination to love who they want, have their gender legally recognized or to just be protected from the risk of assault and harassment.

See here for more information about Amnesty International’s work on lesbian, gay, bisexual, transgender and intersex rights.

**Gender discrimination**

In many countries, in all regions of the world, laws, policies, customs and beliefs exist that deny women and girls their rights.

By law, women cannot dress as they like (Saudi Arabia, Iran) or work at night (Madagascar) or take out a loan without their husband’s signature (Equatorial Guinea). In many countries, discriminatory laws place limits on a woman’s right to divorce, own property, exercise control over her own body and enjoy protection from harassment.

In the ongoing battle for justice, hundreds of thousands of women and girls take to the streets to claim their human rights and demand gender equality. In the USA, Europe and Japan, women protested against misogyny and abuse as part of the #MeToo marches. In Argentina, Ireland and Poland, women demonstrated to demand a stop to oppressive abortion laws. In Saudi Arabia, they called for an end to the driving ban, and in Iran, they demanded an end to forced hijab (veiling).

All over the world, women and girls have been at the forefront of demands for change.

Yet despite the stratospheric rise of women’s activism, the stark reality remains that many governments around the world openly support policies, laws and customs that subjugate and suppress women.

Globally, 40% of women of childbearing age live in countries where abortion remains highly restricted or inaccessible in practice even when allowed by law, and some 225 million do not have access to modern contraception.

Research by Amnesty International confirmed that while social media platforms allow people to express themselves by debating, networking and sharing , companies and governments have failed to protect users from online abuse, prompting many women in particular to self-censor or leave platforms altogether.

However, social media has given more prominence in some parts of the world to women’s calls for equality in the workplace, an issue highlighted in the calls to narrow the gender pay gap, currently standing at 23% globally. Women worldwide are not only paid less, on average, than men, but are more likely to do unpaid work and to work in informal, insecure and unskilled jobs. Much of this is due to social norms that consider women and their work to be of lower status.

**Discrimination based on caste**

Discrimination based on work and descent (also referred as caste discrimination) is widespread across Asia and Africa, affecting over 260 million people, including those in the diaspora. Owing to their birth identity, people from these communities are socially excluded, economically deprived and subjected to physical and psychological abuse. Discrimination based on work and descent is deeply rooted in society, it manifests itself in everyday lives, in individual perceptions to culture and customs, in social and economic structures, in education and employment, and in access to services, opportunities, resources and the market. Discrimination is perpetuated from generation to generation, and is in some cases deeply internalized, despite the existence in some countries of laws and affirmative action to tackle it. Amnesty International is committed to work in tandem with partners in advocating for the rights of communities affected on the basis of work and descent.

**Discrimination based on disability**

As many as 1 in 10 people around the world lives with a disability. Yet in many societies, people with disabilities must grapple with stigma, being ostracized and treated as objects of pity or fear.

Developing countries are home to about 80 per cent of people with disabilities. The overwhelming majority of people with disabilities – 82 per cent – live below the poverty line. Women with disabilities are two to three times more likely to encounter physical and sexual abuse than women without disabilities.

In Kazakhstan, current laws mean that thousands of people with psychosocial and intellectual disabilities have been declared “incapable” by law and put in the care of a guardian. Under this system they cannot exercise their rights and are not able to challenge the decision in court.

Amnesty International has also documented serious human rights abuses suffered by people with disabilities in Somalia, where they are at risk of forced marriage, rape and forced evictions.

Case study: Fighting to improve accessibility in Kyrgyzstan

In Kyrgyzstan where persons with disabilities are often labelled as “invalids” and “diseased”, Gulzar keeps on fighting for her dignity.

Gulzar Duishenova is a Kyrgyzstani woman who lost the use of her legs in a traffic accident. She now uses a wheelchair, but lives in a society where persons with disabilities face daily discrimination. One of these forms of discrimination is accessibility; from going to the doctor, to getting on public transport.

But Gulzar is fighting to change this. She has made it her life’s mission to ensure that persons with disabilities can live in dignity. The accessibility issues she faces have only strengthened her resolve to demand a better life for herself and others.