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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

**Racism, racial discrimination, xenophobia and related  
forms of intolerance: follow-up to and implementation  
of the Durban Declaration and Programme of Action**

## **Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief**

### **Report of the United Nations High Commissioner for Human Rights**

#### *Summary*

The present report is submitted pursuant to Human Rights Council resolution 46/27, in which the Council called upon States to implement an action plan to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. The report contains information provided by States on the efforts and measures taken for the implementation of this action plan, as well as views on potential follow-up measures for further improvement of its implementation, notably within the context of the coronavirus disease (COVID-19) pandemic and related intolerance against members of religious or belief minorities. It also contains recommendations to States and other stakeholders with regard to implementing the action plan, notably by respecting freedom of religion or belief offline and online, acting expeditiously on hate crimes and protecting religious or belief minorities.



## **I. Introduction**

1. In 2011, the Human Rights Council in its resolution 16/18, and the General Assembly in its resolution 66/167, called upon States to take a number of actions to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. The suggested action plan comprised complementary measures to be taken at the national level in policy, law and practice.
2. The present report is submitted pursuant to Human Rights Council resolution 46/27, in which the Council requested the United Nations High Commissioner for Human Rights to prepare and submit to it, at its forty-ninth session, a comprehensive follow-up report with elaborated conclusions based upon information provided by States on the efforts and measures taken for the implementation of the action plan, and views on potential follow-up measures for further improvement of the implementation of that plan.
3. The report, which covers the period from January to December 2021, is based on contributions received from 18 States in reply to a note verbale sent by the Office of the United Nations High Commissioner for Human Rights (OHCHR), and responses to a related call for inputs circulated on 23 July 2021 to national human rights institutions, civil society organizations and United Nations entities.<sup>1</sup> In section II of the report, efforts and measures taken for the implementation of this action plan are presented under headings that correspond to the points outlined in paragraphs 7, 8 and 10 of Human Rights Council resolution 46/27. Section III presents conclusions with regard to the action plan, notably within the context of the coronavirus disease (COVID-19) pandemic, and observations on potential follow-up measures to accelerate its implementation.

## **II. Efforts and measures taken for the implementation of the action plan**

4. The present section summarizes information OHCHR received from Azerbaijan, Cambodia, Denmark, India, Italy, Latvia, Malta, Mauritius, Mexico, Peru, the Philippines, Qatar, the Russian Federation, Switzerland, the Syrian Arab Republic, Turkey, Turkmenistan and Ukraine in relation to constitutional and legislative frameworks present or being amended in those countries pertaining to combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons, based on religion or belief. It also includes information received from national human rights institutions and civil society organizations and actions undertaken by United Nations entities, including field presences.

### **A. Encouraging collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes<sup>2</sup>**

5. Denmark reported that its National Police had initiated a dialogue on hate crimes with a number of relevant stakeholders in order to establish closer and ongoing collaboration and to obtain input to future police efforts concerning hate crimes. The purpose of the dialogue was also to collaborate on how to encourage more victims to report hate crimes to the police, and to shed light on any difficulties or barriers with regard to the reporting process.
6. Malta reported that it had created a number of collaborative networks, including the Forum on Intercultural Affairs, which enabled dialogue between the government entity

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<sup>1</sup> The original texts of the submissions from States and national human rights institutions, including those sent after the deadline, are available for consultation at <https://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx> (filtered by document category at the “national level” and “State contributions”).

<sup>2</sup> See Human Rights Council resolution 46/27, para. 7 (a), which provides, as examples, servicing projects in the fields of education, health, conflict prevention, employment, integration and media education.

working on human rights policy and relevant stakeholders; the Interfaith Integration Forum, working on integration; and the Anti-Racism Platform, which would monitor the implementation of the forthcoming national anti-racism strategy, including measures in the areas of education, health, employment and media education.

7. The OHCHR country office in Tunisia noted that it continued to engage in a constructive and fruitful dialogue with the Ministry of Religious Affairs and the Union of Tunisian Imams in order to involve religious actors in advancing human rights in the country and thereby contributing to its sustainable development. Programmes had been initiated to develop the capacities and skills of imams, other male and female preachers and other clerics of the Christian and Jewish religions in Tunisia with regard to human rights, in order to support their specific role and responsibilities in combating discrimination, hate speech and violence based on religion or belief. The close partnership and trust established with these key national partners had created a model of dialogue and meaningful participation in the protection of imams, as well as male and female preachers. The cooperation was part of the OHCHR global Faith for Rights initiative,<sup>3</sup> which provided space for interdisciplinary reflection and action on the mutual links between religions and human rights in order to foster the development of peaceful societies, respectful of human dignity and equality.

## **B. Mechanism within Governments to identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation<sup>4</sup>**

8. Denmark reported that its National Police focused on ensuring that hate crimes were handled and registered correctly in the police districts and that police officers received sufficient training in that regard. For that reason, training of law enforcement on how to identify, register, investigate and handle hate crimes was an integral part of the curriculum at the Danish National Police College. In addition, further training was offered by the Danish National Police to officers after their induction.

9. India reported that, in order to promote communal harmony and to create sensitivity in the administration, communal harmony guidelines had been issued by the Government of India to state governments and administrations of Union Territories. The guidelines laid down standard operating procedures to deal with situations arising out of communal violence. Furthermore, National Unity Day was celebrated every year on 31 October to promote social cohesion and harmony. The National Foundation for Communal Harmony, an autonomous organization within the Ministry of Home Affairs, also worked to promote harmony among various faiths and national integration through various activities.

10. Mexico reported that the Secretariat of the Interior, through its General Directorate for Religious Affairs, favoured dialogue and conciliation between religious communities when dealing with cases of religious intolerance, and ensuring respect for community customs and traditions, as long as their application did not violate human rights, particularly religious freedom. To that end, the General Directorate had been working with the respective state and municipal authorities, which – for reasons of proximity, closeness and knowledge of local customs and traditions – were responsible for going to the site of a possible conflict to investigate the facts, take measures and explain to the parties involved the scope of the applicable legal framework on religious matters, in order to reach a consensus and compliance with the law. In 2020, the General Directorate had investigated six cases related to religious freedom at the federal level, while, in the first three quarters of 2021, two cases concerning threats or expulsion of religious communities had been dealt with.

11. The OHCHR country office in Tunisia noted that, as a result of its technical cooperation, Decree No. 534 of 29 June 2021 on the organization of the Ministry of Religious Affairs provided for the creation of an office for human rights and relations with organizations and associations that supervised the affairs of religious minorities. In addition, following a recommendation by OHCHR, the mandate of the Ministry's monitoring unit,

<sup>3</sup> See <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx>.

<sup>4</sup> Human Rights Council resolution 46/27, para. 7 (b).

which monitored and followed up on human rights violations against or caused by imams and other male and female preachers, had been extended to include Christian and Jewish clerics. OHCHR had organized two three-day training sessions for personnel of the monitoring unit, also sharing experiences and best practices with the Ministry of Religious Affairs, the Independent High Authority for Audiovisual Communication and the monitoring unit for the safety of journalists of the Tunisian Journalists' Union, which OHCHR had helped establish in partnership with the United Nations Educational, Scientific and Cultural Organization (UNESCO).

### **C. Training government officials in effective outreach strategies<sup>5</sup>**

12. Azerbaijan reported that the State Committee on Religious Associations, in close cooperation with central and local executive authorities, the armed forces, law enforcement agencies, educational institutions, youth organizations, religious organizations and other non-governmental organizations, had carried out some 300 online awareness-raising events between January and July 2021, which had been attended by more than 15,000 people.

13. India reported that the National Human Rights Commission was spreading human rights literacy through collaboration with administrative training institutes, police training institutions, state human rights commissions, universities and colleges. In addition, the National Human Rights Commission had organized internship programmes at headquarters in New Delhi for university students of different States of India.

14. Qatar reported that the Ministry of the Interior had organized awareness-raising activities to promote human rights concepts, including through the work of various departments and media outreach, as well as by means of the Ministry's website and social media page, workshops and public lectures.

### **D. Efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter those causes<sup>6</sup>**

15. Peru reported that, during the COVID-19 pandemic, various activities involving religious leaders and interreligious and state coordination had been carried out to facilitate the social work of religious entities and make the impact of their work visible. Article 5 of Supreme Decree No. 170-2020-PCM, regarding the opening of temples or centres of religious worship in the context of the health emergency had been modified to ensure neutral and inclusive language. Working meetings had been held in relation to the resumption of religious activities, and the Ministry of Health had collaborated in the elaboration of Sanitary Directive No. 121-MINSA-2020-DGIESP, establishing the mandatory use of a mask and face shield in churches and places of worship. The Ministry of Justice and Human Rights highlighted the need to balance the right to health and life and the right to religious freedom in meetings held with leaders of various religious communities, as well as the responsibility of believers, and the need for their commitment to overcome the challenges that humanity had been facing as a consequence of the COVID-19 pandemic in a responsible manner.

16. The OHCHR country office in Yemen noted that it had collaborated in June 2021 with the National Union for the Marginalized on a workshop in Aden Governorate on hate speech and incitement directed against marginalized persons and vulnerable communities. The workshop, in which 17 men and 12 women had participated, had been aimed at media professionals, journalists, activists and members of the Muhamasheen community, as well as representatives of the ministry of human rights, the ministry of religious guidance and endowments and the ministry of labour and social affairs. The participants had collectively developed recommendations, including to conduct social media campaigns to combat violence against marginalized persons and the drafting of laws to hold anyone who engaged in incitement to discrimination to account.

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<sup>5</sup> Ibid., para. 7 (c).

<sup>6</sup> Ibid., para. 7 (d).

17. On 2 and 3 December 2021, discussions at the fourteenth session of the Forum on Minority Issues focused on challenges, opportunities and initiatives to prevent conflict and protect the human rights of minorities, in line with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant international instruments.<sup>7</sup> In that context, participants reflected on the 18 commitments of the Beirut Declaration on Faith for Rights, notably to exchange on practices in areas of mediation, early detection of communal tensions and remedial techniques.<sup>8</sup>

## **E. Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence<sup>9</sup>**

18. Switzerland stated that it condemned any incitement to discrimination, hatred or violence on the grounds of nationality or religion and that it acted to prevent religious intolerance and to defend freedom of belief and religion. While recognizing the importance of protecting individuals in the expression of their religion, Switzerland opposed the explicit recognition of the concept of “defamation of religions” as a contemporary form of racism. Recognizing such a concept would de facto modify the definition of racism by adding a religious dimension. Existing international provisions were sufficient to fight effectively against incitement to racial hatred, in line with article 4 (a) of the International Convention on the Elimination of All Forms of Racial Discrimination. For Switzerland, to recognize such a concept would seriously undermine the philosophy of human rights, which as a matter of principle protected human beings and not religions.

19. On the tenth anniversary of the adoption of Human Rights Council resolution 16/18, in March 2021, five special procedure mandate holders<sup>10</sup> welcomed that historic consensus and flagged that, sadly, a new wave of stigma, racism, xenophobia and hate had been amplified by digitalization and social networks and aggravated in the context of the COVID-19 pandemic, targeting minorities and those seen as “others” with impunity. They also voiced concern at State actions that were incompatible with freedoms of religion, belief, opinion and expression, including the use of anti-blasphemy and anti-apostasy laws, which rendered religious or belief minorities, including atheists and dissenters, vulnerable to discrimination and violence. The five experts stressed that States must not revive the dangerous notion of “defamation of religions” and the divisive debate that had undercut efforts to combat religious discrimination and intolerance prior to achieving the consensus agreement 10 years earlier.<sup>11</sup>

20. The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo noted that, on 2 August 2021, the Speaker of the National Assembly had expressed concerns about what he described as increasing radicalism and inflammatory speeches in the Democratic Republic of the Congo. The Speaker had condemned acts of vandalism and derogatory remarks against the Catholic Church and its cardinal by unidentified individuals following the 30 July position taken by the Episcopal Conference of the Democratic Republic of the Congo in relation to the designation of the president of the independent electoral commission by religious denominations. Furthermore, in a statement signed on 2 May 2021 by its Secretary General, the Islamic community had condemned the killing of its representative in the Beni area by unidentified gunmen during evening prayers at Beni central mosque.

21. The Office of the Special Adviser to the Secretary-General on the Prevention of Genocide noted that, in March 2021, it had co-organized a series of virtual workshops on

<sup>7</sup> See [A/HRC/FMI/2021/1](#).

<sup>8</sup> [A/HRC/40/58](#), annex II, commitment XVII.

<sup>9</sup> Human Rights Council resolution 46/27, para. 7 (e).

<sup>10</sup> Special Rapporteurs on freedom of religion or belief; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on minority issues; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

<sup>11</sup> See <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26937&LangID=E>.

countering hate speech and fostering peaceful and inclusive societies with the High Education Commission of Pakistan. The Special Adviser systematically worked with religious leaders and actors to prioritize prevention in respect to situations of concern, including during country visits, and encouraged them to take an active role in countering incitement to violence. The Special Adviser continued serving as the focal point on the implementation of the United Nations Strategy and Plan of Action on Hate Speech,<sup>12</sup> in cooperation with the working group led by the Office of the Special Adviser and field presences around the world. The Special Adviser also continued providing support to several United Nations field entities to develop context-specific plans of action to combat hate speech. Moreover, the Special Adviser had released detailed guidance on implementation of the United Nations Strategy and Plan of Action on Hate Speech aimed at facilitating its operationalization by field presences.<sup>13</sup> In May 2021, the Office of the Special Adviser had organized a second virtual round table with technology and social media companies, focused on the implementation of the recommendations of the first round table on addressing and countering online hate speech.

22. OHCHR engaged directly with a range of companies to develop human rights-based policies and frameworks for the use and governance of digital technology by States and technology companies, including advocating respect for minority rights in the digital space, with the aim of developing effective rights-based responses to threats to civic space, in collaboration with OHCHR field presences and civil society partners. In particular, OHCHR lobbied different social media platforms to step up their efforts to meet their human rights responsibilities under the Guiding Principles on Business and Human Rights. In 2021, OHCHR collaborated with Facebook, Google/YouTube and Twitter with a view to better protecting human rights defenders and responding to content that might constitute incitement to hostility, discrimination or violence. During the Arria-formula meeting of the Security Council concerning hate speech and social media, on 28 October 2021, Access Now's Executive Director stressed that any restriction on social media had to reflect the United Nations Strategy and Plan of Action on Hate Speech and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.<sup>14</sup>

23. The Public Defender (Ombudsman) of Georgia noted that senior officials unfortunately often did not react to discriminatory religious statements, including but not limited to antisemitic remarks. The Public Defender stressed that widespread antisemitic rhetoric should not solely remain the subject of discussion for particular individuals, but that the Georgian authorities should immediately condemn any kind of antisemitic attitude.

24. With regard to the situation in India, Citizens Against Hate noted that the Special Adviser on the Prevention of Genocide had flagged as "extremely alarming" statements such as that of a member of parliament that all people were not equal and that Muslims were not in an "equal category" with others.<sup>15</sup> In addition, it referred to a communication by seven special procedure mandate holders who had raised with the Government information concerning hate speech, violent attacks and harassment of peaceful anti-Citizenship Amendment Act protesters, disproportionately targeting the Muslim religious minority.<sup>16</sup>

<sup>12</sup> See <https://www.un.org/en/genocideprevention/hate-speech-strategy.shtml>.

<sup>13</sup> See [https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20PoA%20on%20Hate%20Speech\\_Guidance%20on%20Addressing%20in%20field.pdf](https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20PoA%20on%20Hate%20Speech_Guidance%20on%20Addressing%20in%20field.pdf).

<sup>14</sup> See <https://www.accessnow.org/un-security-council-address-online-hate-speech/>.

<sup>15</sup> See [https://www.un.org/en/genocideprevention/documents/18052020\\_SA%20note%20to%20media%20on%20India\\_final.pdf](https://www.un.org/en/genocideprevention/documents/18052020_SA%20note%20to%20media%20on%20India_final.pdf).

<sup>16</sup> See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25603>.

## **F. Measures to criminalize incitement to imminent violence based on religion or belief<sup>17</sup>**

25. Peru reported that it had established measures to criminalize incitement to imminent violence based on religion or belief, notably through articles 46, 273, 275 and 323 of the Penal Code.

26. The human rights monitoring mission in Ukraine noted that the current version of article 161 of the Criminal Code of Ukraine did not criminalize incitement to violence. OHCHR had led joint advocacy efforts with partners from the international community and the office of the Ukrainian Parliament Commissioner for Human Rights (Ombudsman) to amend the article by extending criminal liability to include incitement to violence. The mission reported that, on 13 May 2021, draft law No. 5488 on amendments to the Code of Administrative Offences and the Criminal Code with regard to combating discrimination had been submitted to parliament. The draft included an amendment of article 161 of the Criminal Code, to establish liability for public calls for violence, and incitement to hostility and hatred based on the motive of intolerance. OHCHR continued to document incidents of violence in relation to the transition of churches and religious communities from the Ukrainian Orthodox Church to the Orthodox Church of Ukraine, although the number of incidents had fallen after the 2019 Presidential elections. In 2021, OHCHR had documented two cases of violence in rural areas in western Ukraine related to tensions between Orthodox communities.

## **G. Combating denigration and negative religious stereotyping of persons and incitement to religious hatred through education and awareness-building<sup>18</sup>**

27. Denmark reported that the Ministry of Justice had announced in November 2019 that it had started working on a national action plan to combat antisemitism in Denmark.

28. Turkey reported that various amendments had been made to the national curriculum to include the teaching of the fundamental values of non-discrimination, respect for differences and inclusiveness and to integrate an encompassing approach to all religions in all levels of education. The Ombudsman Institution also monitored the compliance of public institutions with the principle of the prevention of discrimination. Pursuant to the Action Plan on Human Rights, which had been announced by the President on 2 March 2021, the Criminal Code would be amended to include a new provision on discrimination and hate crimes. Furthermore, a database would be established for criminal offences and misdemeanours involving hate and discrimination.

29. The High Representative for the United Nations Alliance of Civilizations noted that, as the focal point to monitor antisemitism and enhance a United Nations system-wide response, he had continued engaging with major Jewish organizations, antisemitism coordinators and envoys, as well as relevant United Nations entities and human rights treaty bodies. In March 2021, he had convened a consultation meeting to explore holistic approaches to combating antisemitism. The consultations would inform a policy guidance note that could support a coordinated and enhanced response to antisemitism anchored in human rights.

30. OHCHR expanded its work on antisemitism, including through cooperation with the World Jewish Congress in the context of exhibitions and panel discussions. On the most recent International Day of Commemoration in Memory of the Victims of the Holocaust (27 January 2021), the High Commissioner issued a press statement emphasizing the frightening increases in the number of hate crimes in many societies in 2020, and the sharp rise in online antisemitic activity amid the upheaval of the COVID-19 pandemic, with the World Jewish

<sup>17</sup> Human Rights Council resolution 46/27, para. 7 (f).

<sup>18</sup> *Ibid.*, para. 7 (g).



Congress reporting a 30 per cent increase in antisemitic slurs on major social media sites since November 2019.<sup>19</sup>

31. The Office of the Special Adviser to the Secretary-General on the Prevention of Genocide noted that it had co-hosted the “Global Multistakeholder Forum – Addressing Hate Speech through Education” with UNESCO on 30 September and 1 October 2021, bringing together teachers, educators, youth, civil society organizations, human rights experts, technology and social media companies and government representatives, with a view to promoting meaningful engagement, discussing the role of education in addressing hate speech and identifying key recommendations for the way forward. The Forum also informed the Global Education Ministers Conference on addressing hate speech through education, held online on 26 October 2021, which had been attended by nearly 60 ministers and deputy ministers of education, with many others contributing video messages.<sup>20</sup> UNESCO, the Office of the Special Adviser and OHCHR would continue supporting and monitoring the implementation of the principles and policy priorities set forth in the conclusions by the Conference Chairs,<sup>21</sup> in cooperation with Member States and all relevant stakeholders.

32. The World Jewish Congress noted that, since the International Day of Commemoration in Memory of the Victims of the Holocaust in 2021, Facebook and Instagram users searching for terms associated with the Holocaust or denial of it had been prompted to visit AboutHolocaust.org, a site established in 2018 by the World Jewish Congress and UNESCO to provide young people with essential information about the history of the Holocaust and its legacy. That initiative by Facebook had been the product of a long period of cooperation with the World Jewish Congress to ensure that users of the social media platform did not fall victim to purveyors of hate and ignorance.

## **H. Debate of ideas and interfaith and intercultural dialogue at the local, national and international levels to combat religious hatred, incitement and violence<sup>22</sup>**

33. Cambodia reported that the Ministry of Cults and Religions had conducted interfaith seminars on topics such as climate change, drug issues, environmental protection and peace and sustainable development at the national and subnational levels. A seminar on Religious Harmony Week had been conducted with a focus on education and promoting global religious harmony and peace and sustainable development in national, subnational and local communities.

34. The United Nations Special Coordinator for Lebanon noted her consistent engagement with the religious leaders of the national Shia, Sunni and Christian communities, as well as with the papal nuncio, to promote a culture of tolerance, dialogue and coexistence at a time of acute crisis and hardship in the country, which had also been a central theme of her engagements with political leaders, and on social media. The Office of the Special Coordinator, together with OHCHR, the United Nations Development Programme and the Resident Coordinator Office, had developed a United Nations country team framework to address hate speech in Lebanon. The framework contained early warning elements, such as a hate speech monitoring report, issued quarterly. It also promoted positive speech in support of religious and political tolerance and coexistence, through media statements, social media engagement and outreach to schools, universities and civil society.

35. The OHCHR Regional Office for the Middle East and North Africa noted that, in partnership with the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide, it had published a booklet in Arabic and English on engaging religious actors to counter hate speech, prevent incitement to violence and build inclusive and peaceful societies. The Regional Office had also supported an initiative to develop a code of conduct

<sup>19</sup> See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26689&LangID=E>.

<sup>20</sup> See <https://en.unesco.org/news/addressing-hate-speech-through-education-global-education-ministers-conference>.

<sup>21</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000379729>.

<sup>22</sup> Human Rights Council resolution 46/27, para. 7 (h).



for parliamentarians in Lebanon, which encouraged them to sign on to a pledge to combat incitement to hatred and discrimination and to avoid using pejorative or discriminatory language with reference to a person or a group, based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

36. OHCHR conducted several peer-to-peer learning events in 2021, piloting the interactive methodology and case studies of the #Faith4Rights toolkit,<sup>23</sup> including for civil servants in Brazil and Nigeria (with the Oslo Coalition on Freedom of Religion or Belief), judges in Indonesia (with the Norwegian Centre for Human Rights and the Indonesian Institute for an Independent Judiciary) and for several universities, as well as Chevening scholars from more than 60 countries. United Nations human rights mechanisms contributed to those webinars, notably the Special Rapporteur on minority issues, the Special Rapporteur on freedom of religion or belief and the Special Rapporteur in the field of cultural rights, as had members of the Human Rights Committee and the Committee on the Elimination of Discrimination against Women. Furthermore, OHCHR collaborated with the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide and the High Representative for the United Nations Alliance of Civilizations on a peer-to-peer learning programme on the Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the United Nations,<sup>24</sup> focusing on topics related to religious or belief minorities, hate speech, atrocity crimes, religious sites, gender equality and interfaith dialogue.<sup>25</sup> At the high-level political forum on sustainable development in July 2021, the High Commissioner underlined the importance of inclusive peer-to-peer learning on faith and human rights, noting that releasing the world from incitement to national, racial or religious hatred could unleash tremendous potential.<sup>26</sup> OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Population Fund and the Joint Learning Initiative on Faith and Local Communities/Sexual Violence Research Initiative also conducted webinars that had resulted in “peer-to-peer learning snapshots”, including on the situation of religious minorities.<sup>27</sup> In addition, OHCHR and the European Commission Directorate-General for International Partnerships held peer-to-peer learning events on using the #Faith4Rights toolkit in the context of the European Union Gender Action Plan III, which calls on the European Union to support the mobilization of religious actors for gender equality in line with the Faith for Rights framework.<sup>28</sup> A series of monthly high-level dialogues on freedom of religion or belief and the Sustainable Development Goals were conducted with parliamentarians and faith-based actors, co-organized with the Freedom of Religion or Belief Leadership Network, the International Panel of Parliamentarians for Freedom of Religion or Belief, African Parliamentarians Association for Human Rights and Religions for Peace. In addition, four online events organized with the non-governmental organization Freemuse examined the nexus between visual, performing and other arts, the human rights of minority communities and the evolving impacts of the COVID-19 pandemic on those communities.<sup>29</sup> Moreover, a group of former fellows of the OHCHR minority fellowship programme and the Special Rapporteur on minority issues remotely recorded a music video on the rights of persons belonging to minorities, which was premiered during the Social Forum in October 2021.<sup>30</sup>

37. The High Representative for the United Nations Alliance of Civilizations noted that, in collaboration with the Office of Counter-Terrorism and the United Nations Counter-Terrorism Centre, his office had launched a seed-funded project for peer-to-peer capacity-building training between young religious leaders and young media makers. The project aimed at preventing violent extremism through strategic communications and by countering

<sup>23</sup> See <https://www.ohchr.org/Documents/Press/faith4rights-toolkit.pdf>.

<sup>24</sup> See <https://www.ohchr.org/Documents/Issues/Religion/GlobalPledgeAction.pdf>.

<sup>25</sup> See <https://www.ohchr.org/Documents/Issues/Religion/GlobalPledgeActionConcept.pdf>.

<sup>26</sup> See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27279&LangID=E>.

<sup>27</sup> See <https://www.ohchr.org/Documents/Issues/Religion/P2Psnapshots27052021.pdf>.

<sup>28</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020JC0017&from=EN>, p. 3.

<sup>29</sup> See <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FrameworkInAction.aspx> and [https://freemuse.org/def\\_art\\_freedom/celebrating-minority-artists/](https://freemuse.org/def_art_freedom/celebrating-minority-artists/).

<sup>30</sup> See <https://www.ohchr.org/EN/Issues/Poverty/SForum/Pages/SForum2021.aspx>.

hate speech, demystifying digital violence and promoting social cohesion, tolerance and mutual respect. The project incorporated the concepts developed in the context of the United Nations Plan of Action to Safeguard Religious Sites,<sup>31</sup> the Secretary-General's call to action for human rights<sup>32</sup> and the United Nations Strategy on Hate Speech.

38. In his report on countering Islamophobia/anti-Muslim hatred, the Special Rapporteur on freedom of religion or belief recommended that States fulfil their obligations to prohibit any advocacy of religious hatred that constituted incitement to discrimination, hostility or violence, in line with international norms and soft law instruments developed under the auspices of the United Nations.<sup>33</sup>

39. The World Jewish Congress noted that it had delivered a joint statement with the Muslim World League, on 3 October 2021 during the forty-eighth session of the Human Rights Council, which laid the foundation for concrete, meaningful cooperation on critical issues. It was the first time such a coordinated statement had been presented by major Jewish and Muslim representative groups before a United Nations body. The statement focused on the importance of dialogue and strong cooperation, as well as safeguarding freedom of religion or belief around the globe and the right of every individual to practice one's religion freely.<sup>34</sup>

## **I. Ensuring that public functionaries do not discriminate against individuals on the basis of religion or belief<sup>35</sup>**

40. Latvia reported that, on 30 June 2021, the Ministry of the Interior had adopted a decree establishing a working group in order to address procedural problems in combating hate crimes. The working group had subsequently reported to the Minister of the Interior on improvements in data quality and the legal framework, as well as on practical application issues. The Ministry of Justice had not received or otherwise obtained any information about notable occasions of possible discrimination on religious grounds.

41. Mauritius reported that local religious organizations of different faiths were allowed to apply for residence permits to enable foreign religious workers to work and reside in Mauritius, serving their organizations. Furthermore, social visas were granted to foreign nationals who visited Mauritius for short stays to conduct religious activities upon the invitation of a sponsoring organization. All persons were treated equally in their applications for citizenship and there was no special treatment or discriminatory criteria related to religious belief in the processing of such applications.

42. Peru reported that, pursuant to Supreme Decree No. 006-2016-JUS, as modified by Supreme Decree No. 014-2021-JUS, persons could not discriminate against others or be discriminated against for their religious beliefs or their absence, or for any changes that persons made in regard to their beliefs. The General Directorate of Justice and Religious Freedom of the Ministry of Justice and Human Rights attended to requests related to the exercise of religious freedom and treated any complaints concerning religious discrimination.

43. The Philippines reported that its Diversity and Inclusion Programme had established a number of anti-discrimination guidelines and procedures, including a framework for agencies to identify and eliminate all barriers to equal opportunities in education and the recruitment, hiring, training, promotion and retention of personnel, as well as a process for seeking redress for discrimination-related complaints.

44. The Russian Federation reported that particular attention was paid to the training of members of law enforcement agencies. There were also professional training programmes on the investigation of offences relating to extremist and terrorist activities, as well as on issues

<sup>31</sup> See <https://www.unaoc.org/resource/united-nations-plan-of-action-to-safeguard-religious-sites/>.

<sup>32</sup> "The highest aspiration: a call to action for human rights", available at <https://www.un.org/en/content/action-for-human-rights/index.shtml>.

<sup>33</sup> See A/HRC/46/30, para. 79 (d).

<sup>34</sup> See <https://www.worldjewishcongress.org/en/news/world-jewish-congress-muslim-world-league-share-joint-statement-before-un-human-rights-council>.

<sup>35</sup> Human Rights Council resolution 46/27, para. 8 (a).

of intolerance, hatred, enmity and humiliation of a person or group of persons based on sex, race, nationality, language, origin, attitude to religion or membership of any social group.

45. The Syrian Arab Republic reported that the Child Rights Law No. 21 of 2021 guaranteed the rights of each child to receive protection and care without any discrimination on the basis of gender, race, place of origin, colour, language, religion or any other basis.

46. The Public Defender (Ombudsman) of Georgia noted that regulations related to COVID-19 that prohibited the movement of persons or their presence in public spaces after 9 p.m. from 28 November 2020 to 31 January 2021 might discriminate against persons belonging to non-dominant religious associations. Such a restriction did not apply to Christmas Eve, while the holidays of other religious associations celebrated overnight during the same period had not been mentioned in a statement issued by the Government. Another unequally restrictive regulation had been the refusal of the Government to satisfy the request of the Azerbaijani community to temporarily lift restrictions on movement at night on 21 March 2021 to celebrate the holiday of Nowruz without hindrance. While the reasoning behind the refusal, to prevent the spread of the virus, was a strong one, the Government had a practice of lifting restrictions on holidays and football matches, which had not complicated the epidemiological situation. It was important to ensure that State regulations applied equally to all religious associations and groups, so that they could exercise their right to freedom of religion on an equal basis.

47. Boat People SOS noted that a lay leader of Cao Dai followers in Viet Nam had faced repeated reprisals by the Government for having reported human rights violations to United Nations special procedure mandate holders. The incident had been addressed in 2020 by special procedure mandate holders and in the Secretary-General's report on cooperation with the United Nations,<sup>36</sup> which noted alleged threats, travel restrictions and violence against and surveillance of members of independent religious communities and human rights defenders who had sought to participate or had participated in the 2019 international conference in Bangkok on freedom of religion or belief in South-East Asia, including interaction with and training by OHCHR. Boat People SOS also referred to concluding observations of the Human Rights Committee,<sup>37</sup> in which the Committee had stressed that Viet Nam should take into account the recommendations of the Special Rapporteur on freedom of religion or belief<sup>38</sup> and also take measures to prevent and swiftly and effectively respond to all acts of undue interference with the freedom of religion, and any incidents of hate speech, incitement to discrimination, violence or alleged hate crime, and ensure that those responsible were brought to justice.

## **J. Promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society<sup>39</sup>**

48. Azerbaijan reported that 970 religious communities (933 Muslim, 26 Christian, 8 Jewish, 2 Baha'i and 1 Krishna) had been registered in Azerbaijan as at August 2021, with 2,250 mosques, 16 churches and 7 synagogues operating in the country. The State Committee on Religious Associations carried out activities to establish favourable conditions for the implementation of religious freedom, to register religious communities and to strengthen tolerance, mutual understanding and respect among religious communities of different faiths.

49. Latvia reported that it had implemented a cooperative strategy that offered registered religious organizations the possibility to participate in dialogues regarding most legislative or executive decisions. As the implementation of COVID-19 epidemiological policy during 2020 and 2021 had shown, balancing public safety and individual exemption requests from religious organizations raised many technical issues. However, the balances that had been

<sup>36</sup> A/HRC/45/36, para. 124.

<sup>37</sup> CCPR/C/VNM/CO/3, para. 44.

<sup>38</sup> See A/HRC/28/66/Add.2.

<sup>39</sup> Human Rights Council resolution 46/27, para. 8 (b).

struck were not discriminatory, because they applied to all persons, regardless of their religion.

50. Switzerland reported that the coronavirus crisis had had a strong impact on religious communities. Religious services had been temporarily suspended and protective measures had had to be developed or new means had to be invented to reach and support members of religious communities. It was precisely in times of crisis that religious communities made an important contribution through social and spiritual support. Regular exchanges between the religious communities and the federal authorities had made it possible to jointly develop protection measures that took into account the specific customs and needs of the various religious communities.

51. Turkmenistan reported that 133 religious organizations had been registered with the Ministry of Justice, including 110 Muslim, 12 Orthodox and 11 of other confessions. According to the law on freedom of conscience and religious organizations, citizens of Turkmenistan were equal before the law regardless of their attitude to religion and religious affiliation, and foreign citizens and stateless persons enjoyed the right to freedom of religion on an equal basis with citizens of Turkmenistan.

52. The Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) noted that, on 1 March 2021, the Council of Representatives had passed the Yazidi Female Survivors Law, creating a reparation and rehabilitation framework for Yazidi, Turkmen, Shabak and Christian women and girl survivors of crimes committed by Da'esh. The law also recognized such crimes as crimes against humanity and genocide, and excluded future amnesties. While the law had been a welcome step to strengthen support for survivors of atrocities committed by Da'esh, some gaps remained, including the need to expand the definition of survivor to include men, boys and other communities, as well as to address the issue of the status of children born of rape by members of Da'esh. One of the first steps to implement the law had been the establishment of a directorate for Yazidi survivors care within the Ministry of Labour and Social Affairs. In addition, the UNAMI Human Rights Office, jointly with members of the United Nations country team, continued to lobby the Government to adopt by-laws that aimed to affirm a victim-centred approach and strengthened safeguards for the rights of survivors.

53. The United Nations country team in Serbia reported that it had continued monitoring risks and challenges with regard to discrimination, incitement and intolerance on grounds of religion and belief, and offering support to initiatives by stakeholders to mitigate and prevent those phenomena. That included further advances in the anti-discrimination legal framework, human rights monitoring and support for the civil society groups active in the field. The country team noted intensifying public expressions of nationalism and statements that ran counter to reconciliation and peacebuilding, contributing to an acceleration of tensions with the political leaders of neighbouring countries.

54. The Public Defender (Ombudsman) of Georgia noted that legislation regulating the Unified National Exams (Georgia's university entrance test) did not allow applicants to express their religious needs during registration and therefore the issue could not be taken into account when organizing exams. Applicants who refused to take an exam on a particular day due to their religious beliefs found themselves in an unequal position compared with other believers. In order to prevent unjustified interference with freedom of religion and equality in the future, the Public Defender had proposed to the Ministry of Education, Science, Culture and Sport that religious needs be taken into account in the process of organizing exams. Subsequently, applicants had been given the opportunity to take an exam on another day, resulting in the positive precedent that representatives of the Seventh-Day Adventist Church had passed the Unified National Exam on the day allowed by their religion.

55. The Coalition for Genocide Response noted that Da'esh had unleashed genocidal atrocities against religious minorities, including Yazidis and Christians, specifically targeting minority women and girls by trafficking them to other parts of the world and subjecting them to a litany of atrocities. Since many of the women and girls abducted by Da'esh in 2014 in northern Iraq were still missing, the Coalition for Genocide Response called on States to do more to ensure the safe return of the trafficked women and girls. In addition, it called on international organizations to support and guide States through that process or to

accommodate it. In many parts of the world acts constituting trafficking in persons, and their subsequent enslavement and abuse, were not being investigated and prosecuted.

## **K. Representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society<sup>40</sup>**

56. Cambodia reported that friendship dinners, presided over by the Prime Minister, were held annually with representatives of the three major religions in Cambodia (Buddhism, Islam and Christianity) with the aim of eliminating religious discrimination and encouraging the exchange of ideas on topics of general interest, as well as to address current challenges and expectations.

57. Turkmenistan reported that a new National Action Plan for Human Rights for 2021–2025 had been approved on 16 April 2021 by Presidential decree. One section of the plan was devoted to measures to ensure freedom of religion, opinion and speech, freedom of association and the rights of journalists. The new human rights plan, like the previous ones, would be implemented in cooperation with the United Nations Development Programme and other international organizations accredited in the country.

58. Ukraine reported that the National Human Rights Strategy had been adopted in March 2021. Chapter 5 of the Strategy focused on ensuring freedom of thought, speech and expression of views and beliefs, as well as access to information. Furthermore, the State Service of Ukraine for Ethnic Policy and Freedom of Conscience had been established in March 2020, as a separate executive body that implemented State policy in the field of interethnic relations, religion and the rights of national minorities and religious organizations in Ukraine.

## **L. Efforts to counter religious profiling<sup>41</sup>**

59. Denmark reported that when carrying out criminal investigations, police officers were obliged to follow Danish legislation prohibiting any kind of discrimination, including on the basis of faith, race, skin colour, national or ethnic origin, or sexual orientation. Great importance was placed on teaching students at the Police Academy to combat and prevent ethnic profiling, including religious profiling, and to avoid discrimination of any kind when conducting investigations as well as other law enforcement activities.

60. Turkey reported that new identity cards for Turkish citizens did not include any indication of the person's religion in order to prevent any discriminatory behaviour that might arise because of such an indication.

61. The Committee on the Elimination of Racial Discrimination, in its general recommendation No. 36 (2020), recommended that States ensure that law enforcement agencies regularly evaluated recruitment and promotion policies and, if necessary, adopted temporary special measures to effectively address the underrepresentation of various national or ethnic minority groups and of groups experiencing intersecting forms of discrimination based on, *inter alia*, religion, sex and gender, sexual orientation, disability and age.<sup>42</sup> Furthermore, States should ensure that algorithmic profiling systems deployed for law enforcement purposes were designed for transparency and should allow researchers and civil society to access the code and subject it to scrutiny. The Committee also suggested examining potential and actual discriminatory effects of algorithmic profiling based on grounds of race, colour, descent, or national or ethnic origin and their intersection with other grounds, including religion, sex and gender, sexual orientation and gender identity, disability, age, migration status and work or other status.<sup>43</sup>

<sup>40</sup> Ibid., para. 8 (c).

<sup>41</sup> Ibid., para. 8 (d), which defines religious profiling as the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures.

<sup>42</sup> Para. 47.

<sup>43</sup> Para. 60.

## **M. Measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines<sup>44</sup>**

62. India reported that the Places of Worship (Special Provisions) Act of 1991 had been enacted to prohibit conversion of any place of worship and to provide for the maintenance of the religious character of any place of worship as it existed on 15 August 1947.

63. The High Representative for the United Nations Alliance of Civilizations reported that he had continued leading the implementation of the United Nations Plan of Action to Safeguard Religious Sites, anchored in article 18 of the Universal Declaration of Human Rights. Through a consistent social media campaign and advocacy policy, he had continued to mobilize faith communities, including youth leaders, to promote the universality and symbolism of religious sites and places of worship and the imperative to protect them regardless of religion or belief or non-belief. The High Representative had also delivered public statements calling for mutual respect and warning against the disturbing rise in discrimination and related intolerance, stigma and acts of violence targeting communities and their places of worship based on their religion or belief.

64. The World Jewish Congress noted that even though some States had taken the task of protecting places of worship and religious sites seriously, by providing adequate measures and/or funding to address those challenges, inconsistencies could still be observed in the approaches taken by different countries to the issue. While recognizing the comprehensive, holistic approaches taken by some countries in order to step up the level of protection of, in particular, Jewish places of worship, there was a general need to upgrade physical security infrastructure, such as by installing closed circuit television or adequate access control systems, for most places of worship and religious sites, cemeteries and shrines, as such measures served as the primary deterrent to potential perpetrators.

## **III. Conclusions and observations on potential follow-up measures to accelerate the implementation of the action plan**

65. **It is vital to address intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief with a human rights-based approach.** Nelson Mandela famously said that “No one is born hating another person because of the colour of his skin, or his background, or his religion”.<sup>45</sup> In addition, nobody is born knowing how to manage religious diversity, which can have a huge positive potential for human rights but also be the source of serious tensions. These truths underline the importance of inclusive peer-to-peer learning on faith and human rights.

66. The COVID-19 pandemic has exposed and even exacerbated religious intolerance, as some people – also nourished by conspiracy theories – look for scapegoats and have wrongfully associated certain religious groups with the spread of the pandemic. The spectre of hatred on the basis of religion or belief should alarm everyone.<sup>46</sup> Stigmatization and discrimination online and offline has particularly targeted members of minority communities across the world, as evidenced by the sharp rise in online antisemitic activity and anti-Muslim hatred amid the upheaval of the pandemic. Urgent action is also needed by States to address the use of the COVID-19 pandemic by State and non-State actors in some locations to facilitate the harassment, intimidation and suppression of members of specific communities, including religious or belief minorities.

67. Furthermore, COVID-related restrictions on meetings and travel have hampered interreligious, interfaith and intercultural engagement at the local, national, regional and international levels. At the same time, cooperation by some States with

<sup>44</sup> Human Rights Council resolution 46/27, para. 10.

<sup>45</sup> Nelson Mandela, *Long Walk to Freedom: The Autobiography of Nelson Mandela* (London, Little, Brown and Company, 1994).

<sup>46</sup> See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27846&LangID=E>.



faith-based organizations and among religious or belief communities has proved to be particularly important in the COVID-19 context, for example by facilitating and making visible the impact of the communities' social work.

68. In follow-up to the Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the United Nations (see para. 36 above), several recommendations have been formulated with regard to addressing hate speech and protecting religious or belief minorities.<sup>47</sup> These recommendations stress that the United Nations brings an important normative human rights framework, soft-law standards and peer-to-peer learning methodology to engage with religious actors on issues of faith and human rights. Furthermore, social media platforms should explicitly include human rights in their policies and recalibrate business models that are benefiting from hate with little incentive to tackle it. Political manipulation of religion should be analysed to manage that phenomenon, which exacerbates hate speech. It is also recommended to support interfaith dialogue initiatives and to engage in peer-to-peer learning to further the fight against hate speech, xenophobia, stigmatization and discrimination, in a bottom-up approach to change attitudes in a sustainable way.

69. Human rights education represents the most powerful strategy both to prevent and to counter intolerance and discrimination based on religion or belief, as defined in article 2 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. By developing knowledge and skills that allow learners to identify and claim their human rights, it helps them to realize and address their own and other people's biases. Furthermore, participatory methodologies may transform learners from mere recipients into dynamic actors of their own learning process. In this context, sharing personal experiences in "story circles" is an effective technique, as highlighted in the UNESCO Manual for Developing Intercultural Competencies.<sup>48</sup> OHCHR has also been connecting the dots to bring together a variety of tools to address religious intolerance and discrimination, notably through the aforementioned peer-to-peer learning (see para. 36 above).

70. Comprehensive policies and human rights education projects should be designed to address the root causes of hate speech, rather than criminalizing or prohibiting speech that does not reach the threshold test of the Rabat Plan of Action on incitement to hatred and violence. In order to avoid undue restrictions on freedom of expression and related rights, States should consider operationalizing the Rabat threshold test, which assesses on a case-by-case basis the context, speaker, intent, content, extent of dissemination and likelihood of harm. In that context, it is a welcome development that in 2021 the Facebook oversight board has used the Rabat threshold test in several decisions<sup>49</sup> and has explicitly referred to the International Covenant on Civil and Political Rights, general comments by human rights treaty bodies, reports by United Nations special procedure mandate holders and the Guiding Principles on Business and Human Rights.

71. States and other stakeholders should redouble their efforts to implement the action plan of the Human Rights Council, notably by respecting freedom of religion or belief offline and online, acting expeditiously on hate crimes, and protecting religious or belief minorities, including their places of worship. Political and religious leaders should speak out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech. Teaching materials and curricula should promote respect for pluralism and diversity in the field of religion or belief. Finally, an exchange of lessons learned and promising practices should continue to be promoted, including with the support of the United Nations.-

<sup>47</sup> See <https://www.ohchr.org/Documents/Issues/Religion/GlobalPledgeRecommendations.pdf>.

<sup>48</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000370336/>.

<sup>49</sup> See <https://oversightboard.com/decision/>.