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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

Rights of persons belonging to national or ethnic, religious and linguistic minorities

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 37/14. It contains information on relevant developments of United Nations human rights bodies and mechanisms, and on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights that contribute to the promotion of and respect for the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and the provisions of relevant international human rights treaties. The report covers the period from 1 January to 31 December 2019.

* Reissued for technical reasons on 14 February 2020.



I. Introduction

1. In its resolution 37/14 on the rights of persons belonging to national or ethnic, religious and linguistic minorities, the Human Rights Council requested the United Nations High Commissioner for Human Rights to present an annual report to the Council. The present report contains information on relevant developments in the work of United Nations human rights bodies and mechanisms, and on the specific strategies adopted and activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR), at its headquarters and in the field, that contribute to the promotion of and respect for the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.
2. According to article 9 of the Declaration, the United Nations system should contribute to the full realization of the rights and principles set forth therein. That task affects all three pillars of the United Nations, and requires system-wide, coordinated engagement. Such work is facilitated by the United Nations network on racial discrimination and protection of minorities, which is coordinated by OHCHR and which aims to engage the entire United Nations system.
3. In 2019, the network pursued its efforts to boost dialogue and cooperation among the relevant United Nations departments, agencies, funds and programmes. In that context, the network developed a guidance tool on descent-based discrimination, focusing on the key challenges and strategic approaches to combat caste-based discrimination and analogous forms of discrimination. In 2019, the tool was used in various activities addressing descent-based discrimination.

II. Minorities and the 2030 Agenda for Sustainable Development

4. The 2030 Agenda for Sustainable Development is grounded in international human rights norms. With its commitment to leave no one behind and to reach the furthest behind first, the 2030 Agenda encapsulates the human rights principles of equality and non-discrimination. The 2030 Agenda envisages a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity. The 2030 Agenda should be read alongside existing commitments and obligations towards persons belonging to minorities to guide States and other partners, including the private sector, in achieving all the Sustainable Development Goals.
5. Although the Sustainable Development Goals do not make a specific reference to minorities, realizing the human rights of minorities is imperative for achieving the goals globally. The principle of leaving no one behind is critical in ensuring that the Sustainable Development Goals are implemented in a manner consistent with international human rights standards and the existing obligations of States. People who are left behind are often economically, socially, spatially and/or politically excluded – for example, due to ethnicity, race, gender, age, disability or a combination of these, leading to multiple forms of discrimination. They are those most at risk of not enjoying their civil, cultural, economic, political or social rights. To better tailor and target laws, policies and programmes to those lagging most behind, States need to further increase their investment in disaggregated data. OHCHR has made a concrete contribution to the realization of the Sustainable Development Goals, including for minorities. In addition to strengthening its work on the Sustainable Development Goals and inequalities, in particular at the country level, OHCHR also supported the work of the United Nations on an operational guide to support country teams and States in implementing the commitments involved in leaving no one behind.
6. In 2019, the high-level political forum on sustainable development considered the topic of empowering people and ensuring inclusiveness and equality, with a special focus on reviewing progress on Goals 4, 8, 10, 13, 16 and 17 of the Sustainable Development Goals. As regards Goal 10, the High Commissioner stated that reducing inequalities was fundamental to human rights and that inequalities frequently arose from persistent

discrimination against specific communities and groups of people, divided along lines of gender, race, ethnicity, religion or other status.¹

7. The present report considers the work of human rights mechanisms and OHCHR in strengthening partnerships to develop practical approaches to implement the commitment to leave no one behind and the related normative human rights framework. Pursuant to its resolution 37/24, the Human Rights Council held two multi-stakeholder intersessional meetings for dialogue and cooperation on human rights and the 2030 Agenda, on 16 January and 3 December 2019. Those meetings illustrated the synergies and linkages between human rights and the Sustainable Development Goals, particularly at national level. They provided an opportunity for stakeholders to share and exchange good practices and challenges on how integrated approaches to implementing the Sustainable Development Goals and realizing human rights contributed to the fulfilment of the 2030 Agenda.

8. Some illustrations of these practical approaches to leaving no one behind can be found in the work of OHCHR during the past year. At the country level, OHCHR continued monitoring the situation of the ethnic Vietnamese communities living in floating villages around the Tonle Sap lake. In Kampong Chhnang Province, the provincial authorities planned to relocate 10,000 people living in floating villages, including nationals of Cambodia and members of the ethnic Vietnamese communities. However, the latter were relocated to areas in which basic services were not available, including water and electricity, and they were resettled on land that was not close to the lake, putting their livelihoods, as fishing communities, at risk. OHCHR and the Special Rapporteur on the situation of human rights in Cambodia engaged in a constructive dialogue with the provincial authorities to find suitable solutions for them, leading to a temporary suspension of their relocation, until basic services were made available.

9. In Colombia, the month of March was marked by widespread protests by, among others, Afro-Colombians. They were closely monitored by OHCHR. Long-standing social grievances tied to the lack of land rights, delays in the implementation of the peace accord and the killing of human rights defenders were some of the issues that motivated the protests. The collective territories of Afro-Colombian communities fulfil a social and ecological function fundamental to the life of these communities. Nonetheless, access to collective land rights, especially for Afro-Colombian communities, remains an obstacle.

10. At the conclusion of its visit to Argentina in March, the Working Group of Experts on People of African Descent stated that Argentina should come to terms with the reality that people of African descent were a vulnerable group deserving special measures as they were not fully able to enjoy their economic, social and cultural rights.

11. In July, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance expressed concern that the extraction of natural resources routinely inflicted acute human rights violations on minorities and other marginalized groups. She noted that powerful States, including those that had yet fully to reckon with their colonial extractivism legacies, must commit to undoing the structures of subordination and inequality that persisted in the extractive economy.²

III. Activities of the Office of the United Nations High Commissioner for Human Rights and recent developments in human rights bodies and mechanisms

A. Early-warning mechanisms and protection of the existence of minorities

12. Throughout 2019, the High Commissioner expressed concern about the situation of minorities worldwide. In her statement at the fortieth session of the Human Rights Council,

¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24436&LangID=E.

² A/HRC/41/54, para. 65.

the High Commissioner drew attention to the current political landscape, particularly in countries in which important human rights advances were being dismantled, notably regarding the rights of minorities.³ She also expressed deep alarm at the extensive and devastating effects of sexual violence in conflict situations, in which many victims were targeted based on their perceived minority status, along ethnic, religious, political or clan lines.⁴

13. For instance, the High Commissioner expressed concern about violence and alleged human rights violations, including against minorities after the national elections in Bangladesh in 2018.⁵ She also highlighted the situation in India where reports indicated the increasing harassment and targeting of minorities, in particular Muslims and people from historically disadvantaged and marginalized groups, such as Dalits and Adivasis.⁶

14. Regarding the human rights situation of minorities in Myanmar,⁷ the High Commissioner noted with concern the serious situation of the Rohingya. Taking note of some initial steps by the Government of Myanmar to implement certain recommendations of the Advisory Commission on Rakhine State, she emphasized that the overall objectives of the recommendations remained largely unaddressed; no representation of Rohingya at any level of decision-making and systematic discrimination continued. She also stressed that there were no conditions for voluntary and safe return for more than 730,000 Rohingya refugees who had fled to Bangladesh as a result of extreme violence perpetrated against them in 2016 and 2017, or the 130,000 internally displaced Rohingya living in controlled camps in central Rakhine since 2012. The High Commissioner also mentioned that there had been an absence of credible national investigations into allegations of grave violations occurring in Rakhine State, as well as in Kachin and Shan States, which gave rise to concern.

15. In 2019, the Independent International Fact-Finding Mission on Myanmar released several reports, one of which concluded that the country's military was systematically using sexual and gender-based violence to terrorize and punish ethnic minorities.⁸ Many of those acts amounted to crimes under international law, including war crimes, crimes against humanity and acts of genocide.⁹ The Mission further called for the imposition of an arms embargo and highlighted that, since 2016, the military had carried out extensive and systematic human rights violations against civilians in Kachin, Shan and Rakhine States.¹⁰ It also highlighted the current conflict against the ethnic Rakhine minority that had begun in 2019, also impacting on Chin and other minorities residing in Rakhine and Chin States.

16. Concerning the promotion of reconciliation, accountability and human rights in Sri Lanka, the High Commissioner expressed concern at the minimal progress on accountability, which had had a particularly damaging impact on victims from ethnic and religious groups.¹¹ She also expressed deep concern at the aggravation of intercommunal tensions, in particular at several attacks targeting religious minorities. She noted that, to be successful, a transitional justice agenda must enjoy the confidence of victims and society at large, which could only develop when grievances were effectively addressed and the Government abided by its commitments, such as to the devolution of political authority and the protection of the rights of minorities.

17. In addition, she publicly condemned violence and attacks against ethnic and religious communities. In March, she condemned the horrific attacks in Mali, which had left at least 153 people dead and 73 injured, mostly people of the Fulani ethnic community. Furthermore, she emphasized that racism was contrary to everything the United Nations

³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24203&LangID=E.

⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24415&LangID=E.

⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24056&LangID=E.

⁶ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24265&LangID=E.

⁷ See A/HRC/40/37.

⁸ See www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/sexualviolence.aspx.

⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24907&LangID=E.

¹⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24868&LangID=E.

¹¹ See A/HRC/40/23.

stood for, and that the murderous Islamophobic and terrorist attacks on two mosques in New Zealand had been another terrible reminder that racism killed.

18. During the period under review, OHCHR assisted national authorities and other stakeholders in preventing or mitigating violations of the human rights of persons belonging to minorities. The human rights monitoring mission in Ukraine documented no attacks against Roma settlements in 2019. That was in sharp contrast to 2018, when five violent attacks had been documented. That positive development could be attributed, in part, to strong advocacy on the issue, including the prompt and ongoing early warning advocacy of OHCHR with the National Police of Ukraine, which was complemented by advocacy by the Resident Coordinator and Special Rapporteurs.¹²

19. In 2019, the Human Rights Service of the United Nations Assistance Mission in Afghanistan (UNAMA) continued to document deliberate targeting of civilians and civilian objects, in particular direct attacks against the Shia Muslim population, most of whom were ethnic Hazara. In 2018, UNAMA recorded a 34 per cent increase, year-on-year, in casualties among the Shia minority and recommended to the parties to the conflict to comply with international humanitarian law, and to the Government to increase efforts to protect religious leaders, as well as the Shia Muslim religious minority population, from sectarian-motivated attacks.¹³

20. United Nations human rights experts also drew attention to the situation of persons belonging to minorities. In April, they urged the de facto authorities in Sana'a to quash immediately the death sentence against Hamid Kamali bin Haydara, a follower of the Baha'i faith, as they could not accept the injustice of having anyone punished by death on the grounds of his or her religion or belief or belonging to a religious minority.¹⁴

21. Several United Nations human rights experts expressed concern over the ongoing update of the National Register of Citizens in Assam, India, and its potential to harm millions of people, most of whom belonged to minorities. The experts also issued warnings on the rise of hate speech directed against those minorities in social media, and the potential destabilizing effects of the marginalization and uncertainties facing millions in that part of the country.¹⁵

22. At the end of its visit to Kyrgyzstan in June, the Working Group on Enforced or Involuntary Disappearances noted that, in relation to the inter-ethnic violence that had broken out in Osh Region in June, it had received information indicating that 17 individuals were still missing and the remains of 9 individuals were still pending identification. The Working Group noted that there had been no recent progress on the searches.¹⁶

B. Non-discrimination guarantees

23. OHCHR continued to engage in activities, including through the framework of the 2030 Agenda, for the promotion and inclusion of non-discrimination guarantees in normative and policy processes regarding persons belonging to minorities.

24. In 2019, OHCHR visited Italy to examine the situation concerning racial discrimination in the country, with a focus on incitement to hatred and discrimination, including against minorities. OHCHR received numerous complaints about an increase in hate speech, racism, racial discrimination and xenophobia against migrants, persons belonging to minorities, including Roma, and persons perceived as "foreigners" based on

¹² See www.ohchr.org/Documents/Countries/UA/ReportUkraine16May-15Aug2019_EN.pdf.

¹³ See https://unama.unmissions.org/sites/default/files/unama_annual_protection_of_civilians_report_2018_-_23_feb_2019_-_english.pdf.

¹⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24532&LangID=E.

¹⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24781&LangID=E.

¹⁶ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24763.

their ethnic, religious or linguistic profile. A report outlining the main findings and recommendations of OHCHR was published in August.¹⁷

25. During 2019, the OHCHR Regional Office for Central Asia continued providing broad support to a civil society coalition that had been formed to provide a draft anti-discrimination law for consideration in Kyrgyzstan, and to advocate for its adoption. In the Republic of Moldova, OHCHR conducted research on social tolerance, which concluded that weak social tolerance towards minorities, including Roma and Muslims, affected the general social cohesion of society.

26. OHCHR continued monitoring the situation of the Khmers-Krom minority group in Cambodia. It advocated with national and local authorities to facilitate issuing identity documents for Khmers-Krom, as they were often obliged to change the location of their birthplace and family name in order to obtain their documents.

27. During 2019, UNAMA continued engaging with the Ministry of Justice and the Afghanistan Independent Human Rights Commission to provide technical support in integrating minority rights standards into the draft anti-discrimination law. UNAMA actively attended meetings of the working group tasked, under the Ministry of Justice, to develop the draft law and shared with it documents and best practice on anti-discrimination standards, including on the basis of ethnic, religious and linguistic affiliation. In addition, between May and August, UNAMA engaged Afghan Islamic law scholars and experts in a series of 10 round tables aimed at discussing national legislation, international human rights standards and the interpretation of Islamic law in several areas, including minority rights and non-discrimination, women's rights, constitutional and governance frameworks, and criminal law and other human rights standards.

28. During the year, the OHCHR office in Colombia monitored the lack of adequate access to justice for survivors of sexual violence from Afro-Colombian communities. In places of continued conflict, such as Tumaco, victims of gender-based violence lack safe, accessible and confidential reporting mechanisms. Women's access to adequate health-care services was often interlaced with their access to justice. Therefore, OHCHR offered specialized technical advice and support on the right to health to State entities and affected Afrodescendent women. OHCHR also launched a specific training module for public officials of the Medellin Mayor's Office and related municipal entities in February, integrating the collective rights of Afro-Colombian communities in public policies and programmes.

29. As part of its work on countering discrimination against ethnic and religious minorities, OHCHR held a national short film competition and festival on minorities and human rights in Iraq. Since March, over 4,000 people had watched the leading short films in screening events in 17 out of the 19 governorates of Iraq, with social media and television coverage reaching thousands more. Participants emphasized that the discussions following the screenings of the films had enabled a forum for open discussion about human rights issues and concerns in Iraq, including the rights of minorities, gender-based violence, accountability for the atrocities committed during the conflict, discrimination and accountability.

30. United Nations experts also addressed the discrimination faced by minorities. In 2019, the Special Rapporteur on minority issues issued more than 50 communications to States in all regions, raising concerns over laws, policies and practices that discriminated against ethnic, religious and linguistic minorities.

31. In February, the Working Group of Experts on People of African Descent urged Belgium to recognize the true scope of the violence and injustice of its colonial past in order to tackle the root causes of the present-day racism faced by people of African descent. During its visit, the Working Group concluded that inequalities were deeply entrenched because of structural barriers that intersected and reinforced each other and found clear evidence that racial discrimination was endemic in institutions in the country.¹⁸ In March,

¹⁷ See www.ohchr.org/Documents/Countries/IT/ItalyMissionReport.pdf.

¹⁸ See A/HRC/42/59/Add.1.

the Working Group, in a country visit to Argentina, expressed concern about the human rights situation of people of African descent in the country who experienced racism and racial discrimination.¹⁹

32. The Human Rights Committee and the Committee on the Elimination of Racial Discrimination made recommendations to several States in relation to guarantees on non-discrimination to protect minority groups. For instance, both Committees recommended ensuring equal access to education, housing and health care for ethnic minorities, without discrimination.²⁰

C. Minorities and hate speech

33. In May, the Secretary-General launched a global strategy on hate speech to address the disturbing groundswell of xenophobia, racism and intolerance, including rising antisemitism, anti-Muslim hatred and persecution of Christians. The impact of hate speech cuts across numerous existing United Nations areas of operations, including the fight against all forms of racism and discrimination and the protection of minorities. In order to address hate speech, the United Nations will implement actions at global and country level, and enhance internal cooperation among United Nations entities.²¹

34. The High Commissioner noted with concern the global rise in hatred directed at members of racial, ethnic and religious groups, as well as against foreigners and other minorities.²² On the International Day of Commemoration in Memory of the Victims of the Holocaust, the High Commissioner drew attention to the sharp increase in many forms of hatred, including the poison of antisemitism and other attacks on minority communities, including physical assault and harassment of children and adults, and broad campaigns of vilification against members of racial or ethnic minorities, and migrants – in some cases with the active backing of national leaders.²³

35. On the International Day for the Elimination of Racial Discrimination, the High Commissioner noted that the bedrock of movements based on ideas of racial superiority was the demonization of migrants and minorities.²⁴ In August, addressing the Security Council in an Arria-formula meeting on advancing the safety and security of persons belonging to religious minorities in armed conflicts, the High Commissioner noted that protecting minorities must begin before conflicts erupted. Disaggregated data by religion and ethnicity were also required.²⁵ She also reiterated that the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence emphasized the role of politicians and religious leaders in preventing and speaking out against intolerance, discriminatory stereotyping and instances of hate speech.²⁶

36. After her visit in April to Silicon Valley, United States of America, the High Commissioner urged States to adopt a smart mix of measures to regulate new technologies, and she provided examples of the dangerous impact new technologies could have on human rights, including those of minorities.²⁷

37. At the Global Summit on Religion, Peace and Security in April, the High Commissioner highlighted the importance of protecting religious minority groups, in particular in situations in which they had been targeted by incitement to hatred and violence

¹⁹ See A/HRC/42/59/Add.2.

²⁰ CCPR/C/AGO/CO/2, para. 50; CERD/C/QAT/CO/17-21, para. 20; and CERD/C/NOR/CO/23-24, para. 20.

²¹ See www.un.org/en/genocideprevention/hate-speech-strategy.shtml.

²² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24662&LangID=E.

²³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24123&LangID=E.

²⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24381&LangID=E.

²⁵ See <http://webtv.un.org/watch/open-arria-formula-meeting-advancing-the-safety-and-security-of-persons-belonging-to-religious-minorities-in-armed-conflict/6075852310001/>.

²⁶ A/HRC/22/17/Add.4, appendix, para. 36.

²⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24509&LangID=E.

on the basis of exclusionary interpretations that instrumentalized religions, beliefs or their followers for electoral purposes or political gains.²⁸

38. In April, the High Commissioner referred to the Faith for Rights framework in her press statement concerning the revised Penal Code of Brunei Darussalam, which included provisions that could encourage violence and discrimination against, inter alia, religious minority groups, and she stressed that the Government, religious authorities and a wide range of civil society actors should work together to uphold human dignity and equality for all.²⁹

39. At the end of her visit to Malaysia in October, the High Commissioner highlighted the Rabat Plan of Action as useful guidance in distinguishing between permissible speech and speech that could amount to incitement, and she offered the assistance of OHCHR and other United Nations human rights mechanisms to further explore that.³⁰

40. In March, United Nations experts condemned attacks on mosques and urged action against nationalist populism and supremacist ideologies. The experts particularly decried that States and leaders had deployed political rhetoric that demonized particular groups, including minorities, and emboldened supremacist ideologues.³¹

41. In August, United Nations experts issued a statement following mass shootings in the United States of America, noting that the increasing use of divisive language and attempts to marginalize racial, ethnic and religious minorities in political speech had functioned as a call to action, facilitating violence, intolerance and bigotry. The manifestos and social media posts of those attackers reflected political discourse that devalued and dehumanized people on the basis of their race, religion, immigration status and ethnicity.³²

42. On the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief, several special procedure mandate holders called on States to do more to stop hate crimes and to promote interfaith initiatives.³³ In thematic and mission reports, the Special Rapporteur on freedom of religion or belief called upon States to use the Rabat Plan of Action and the Faith for Rights framework as a chart of specific commitments and practical measures to address the related phenomena of incitement to religious hatred, discrimination and violence.³⁴ In his report on combating antisemitism, the Special Rapporteur also referred to them as soft law instruments that could provide essential guidance for strategies to combat antisemitism and other forms of intolerance.³⁵

43. The Committee on the Elimination of Racial Discrimination observed with alarm the prevalence, in a number of States, of racist hate speech against Roma and other minorities, which fuelled hatred and intolerance and at times incited violence against such groups. The Committee recommended different measures to prevent racist hate speech and incitement to racial hatred by all persons, including public officials and politicians, and to strengthen and implement relevant legislation.³⁶ The Committee also recommended intensifying public campaigns to combat hate speech, incitement to hatred and hate crimes, and promoting tolerance and understanding towards national minorities and migrants, in cooperation with civil society and representatives of the most affected communities.³⁷

44. At the country level, OHCHR took the lead in developing the country team action plan on hate speech in Ukraine, in line with the United Nations Strategy and Plan of Action on Hate Speech. As part of that action plan, OHCHR committed to monitoring and

²⁸ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24531&LangID=E.

²⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24432&LangID=E.

³⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25108&LangID=E.

³¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24385&LangID=E.

³² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24875.

³³ See www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24906&LangID=E.

³⁴ A/73/362, para. 79; and A/HRC/40/58/Add.1, para. 91.

³⁵ A/74/358, para. 73.

³⁶ CERD/C/HUN/CO/18-25, paras. 16–17.

³⁷ CERD/C/LTU/CO/9-10, para. 12.

analysing hate speech, including targeting minorities, engaging in advocacy with the Government to counter hate speech and supporting victims of hate speech.

45. In the Republic of Moldova, OHCHR supported civil society in the drafting and launching of a monitoring report on hate speech in the electoral context. The report concluded that discriminatory discourses against minorities were increasingly present during pre-election periods.

46. In September, 26 special procedure mandate holders expressed concerns about the global increase in hate speech and incitement to discrimination, highlighting the need for accountability and due diligence. In their open letter, they also underscored that hate speech dehumanized minority groups and other targeted people, exacerbated societal and racial tensions, and incited attacks with deadly consequences.³⁸

D. Religious minorities

47. The High Commissioner noted with alarm a dangerous rise in intolerance, racism and religious hatred. She emphasized that interreligious dialogue was an important tool to unlock action and move towards creating change on the ground, based on concrete projects that gave priority to education and capacity-building of faith actors within a shared vision and framework across different religious communities.³⁹ In April, the High Commissioner urged the Government of Brunei to halt the entry into force of the revised Penal Code, the provisions of which could encourage violence and discrimination against, among others, religious minorities in the country.⁴⁰ In May, the High Commissioner condemned the rise in antisemitic incidents taking place in a number of European countries and the United States of America. The rise in attacks targeting Jews, along with other groups targeted because of their race or religion, was a matter of grave concern, and she urged all Governments to redouble their efforts to combat racism and related intolerance in all its forms.⁴¹

48. At the end of her visit to Canada in June, the High Commissioner expressed concern at the adoption of an act respecting the laicity of the State in the province of Quebec, banning religious symbols for all provincial public servants, such as police officers, judges, teachers and senior officials. She echoed the concerns for the rights of minorities of the Canadian Human Rights Commission and the Mayor of Montreal.⁴²

49. The role and responsibilities of religious leaders and faith-based actors in promoting human rights, including the rights of persons belonging to religious minorities, are highlighted in the Beirut Declaration and its 18 Commitments on Faith for Rights.⁴³ The Faith for Rights framework continues to be quoted and used by faith-based actors and civil society organizations. For example, the Group of 20 Interfaith Forums in Argentina and Japan recommended reducing incitement to hatred by supporting religious leaders and faith-based actors in fulfilling their human rights responsibilities as summarized in the Beirut Declaration and its 18 Commitments. Also referring to the Beirut Declaration, the Global Partners Forum on Faith Action for Children on the Move called, in its action plan, for the design and implementation of projects and initiatives aimed at promoting respect for and an understanding of minority groups, including those with different beliefs, faiths and religions, to reduce violence and xenophobic narratives and nurture peaceful societies.

50. At the regional level, OHCHR focused on the protection of religious minorities by organizing an activity in Tunis in October on enhancing civic space and addressing hate speech in social media in the Middle East and North Africa. OHCHR is also undertaking a comprehensive study of the standards and practices across the Middle East and North

³⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25036&LangID=E.

³⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24670&LangID=E.

⁴⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24432&LangID=E.

⁴¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24652&LangID=E; see also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25130&LangID=E.

⁴² See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24714&LangID=E.

⁴³ A/HRC/40/58, annexes I and II.

Africa region in order to identify the root causes of discrimination and inequalities faced by the various ethnic and religious groups, including ways to address gaps in their protection, participation and access to rights. The study was initiated in September 2019 and is expected to be finalized in 2020. It involves legal and sociocultural mapping and analysis of the current situation of ethnic and religious groups in the Middle East and North Africa Region. The study specifically incorporates a gender lens to identify forms of intersectional discrimination and inequalities faced by women and girls belonging to ethnic and religious groups.

51. The United Nations human rights monitoring mission in Ukraine documented limitations on the freedom of religion or belief of multiple religious communities in territory controlled by armed groups and in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation.⁴⁴ OHCHR advocated for the police to take measures to ensure the safety of religious groups, which often faced threats to their safety, particularly during religious holidays.⁴⁵

52. On the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief, several United Nations human rights experts issued a statement condemning religious intolerance and discrimination and calling on States to step up efforts to combat discrimination and violence based on religion or belief. A number of communications were also issued by such experts, raising concerns about discrimination, persecution and violence against persons belonging to minorities and barriers to registration of minority faith-based organizations.

E. Empowerment and participation

53. As an integral part of the work of OHCHR on mainstreaming minority issues and capacity-building for minority rights advocates, the annual Minorities Fellowship Programme – composed of three linguistic components, English, Russian and Arabic – provided 16 women and 14 men from 28 countries with an in-depth knowledge of the United Nations human rights machinery and reinforced their advocacy skills to better use international human rights standards and mechanisms.

54. In order to reinforce complementarity, sustainability and continuity of the work on minority issues, the national/regional component of the Fellowship Programme, the main objective of which is to provide on-the-job experience to some of the outstanding alumni from the previous year, was carried out in the OHCHR office in Tunisia. Meanwhile, three former fellows were posted as senior minority fellows in OHCHR in Geneva.

55. Furthermore, the separate OHCHR fellowship programme for people of African descent is an integral component of the Programme of Activities of the International Decade for People of African Descent. Some 12 young activists of African descent from 11 countries participated in the fellowship programme in 2019.

56. In 2019, OHCHR disseminated and promoted the implementation of the guidelines for States on the effective implementation of the right to participate in public affairs.⁴⁶ OHCHR conducted several advocacy activities on the guidelines, including in the context of the participation of minority youth.

57. The OHCHR Regional Office for Central Asia collaborated with the State Personnel Agency of Kyrgyzstan, as well as Osh State University and Kyrgyz-Uzbek University, to increase the share of ethnic and other minorities represented in State structures. The Regional Office expanded and further developed an internship programme with national and local civil services.

⁴⁴ General Assembly resolution 73/263, para. 11.

⁴⁵ OHCHR, “Report on the human rights situation in Ukraine 16 May to 15 August 2019”. Available at www.ohchr.org/Documents/Countries/UA/ReportUkraine16May-15Aug2019_EN.pdf.

⁴⁶ See A/HRC/39/28.

58. The Regional Office supported civil society organizations and legal clinics at tertiary educational institutions that provided free-of-charge qualified legal assistance in matters related to human rights, with a focus on cases related to non-discrimination and human rights protection in the context of countering violent extremism.

59. In addition, the Regional Office supported efforts to promote multicultural education in Kyrgyzstan. It also successfully completed a long-term strategic litigation programme on non-discrimination for lawyers and human rights defenders in Kyrgyzstan, which aimed, *inter alia*, to support ethnic and religious minorities.

60. In the Republic of Moldova, the fourth edition of the Diversity Internship Programme for youth belonging to underrepresented groups was launched under the leadership of OHCHR with the aim of enhancing the internal diversity of the United Nations team and empowering minorities. Some 12 young people from various underrepresented groups, including ethnolinguistic minorities, joined several United Nations entities in the Republic of Moldova for internships lasting up to six months.

F. Minority youth

61. Having identified youth as a “spotlight population” in its 2018–2021 Management Plan, OHCHR amplified its work to promote human rights with and for young people through the deployment of youth officers across five field presences in 2019. The young people supported implementation by OHCHR of the United Nations Youth Strategy, with a focus on protecting and promoting young people’s human rights, including by placing a greater focus on young people experiencing intersecting forms of discrimination and abuse.

62. OHCHR focused in particular on ensuring the protection of minority youth against the multiple forms of discrimination they faced, especially the grave vulnerability to which they were exposed in situations of conflict.

63. In the context of the two human rights education projects implemented by the human rights component of the United Nations Interim Administration Mission in Kosovo,⁴⁷ two non-governmental organizations, one based in Pristina and the other in North Mitrovica, conducted a series of educational activities with high school students in both Kosovar Albanian and Kosovo Serb municipalities aimed at combating and preventing discrimination on the grounds of nationality, ethnicity, religion or language. Around 300 young people from non-majority communities participated in human rights training and discussed how to advocate for human rights in their communities. According to the questionnaires conducted throughout the project, the training sessions improved beneficiaries’ ability to identify discrimination and related behaviours in their schools and community. Another important outcome of the project was the practical educational manual/guidelines on human rights education and non-discrimination designed for the use of human rights defenders, educators, and teachers. The document was published in Albanian, English and Serbian.

64. In April, OHCHR organized, in Bangkok, the subregional workshop on the role of youth as agents of change in building societies based on respect for the rights to freedom of religion or belief, and freedom of expression. That capacity-building activity on minority rights offered an opportunity to strengthen youth capacity on combating hate speech. The Special Rapporteur on freedom of religion or belief explored, with young people, the interdependence between freedom of expression, opinion, thought, conscience, religion, peaceful assembly and the enjoyment of minority rights. The event included various approaches that served to counter discrimination and hate speech using social media, short videos and other visuals. The young people gained insights on how best to use international human rights mechanisms in their strategies to counter discrimination and hate speech.

⁴⁷ All references to Kosovo in the present document should be understood to be in the context of Security Council resolution 1244 (1999).

G. Human rights situation of Roma communities

65. OHCHR and human rights mechanisms followed the situation of Roma communities around the world. In the context of the European Union Roma Week and the International Day for the Elimination of Racial Discrimination, OHCHR and a range of partners held a conference on truth and reconciliation for Roma at the European Parliament in March. Some 250 representatives from member States, academia, faith groups and grass-roots activists participated in the conference and heard the testimonies of victims of anti-Gypsyism.

66. In April, OHCHR participated as a panellist in the Conference on Neglected Voices: the Global Roma Diaspora, hosted by the Harvard FXB Center for Health and Human Rights at Harvard University. The panel focused on access to economic and social rights by Roma across the world. In addition, OHCHR organized, at Harvard University, a half-day discussion with participants on the role of OHCHR and human rights mechanisms in the protection of Roma communities, particularly in the Americas.

67. At the country level, OHCHR raised the issue of the lack of accountability for past attacks against Roma settlements in Ukraine. In the majority of attacks against Roma, the police had initiated criminal investigations on charges of hooliganism, disregarding the hate motives of the perpetrators. Due to ongoing advocacy, the police increasingly considered hate motives when classifying attacks based on victims' identities. However, it was emphasized that those cases must be prosecuted in a timely and efficient manner to achieve accountability.

68. In the Republic of Moldova, OHCHR supported the development of a manual to guide the activities of Roma community mediators and helped build the capacity of the mediators network based on that manual. Roma community mediators were individuals, usually of Roma ethnicity, hired by local public authorities to ensure the social integration of Roma.

69. At the conclusion of his visit to Spain in January, the Special Rapporteur on minority issues referred to policy and institutional developments regarding the promotion and protection of human rights and social inclusion of Roma, including through the implementation of the National Roma Integration Strategy 2012–2020 and initiatives in the area of education. Nevertheless, he highlighted the persistent marginalization, stigmatization and vulnerability of Roma and visible manifestations of anti-Gypsyism, which were deeply entrenched in social and cultural attitudes and institutional practices.

70. In 2019, several concerns about discrimination, hate speech and violence against Roma were raised through communications by special procedure mandate holders addressed to several States. One of the cases was also brought before the European Court of Human Rights and, in January, the High Commissioner submitted an intervener brief to the Court's proceedings in relation to that case.

71. On International Roma Day, the Special Rapporteur on minority issues asked for immediate action to combat inflammatory racist rhetoric and stressed that States must live up to their human rights commitments and take comprehensive anti-racist measures to respond to the rise of intolerance, hate speech and attacks against Roma and other minorities.⁴⁸

H. Human rights defenders

72. Human rights defenders working on the rights of minorities are exposed to a high degree of violence from both State and non-State actors, and experience specific challenges linked not only to the work that they do but to who they are and what they represent. As custodian agency for indicator 16.10.1 of the Sustainable Development Goals, OHCHR recorded a high number of human rights defenders and journalists killed during the year

⁴⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24458&LangID=E.

under review, and observed that half of the victims had been working with communities on different issues, including the rights of minorities.⁴⁹

73. In April, the High Commissioner expressed serious concern at the global rise in hatred directed at members of racial, ethnic and religious groups, and against foreigners or other minorities. She highlighted that OHCHR was supporting efforts to empower human rights defenders and civil society activists of all kinds – including activists for minority rights – so that they could confront prejudice effectively and with confidence, and to ensure that minorities could raise their voices and participate fully in the life of a nation.⁵⁰

74. OHCHR and several human rights bodies and mechanisms, such as the treaty bodies, addressed acts of intimidation and reprisals against human rights defenders for their cooperation with the United Nations, by developing and implementing different measures of prevention and protection.

75. During the reporting period, the Committee on the Elimination of Racial Discrimination expressed concern about the prevalence of racially motivated crimes, in particular against Roma, Jews, migrants and minority rights activists.⁵¹ It expressed concern at the fact that human rights defenders advocating for the rights of persons of African descent and Afrodescendent leaders were the target of acts of violence, threats and attacks on their life. The Committee also noted with concern the misuse of the criminal justice system to prosecute defenders of the rights of persons of African descent.⁵²

I. Minorities and statelessness

76. OHCHR paid particular attention to minority groups who were at risk of becoming stateless and engaged with States to promote cooperation, dialogue and understanding of the situation of minorities. For instance, at the country level, OHCHR continued to document and advocate with local and national authorities for the protection of the rights of ethnic Vietnamese minorities living in Cambodia. In particular, OHCHR monitored the implementation of new policies on the registration of ethnic Vietnamese as legal immigrants. The registration process ended in July, opening the way for the ethnic Vietnamese minorities to apply for naturalization, and ending the stateless situation of many. OHCHR welcomed the issuance of a circular on 1 July requiring local authorities to provide birth certificates, death certificates and resident books to people holding a permanent resident card. The circular should partly address the concerns of OHCHR regarding the lack of clarity on the rights associated with permanent residency, particularly the right to education, work and social services. OHCHR will monitor the implementation of this circular at the local level.

77. On 13 March, the Human Rights Council held an interactive dialogue with the Special Rapporteur on minority issues, who presented the first thematic report on statelessness as a minority issue. He expressed concern that millions around the world were deprived of citizenship because they belonged to specific minorities, increasing their vulnerability and exclusion. The Special Rapporteur noted, in particular, statelessness among the one million or so members of the Rohingya minority of Myanmar.

J. Rights of linguistic minorities

78. Several United Nations human rights mechanisms and OHCHR field presences raised issues regarding linguistic minorities. In 2019, the first United Nations regional forums on minority issues were organized in Brussels, Bangkok and Tunis, aimed at bringing the discussion closer to the different regions using the theme of “education, language and the human rights of minorities”. Discussions at the regional forums aimed to

⁴⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24948&LangID=E.

⁵⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24503&LangID=E.

⁵¹ CERD/C/CZE/CO/12-13, paras. 13–14.

⁵² CERD/C/MEX/CO/18-21, paras. 30–31.

provide regional insights into legislative, institutional and policy initiatives on the protection and promotion of minority language education, and the adoption of inclusive pedagogical and educational approaches, with a view to ensuring equal access to education for persons belonging to minorities.⁵³

79. The twelfth session of the Forum on Minority Issues, held in Geneva in November, was dedicated to the topic of “education, language and the human rights of minorities”. Building on regional experiences, it reflected on the global experiences, culminating in specific recommendations addressed to all the relevant stakeholders. The Forum analysed practices, challenges, opportunities and initiatives in addressing education in, and the teaching of, minority languages as a human rights issue, in line with the principles and rights enshrined in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant international instruments.

80. The United Nations Interim Administration Mission in Kosovo, in partnership with the International Organization for Migration, completed in June 2019 the first phase of the trust-building initiative aimed at promoting the learning of both official languages in Kosovo. As a result, the first online Albanian-Serbian and Serbian-Albanian dictionary, containing 20,000 words and an associated Serbian and Albanian online language course, were developed. The second project phase, which started in September 2019, encompassed further development of the dictionary and the online language course. In the long run, this initiative will contribute positively to the reconciliation and socioeconomic inclusion of communities in Kosovo, as well as to the general peacebuilding efforts in the region. Taking into consideration that all tools will be available electronically, the project will also be beneficial for a larger audience in the Western Balkans.

81. In May, the Ukrainian law “on ensuring the functioning of Ukrainian as the State language” was signed. OHCHR had raised concerns that some provisions that could jeopardize the rights of minorities had immediate effect, particularly those relating to the rules on the use of the State language in governance and public services, including at local levels. OHCHR advocated for the Cabinet of Ministers to prioritize the development of a law on the rights of minorities and indigenous peoples, through an inclusive and consultative process, in order to ensure a fair balance between the protection of the rights of minorities and the promotion of the State language as a tool for integration within society.

82. In a statement to mark the International Day of Sign Languages,⁵⁴ the Special Rapporteur on minority issues called on States to undertake legislative, institutional and policy measures to recognize deaf people as members of a linguistic minority and to ensure the systematic inclusion of sign languages in the provision of services.

83. In his statement at the end of his visit to Spain in January, the Special Rapporteur expressed concern over a reported gap between the recognized status of co-official languages and the extent of their actual use, and the implementation of related legislation. He highlighted that linguistic minorities had a right to use their languages, to an appropriate degree in proportion to their population, in interactions with State authorities and institutions in situations in which it was reasonable and justified, but that such a right remained unfulfilled in a number of regions.

84. In 2019, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination addressed concerns relating to linguistic minorities. For example, the Committee on the Elimination of Racial Discrimination recommended ensuring the availability of trained and qualified interpreters to assist in the provision of public services to the Sami community and other linguistic minorities.⁵⁵ It also encouraged States to preserve and promote minority languages in law and practice, to take special measures and to increase the necessary human, technical and financial resources for quality instruction in official and minority languages.⁵⁶

⁵³ See www.ohchr.org/EN/Issues/Minorities/SRMinorities/Pages/ConsultationsRegionalActivities.aspx.

⁵⁴ 23 September 2019.

⁵⁵ CERD/C/NOR/CO/23-24, para. 22.

⁵⁶ CERD/C/IRQ/CO/22-25, para. 22.

IV. Conclusion

85. During 2019, intolerance, racism and religious hatred directed at members of ethnic and religious minorities were on the rise globally, posing a serious challenge to efforts to make progress on human rights and at times reversing hard won past gains.⁵⁷ The increasing use of divisive language exacerbated existing patterns of exclusion. Minorities, including Roma, continued to be subjected to discrimination, segregation, prejudice, social exclusion and hate speech. Human rights defenders focusing on minority rights were victims of harassment and attacks from both State and non-State actors.

86. In a challenging global environment, OHCHR redoubled its efforts to support countries by developing strategies for the promotion and inclusion of minority rights to assist with the full implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and obligations related to minority rights. In addition to its continued support for United Nations processes dedicated to minority issues, OHCHR helped to make the special circumstances and needs of minorities more visible through extensive work on the 2030 Agenda and on leaving no one behind. That work included its contribution to the United Nations system's guidance material on translating the commitment to leave no one behind into action at the country level.

87. OHCHR adopted a range of country, regional and global strategies to support dialogue, measures and activities with a wide variety of stakeholders. Those efforts were taken with a view to combat hate speech, promote respect for religious diversity and dialogue, reflect on the importance of investing in minority youth and encourage their participation in decision-making.

88. The report shows that positive action and important initiatives were taken to implement the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and human rights obligations related to minority rights. However, considering the rise of racism, xenophobia and hatred globally, more sustained and coordinated efforts are required to counter the waves of human rights abuses that are threatening to reverse past progress. The promotion of dialogue, together with the celebration of diversity and the genuine inclusion and participation of minorities, is essential in developing a truly inclusive society and safeguarding peace and security. Human rights defenders must be able to promote minority rights locally and internationally in safe and enabling environments, free from any form of violence, harassment or reprisal.

89. In 2019, minority youth leaders played a key role in promoting minority rights. Empowering them is critical in fostering a more peaceful, inclusive and stable society. OHCHR continued to support minority youth, including through its Minority Fellowship Programme, to play this critical role as active members of society and of minority communities.

⁵⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24662&LangID=E.