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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 49/14. 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 (OHCHR) 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 as well as the provisions of relevant international human rights treaties. The report covers the period from 1 January to 31 December 2023.

It concludes that, despite considerable efforts to meet the goal of the full enjoyment of minority rights, serious challenges remain with regard to the implementation of the Declaration, requiring further concerted action by all relevant stakeholders. It also recognizes the importance of addressing multiple, aggravated and intersecting forms of discrimination against persons belonging to national or ethnic, religious and linguistic minorities and the compounded negative impact of such discrimination on the enjoyment of their rights.



I. Introduction

1. In March 2022, the Human Rights Council adopted resolution 49/14 on the rights of persons belonging to national or ethnic, religious and linguistic minorities. In that resolution, the Council requested the United Nations High Commissioner for Human Rights to continue to present an annual report containing information on relevant developments of United Nations human rights bodies and mechanisms, and on the activities undertaken by OHCHR at headquarters and in the field 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.

2. The General Assembly adopted the Declaration without a vote on 18 December 1992 through resolution 47/135. It is the only United Nations instrument entirely dedicated to minority rights to date. The adoption of the Declaration, with its four pillars,¹ was a landmark achievement, a step towards promoting equality, protecting communities, providing a voice and preventing conflict.² The Declaration provides specific guidance to States on protecting minorities from discrimination and it has influenced important legal developments.³

3. The year 2023 marks the seventy-fifth anniversary of the Universal Declaration of Human Rights and the thirtieth anniversary of the Vienna Declaration and Programme of Action. Commemorating these important milestones, OHCHR launched the Human Rights 75 Initiative, which was aimed at harking back to the spirit that led every Member State to adopt the Universal Declaration of Human Rights and to base local, national and global decisions, across all areas of policy, on the intrinsic, and equal, value of every human life.⁴ Many of the activities reflected in the present report were undertaken in the course of the year as part of the Human Rights 75 Initiative.

II. Minorities and the Human Rights 75 Initiative

4. In the framework of the Human Rights 75 Initiative, in March 2023, the High Commissioner put a spotlight onto racial justice, calling upon States to take concrete steps – with the effective participation of those affected and their communities – to tackle persistent and emerging forms of racial discrimination and long-standing human rights violations, including those rooted in legacies of enslavement and colonialism.⁵ In addition, a number of the OHCHR field presences conducted activities in the context of the Human Rights 75 Initiative.

5. For example, in July and August, the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) held a series of workshops in Baghdad, Erbil and Basra on diversity as a tool for promoting and protecting human rights, with a particular focus on minority rights. The workshops brought together a total of 80 participants, including the Prime Minister's Adviser on Component Affairs, and representatives of government, diverse ethno-religious components, the Religious Endowments and civil society organizations. The workshops produced concrete recommendations to strengthen the promotion and protection of minority rights in Iraq.⁶

6. In September, OHCHR, the United Nations country team in the Dominican Republic and the Ministry of Foreign Affairs of the Dominican Republic held workshops on the adoption of comprehensive anti-discrimination legislation. This series of activities built on

¹ Namely, protection of the existence of minorities, non-discrimination, protection of identity, and participation.

² See <https://www.ohchr.org/en/stories/2022/05/30th-anniversary-marks-landmark-moment-minority-rights>.

³ A/78/306, para. 2; and see https://legal.un.org/avl/ha/ga_47-135/ga_47-135.html.

⁴ See <https://www.ohchr.org/en/events/events/2023/human-rights-75-high-level-event>.

⁵ See <https://www.ohchr.org/en/statements-and-speeches/2023/03/concrete-action-needed-end-racial-discrimination-un-human-rights>.

⁶ See <https://iraq.un.org/en/244001-unami-human-rights-office-hosts-workshop-diversity-tool-promote-universality-human-rights>.

the Practical Guide to Developing Comprehensive Anti-Discrimination Legislation.⁷ OHCHR conveyed to members of the Chamber of Deputies and the Interinstitutional Commission of Human Rights the importance of developing comprehensive anti-discrimination legislation, based on the general prohibition of discrimination in international human rights law.

7. In September, OHCHR also provided support for organizing an international conference in Serbia entitled “Are Minority Rights (Still) Human Rights?”. The conference recognized that the absence of a universally accepted definition of the term “minority” and of a universal legally binding international instrument exclusively focused on minorities had been key factors contributing to the numerous challenges associated with recognizing and safeguarding minority rights. In addition, OHCHR supported the initiative of the Ministry for Human and Minority Rights and Social Dialogue to develop the country’s Human Rights Strategy for the period 2024–2030. The Strategy encompasses all national policies related to human rights and recognizes the need to efficiently implement the leave no one behind principle and a human rights-based approach.

8. Also in September, OHCHR, in partnership with the International Dalit Solidarity Network and the Global Forum of Communities Discriminated on Work and Descent, held four days of activities in Nepal aimed at empowering youth. The events were focused on combating descent-based discrimination through the prism of access to justice and the role of youth in South Asia. They brought together 60 participants: 50 youths from descent-based and other communities, including LGBTQI+ communities, and youth with disabilities from Bangladesh, India, Nepal, Pakistan and Sri Lanka. Participants engaged on pressing issues relating to descent-based discrimination, strengthening their advocacy skills in international human rights law and mechanisms, and designed a road map as a follow-up to the events.

9. In November, the second International Art Contest for Minority Artists⁸ was organized, as part of the Human Rights 75 Initiative, in partnership with Freemuse, Minority Rights Group International and the City of Geneva. The winning artists tackled the theme of intersectionality⁹ and compounded discrimination in their art, emphasizing the interconnectedness of different forms of discrimination, from ethnic identity to gender and beyond. Through their vibrant canvases, music and photography, they offered a testament to the power of art in addressing social injustices and advocating for human rights.¹⁰ Six of the eight laureates of this year’s contest came to Geneva to attend a week of activities relating to arts, minority rights, human rights and advocacy, and to celebrate their artistic engagement in promoting the realization of minority rights.

10. In December, OHCHR and its partner organization the Equal Rights Trust were invited to present *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation*¹¹ at a public hearing of the Human Rights Committee of the Federal Senate of Brazil. The session was in follow-up to the publication in October of a Portuguese-language translation of the guide¹² made by the country’s Office of the Public Defender.

⁷ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

⁸ See <https://www.ohchr.org/en/stories/2023/11/international-art-contest-celebrates-minority-artists-work>.

⁹ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/30th-anniversary/2022-09-22/GuidanceNoteonIntersectionality.pdf>.

¹⁰ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/2023-catalogue-of-international-art-contest.pdf>.

¹¹ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

¹² See https://www.ohchr.org/sites/default/files/documents/issues/minorities/protecao_direitos_minorias_0.pdf.

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

A. Selected global, regional and country engagement activities

11. The 2023 report of the Special Rapporteur on minority issues to the Human Rights Council¹³ was focused on moving forward in recognizing and protecting the rights of minorities at the United Nations, critically reviewing and assessing the implementation of the Declaration since its adoption. The Special Rapporteur pointed to what he described as little or no significant development institutionally at the United Nations for advancing the protection of minorities, when compared to other marginalized groups. The Special Rapporteur recommended, inter alia, that a new guidance note be issued to operationalize the 2013 Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities¹⁴ in order to put into action the mainstreaming and integration of minority rights across all pillars and activities of the United Nations. He urged the United Nations system to reactivate and implement the integration of minority rights into its work at the global, regional and country levels, to create a permanent forum for minorities to improve the capacity of the United Nations to effectively address the problems facing minorities, and to mainstream in the training of United Nations staff the #Faith4Rights toolkit, in particular module 6 on minorities.¹⁵

12. During the reporting period, the human rights component of the United Nations Interim Administration Mission in Kosovo (UNMIK)¹⁶ continued its trust-building efforts focused on promoting language learning and removing language barriers. It developed C1-level materials for the VocUp language learning platform, including 10 video clips and 60 audio clips in Albanian and Serbian, along with 150-page textbooks. Eight tailored lessons on language rights as human rights were created for both languages, with regular educational videos posted on social media. International Mother Language Day activities supported by UNMIK included television debates in both the Albanian and Serbian languages. Participants discussed the implementation of the Language Law, the significance of language rights for human rights, and the preservation of multilingualism in Kosovo.

13. UNMIK also facilitated the joint statement of the Ombudsperson Institution and the Language Commissioner to emphasize the importance of multilingualism and multilingual education in preserving one's cultural identity and building an inclusive society. By the end of the project, the two institutions entered into a joint road map of cooperation to strengthen their inter-institutional cooperation in supporting multilingualism and implementing applicable language standards across Kosovo. Within the same project, the human rights component of UNMIK contributed to developing an administrative instruction to support the recognition of languages in official use and the implementation of the Language Law.

B. Early warning mechanisms and protection of the existence of minorities

14. Throughout 2023, the High Commissioner raised the issue of minority rights in his public statements in relation to a number of countries.¹⁷ Furthermore, in his statement at the fifty-second session of the Human Rights Council, the High Commissioner drew attention to

¹³ A/HRC/52/27, paras. 25–67.

¹⁴ See <https://www.ohchr.org/sites/default/files/documents/Issues/Minorities/GuidanceNoteRacialDiscriminationMinorities.pdf>.

¹⁵ A/HRC/52/27, paras. 69 and 73.

¹⁶ References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

¹⁷ See, for example, <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>, <https://www.ohchr.org/en/statements/2023/06/urging-greater-cooperation-high-commissioner-turk-opens-human-rights-council> and <https://www.ohchr.org/en/news/2023/09/human-rights-council-opens-its-fifty-fourth-regular-session-hears-global-update-high>.

the fact that “vicious hate speech is not only directed at women and girls, but also people of African descent, Jews, Muslims, LGBTIQ+ people, refugees, migrants, and many other people from minority groups”.¹⁸

15. The fifth annual report of the Independent Investigative Mechanism for Myanmar highlighted the escalation of violence in Myanmar. The Mechanism continued to actively monitor the deteriorating situation in Myanmar and to collect, analyse and share evidence of the most serious international crimes committed. A major focus remained on investigating crimes against the Rohingya, especially those committed during the 2016 and 2017 “clearance operations” carried out by security forces of Myanmar in Rakhine State. The Mechanism was also supporting three jurisdictions pursuing investigations or proceedings related to crimes committed against the Rohingya.¹⁹

16. In September, in relation to the situation in Azerbaijan/Armenia, the High Commissioner commented that each State should protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within its territory and encourage conditions for promoting that identity.²⁰ The Special Rapporteur on extrajudicial, summary or arbitrary executions urged Azerbaijan to guarantee the rights of ethnic Armenians in Nagorno-Karabakh and to ensure that the lives of civilians, detained persons or those otherwise hors de combat were respected and protected in line with its international obligations.²¹

17. In October, OHCHR held a workshop at the 2023 Geneva Peace Week with the African Union and the World Bank on early warning systems in Africa. A key takeaway from the workshop was the recognition of the important role played by community actors in providing primary data to support early warning and risk analysis, as well as to bridge the gap between early warning and early response at the national level. Some participants representing faith-based organizations and minorities raised the need to strengthen community-based structures that had traditionally served as peace mechanisms. The workshop also focused on the need to protect minorities from online attacks, marginalization and hate speech.²²

18. In its concluding observations on the Islamic Republic of Iran, the Human Rights Committee questioned the disproportionate use of the death penalty against members of minorities and called upon the authorities to ensure that the death penalty was imposed only for the most serious crimes and to give due consideration to establishing a moratorium on the death penalty. It also remained concerned by lengthy detention periods without trial, incommunicado detention in unacknowledged detention centres, and the lack of access to lawyers and communication with families, in particular with regard to human rights defenders and members of minority groups.

C. Preventing and addressing acts of discrimination

19. In his 2023 report to the General Assembly, the Special Rapporteur on minority issues highlighted the rise of hate speech, hate crimes, and new record levels of antisemitism, Islamophobia, anti-Black racism, xenophobia and intolerance, with social media becoming a platform for the spread of dehumanizing language usually targeting minorities, often minority women, even normalizing violence against them. He called upon the United Nations to – inter alia – address what he described as “inaction and negligence” in relation to the protection of the rights of minorities when compared to the initiatives provided for other vulnerable groups, concentrate efforts on conflict prevention rather than on conflict

¹⁸ See <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>.

¹⁹ A/HRC/54/19, paras. 3, 12–21 and 67.

²⁰ See <https://www.ohchr.org/en/statements-and-speeches/2023/09/azerbaijan-armenia-comment-un-human-rights-chief-volker-turk>.

²¹ See <https://www.ohchr.org/en/press-releases/2023/09/azerbaijan-must-respect-and-protect-lives-ethnic-armenians-nagorno-karabakh>.

²² See <https://www.genevapeaceweek.ch/en/programme/schedule/how-can-early-warning-systems-in-africa-address-inequalities-and-build-trust-with-human-rights-at-the-center-a-peer-to-peer-exchange>.

resolution, create a permanent forum for minorities, and begin work on a global treaty on the protection of their rights.²³

20. During the reporting period, UNAMI continued to follow up with the General Directorate for Survivors' Affairs within the Ministry of Labour and Social Affairs, the Assyrian Aid Society, relevant government institutions, the diplomatic community and the United Nations protection platform on the implementation of the Yazidi Female Survivors Law in Iraq.

21. In 2023, OHCHR in the Republic of Moldova published a new terminology guide on communication with and about groups vulnerable to discrimination, including minorities, which is based on the United Nations guidelines on inclusive communication. The guide is available in three languages – English, Romanian and Russian.

22. In Kyrgyzstan, the OHCHR Regional Office for Central Asia continued to advocate for comprehensive anti-discrimination legislation and supported civil society organizations working on this issue. The OHCHR Regional Office for Central Asia also continued supporting the Government in implementing the Civic Identity Concept (Kyrgyz Jarany), building the capacity of representatives of local multi-ethnic communities and local self-government bodies to ensure their effective participation in decision-making processes, and developing and implementing training programmes for police officers on minority rights and conflict prevention in multi-ethnic and multi-religious communities.

23. A number of the special procedures have raised concerns about the tensions in Kūhistoni Badakhshon Autonomous Province (Gorno-Badakhshan autonomous region) of Tajikistan, with reports of the use of lethal and excessive force against protesters in the region, followed by prolonged Internet shutdowns and subsequent violent attacks and threats against and arbitrary detention and harassment of members of the Pamiri minority.²⁴ In its concluding observations adopted in April, the Committee on the Elimination of Racial Discrimination recommended that Tajikistan take all the measures necessary to prevent further escalation of violence in Kūhistoni Badakhshon Autonomous Province, including by responding to the grievances of the Pamiri minority, and that it implement conflict-prevention measures that met international human rights standards, including measures to protect the Pamiri minority.²⁵ These recommendations were also echoed by the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on minority issues, who visited Tajikistan in April²⁶ and October²⁷ respectively.

24. In Tajikistan, the OHCHR Regional Office for Central Asia supported the drafting of and public discussions on the National Strategy for the Protection of Human Rights, which, inter alia, addresses issues of equality and non-discrimination, including protection of minorities.²⁸ The Strategy was endorsed by the President in August 2023.

25. In its concluding observations on Croatia, the Committee on the Elimination of Racial Discrimination expressed concern over reports of racial discrimination against the Roma and Serb minorities, particularly in employment and education. The Committee recommended that Croatia intensify its efforts to combat all forms of racial discrimination by fully enforcing the Anti-Discrimination Act, particularly in employment and education, and organizing awareness-raising campaigns targeting vulnerable groups. The Committee asked Croatia to develop and adopt legislation and other forms of regulation that explicitly prohibited racial profiling and racially motivated violence and excessive use of force by law enforcement

²³ A/78/195, paras. 21–37, 86 and 88.

²⁴ See communications TJK 1/2022, TJK 2/2022, TJK 3/2022 and TJK 5/2022, available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

²⁵ CERD/C/TJK/CO/12-13, paras. 13 and 14.

²⁶ See <https://www.ohchr.org/en/press-releases/2023/04/un-expert-urges-tajikistan-leave-past-behind-and-uphold-freedom-religion-and>.

²⁷ See <https://www.ohchr.org/en/press-releases/2023/10/tajikistan-un-expert-commends-progress-calls-greater-effort-ensure-rights>.

²⁸ See <https://tajikistan.un.org/en/245071-united-nations-supports-discussion-human-rights-strategy-implementation>.

officers. The Committee also recommended that Croatia take effective measures to combat racial discrimination and hate speech in sports.²⁹

D. Minorities and contemporary forms of slavery

26. Following the issuance of the report on contemporary forms of slavery affecting persons belonging to minorities, in 2022,³⁰ the Special Rapporteur on contemporary forms of slavery was invited to multiple events focusing on the Uighur and Tibetan minorities, at which he continued to advocate for their rights.

27. In the report on his visit to Costa Rica, the Special Rapporteur on contemporary forms of slavery raised concerns about the situation of Indigenous Peoples and persons of African descent, as they were disproportionately affected by poverty exacerbated by inequality and intersecting forms of discrimination.³¹

28. In the report on his visit to Mauritania, the Special Rapporteur on contemporary forms of slavery raised concerns about persons belonging to Black Mauritanian communities and the Haratine community, who faced discrimination in their access to education, political representation, civil registration, land and the labour market. He noted that this systematic disenfranchisement left these groups exposed to forced labour, labour exploitation, and other contemporary forms of slavery.³²

29. At the end of his country visit to Canada, the Special Rapporteur on contemporary forms of slavery highlighted intersecting forms of discrimination in access to decent work and to social services, as well as disproportionate institutionalization in the out-of-home care and carceral systems of people of African descent and Indigenous Peoples, including First Nations, Métis and Inuit communities, putting them at higher risk of contemporary forms of slavery.³³

E. Human rights of people of African descent

30. Pursuant to Human Rights Council resolution 47/21,³⁴ OHCHR has deployed regional anti-racial discrimination advisers in some of its regional offices. Based in Bangkok, Beirut, Brussels, Pretoria and Santiago, these regional advisers are providing thematic expertise on issues of racism, racial discrimination, xenophobia and related intolerance to Governments, United Nations country teams and national stakeholders. They also undertake monitoring, information-gathering and reporting on issues of racial discrimination and racial justice.

31. In March, OHCHR supported the launch of the Regional Network for Development and Anti-Racism in the Middle East and North Africa, which initially had 34 members – individuals, and representatives of civil society organizations and other networks from Algeria, Comoros, Djibouti, Egypt, Iraq, Jordan, Libya, Mauritania, Somalia, Sudan, Tunisia, Yemen and the State of Palestine, including activists of African descent.³⁵

32. In October, the High Commissioner issued a new report on racial justice and equality.³⁶ The report placed a spotlight on the right to participate in public affairs for people of African descent, recognizing that the effective implementation of this right was key to ensuring that decision-making was informed by their lived experiences and expertise, and that it was a prerequisite to transformative change for racial justice and equality. The High Commissioner called on States to show stronger political will, by taking concrete and special

²⁹ CERD/C/HRV/CO/9-14, paras. 7, 8, 16 and 18.

³⁰ A/HRC/51/26.

³¹ A/HRC/54/30/Add.1, para. 33.

³² A/HRC/54/30/Add.2, paras. 45–62.

³³ See <https://www.ohchr.org/sites/default/files/documents/issues/slavery/sr/statements/eom-statement-canada-sr-slavery-2023-09-06.pdf>.

³⁴ See also <https://www.ohchr.org/en/documents/tools-and-resources/how-effectively-implement-right-participate-public-affairs-spotlight>.

³⁵ See <https://www.youtube.com/watch?v=pjPX7McLKZY> (in Arabic).

³⁶ A/HRC/54/66.

measures to implement effectively all components of the right to participate in public affairs for people of African descent.

33. In its concluding observations on Uruguay, the Committee on the Elimination of Racial Discrimination expressed concern about persistent structural discrimination against people of African descent. The Committee was further concerned about the persistent gaps affecting people of African descent in accessing health services, social security and decent housing. The Committee recommended that Uruguay implement an appropriate programme of targeted policies based on the intersectionality approach to continue improving the living conditions and socioeconomic situation of people of African descent. In addition, it recommended that Uruguay take concrete measures to address stereotypes and negative depictions of the religions and beliefs of people of African descent and to protect their right to freedom of thought, conscience and religion.³⁷

F. Human rights of Roma communities

34. During 2023, OHCHR continued efforts to advance implementation of the recommendations of the 2015 report by the Special Rapporteur on minority issues entitled “Comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism”.³⁸ In March, OHCHR undertook a mission to Brazil, inter alia to discuss action to improve human rights-based information on Roma. In May, OHCHR convened a global meeting on Roma and memorialization in the Americas, held at the University for Peace in Costa Rica in person and in hybrid form,³⁹ as a follow-up to the global meeting held in Geneva in September 2022 on Roma and memorialization.⁴⁰ As a follow-up to the May meeting, several actions were agreed: first of all, a process was launched for the crowdfunded submission of Romani places of memory in the Americas, to be launched as a map in early 2024. Secondly, preparations began towards the eightieth anniversary commemorations of the Roma Holocaust, which will be the subject of events in Auschwitz-Birkenau and worldwide on 2 and 3 August 2024.

35. In August, the OHCHR Regional Office for South America participated in a public hearing on a proposed Statute of Romani People in Brazil, promoted by the Human Rights, Minorities and Racial Equality Commission of Congress. OHCHR highlighted the importance of protecting the rights of Romani people, as well as the relevance of strengthening an intersectional approach to the normative framework that protects their rights.

36. In Serbia, OHCHR participated in November in the thirteenth meeting of the Network for Roma Issues, focusing on sustainable social protection services within the community and on inclusive policies at the local level. In collaboration with the Ministry of Human and Minority Rights and Social Dialogue and the Standing Conference of Towns and Municipalities, OHCHR presented some of the key challenges faced by the Roma community. Representatives of local self-government units particularly welcomed the efforts of OHCHR and once again emphasized the importance of implementing the leave no one behind tool⁴¹ at the local level.

37. In the Republic of Moldova, OHCHR continued to support the Roma community mediators system that had been launched in the Transnistrian region in 2020. With funds provided by OHCHR, Roma community mediators have ensured access to education, social protection, health care, employment, housing and other human rights for approximately 400 Roma living in six localities densely populated by Roma in the Transnistrian region. OHCHR also facilitated the drafting of the Human Rights Framework in the Transnistrian

³⁷ CERD/C/URY/CO/24-26, paras. 25 and 26.

³⁸ A/HRC/29/24.

³⁹ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/issues-focus/Concept-Note-Memorialization-anti-Gypsyism-in-the-Americas.pdf>.

⁴⁰ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/Roma-Memorialization-Geneva-Roundtable-2023-Outcome-Document.pdf>.

⁴¹ See <https://serbia.un.org/en/200842-tool-introduction-%E2%80%98leave-no-one-behind%E2%80%99-principle-legislative-and-strategic-acts-republic>.

Region, which addresses human rights issues of Roma and includes support for the Roma community mediators network.

38. In its concluding observations on Croatia, the Committee on the Elimination of Racial Discrimination expressed concern, *inter alia*, over the extreme poverty and substandard living conditions faced by Roma, the low attendance rates in secondary schools and high dropout rates among Roma children, the persistence of segregated education of Roma children, particularly in Međimurje County, and the lower percentage of Roma covered by the compulsory health insurance scheme. The Committee recommended that Croatia intensify efforts to end extreme poverty among Roma, end the *de facto* segregation in schools and strengthen efforts to ensure access by Roma children to quality and inclusive education, and increase efforts to ensure that Roma, particularly Roma women, had access to adequate health care, particularly in regard to sexual and reproductive health.⁴²

39. In its concluding observations on Italy, the Committee on the Elimination of Racial Discrimination reiterated its concerns about the persistent and widespread structural discrimination against the Roma, Sinti and Camminanti communities, who continued to face social exclusion and marginalization. The Committee urged Italy to ensure the effective implementation of the National Strategy for the Inclusion of Roma, Sinti and Camminanti 2021–2030, to adopt appropriate and effective measures to end segregation in housing, and to prevent forced evictions of Roma, Sinti and Camminanti communities.⁴³

G. Hate speech against minorities

40. Upon request from member States of the Organization of Islamic Cooperation, the Human Rights Council held, on 11 July 2023, an urgent debate “to discuss the alarming rise in premeditated and public acts of religious hatred as manifested by recurrent desecration of the Holy Qur’an in some European and other countries”.⁴⁴ The High Commissioner stated that such inflammatory acts were “manifestations of utter disrespect”, “offensive, irresponsible and wrong”.⁴⁵ The High Commissioner also stressed that political and religious leaders had a particularly crucial role to play in speaking out clearly, firmly and immediately against disrespect and intolerance, and should also make it clear that violence cannot be justified by prior provocation, whether real or perceived. He recalled that restrictions of the right to freedom of expression must remain an exception. Hate speech against individuals or groups should be actively countered by all responsible authorities, figures of influence and the private sector through dialogue, education, awareness-raising, and interfaith and inter-community engagement, as well as other public policy tools.⁴⁶

41. Pursuant to Human Rights Council resolution 53/1, the High Commissioner presented, on 5 October 2023, an oral update on the various drivers, root causes and human rights impacts of religious hatred constituting incitement to discrimination, hostility or violence. He stressed that those acts had had a deeply personal impact on millions of individuals and communities, cutting to the core of their identity and values.⁴⁷ The High Commissioner also cautioned that efforts by States to fight religious hatred in their laws and policies must be tailored with care, employing proportionate measures that were applied equally. He stressed 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,⁴⁸

⁴² CERD/C/HRV/CO/9-14, paras. 21 and 22.

⁴³ CERD/C/ITA/CO/21, paras. 14 and 15.

⁴⁴ See <https://hrcmeetings.ohchr.org/PresidencyBureau/BureauRegionalGroupsCorrespondence/Correspondence/Request%20from%20the%20OIC%20for%20an%20urgent%20debate.pdf>.

⁴⁵ See <https://www.ohchr.org/en/statements-and-speeches/2023/07/turk-calls-states-combat-weaponization-religious-differences>.

⁴⁶ See <https://www.ohchr.org/en/news/2023/07/high-commissioner-human-rights-tells-urgent-debate-human-rights-council-speech-and>.

⁴⁷ See <https://www.ohchr.org/en/statements-and-speeches/2023/10/religious-hatred-turk-urges-renewed-social-contract-based-trust-and>.

⁴⁸ See A/HRC/22/17/Add.4, appendix; and <https://www.ohchr.org/en/documents/outcome-documents/rabat-plan-action>.

the United Nations Strategy and Plan of Action on Hate Speech⁴⁹ and the Faith for Rights framework⁵⁰ could help navigate the fine line between free speech and incitement, by assessing in each case the context of the speech, the speaker, the intent, the content and the form of the speech, the extent of the speech and the likelihood of the speech to produce immediate actions against its targets.

42. In October, OHCHR conducted two training sessions on addressing hate speech for approximately 50 police officers from various parts of the Republic of Moldova, in the framework of a Peacebuilding Fund project. The training took place in the context of recently amended legal provisions on incitement and discrimination, and requests from the Moldovan authorities for support in implementing these new legal provisions in the light of the country's international human rights law obligations.

43. In December, the Special Adviser to the Secretary-General on the Prevention of Genocide, the High Representative for the United Nations Alliance of Civilizations and the Special Rapporteur on freedom of religion or belief issued a joint statement, calling on all stakeholders, including States, the media, social media and technology companies, and universities to respond promptly to sustained and widespread reports of incidents reflecting antisemitic and Islamophobic hatred in countries around the world in a manner consistent with international human rights law. They were particularly alarmed that acts of harassment, intimidation, violence and incitement based on religion or belief across the world had been sharply rising in recent months and that they had spiked to alarming levels in recent weeks. In some countries, national authorities and civil society organizations had reported a dramatic increase in Islamophobic and antisemitic incidents. Other religious minority communities were also experiencing acute and unprecedented insecurity. The Special Adviser and the Special Rapporteur called on all stakeholders to urgently speak out against rising antisemitism and Islamophobia and to stand in solidarity with all targeted persons and communities. Social media companies must act decisively against hate speech and incitement to religious violence, discrimination and hostility online.⁵¹

44. In its concluding observations on Italy, the Committee on the Elimination of Racial Discrimination expressed concern about the persistent and increasing use and normalization of racist hate speech against persons from ethnic minorities in the media and online and about the use of racist political discourse by politicians and other high-level public officials against ethnic minorities, in particular Roma, Sinti and Camminanti, Africans and people of African descent. The Committee expressed concern that the increasing use of racist speech in public discourse was leading to a proliferation of racist hate incidents. It urged Italy to effectively apply its legislation to combat hate speech and incitement to racial discrimination and to ensure that all hate speech and racially motivated crimes were effectively investigated, and those found guilty were punished, regardless of their official status. The Committee also expressed concern that racist acts, including physical and verbal attacks against athletes of African descent, continued at sports events. It asked Italy to investigate all racist abuses in sports and to sanction those responsible.⁵²

H. Economic, social and cultural rights of minorities

45. In September, as part of its ongoing engagement on a human rights economy, OHCHR supported a training of 30 community budget champions in three locations (Turbi, Laisamis and Sagante) in Marsabit County in northern Kenya. This training focused on a human rights-based approach to budgeting and was undertaken in collaboration with local civil society organizations and county government officials. The training equipped community budget champions with the knowledge and skills necessary to enhance community participation in the budgeting process at the county level in a way that promotes the

⁴⁹ See <https://www.un.org/en/genocideprevention/hate-speech-strategy.shtml>.

⁵⁰ See <https://www.ohchr.org/en/faith-for-rights>.

⁵¹ See <https://www.ohchr.org/en/statements/2023/12/un-special-adviser-prevention-genocide-high-representative-united-nations>.

⁵² CERD/C/ITA/CO/21, paras. 12, 13, 28 and 29.

realization of economic, social and other rights with a particular focus on the most vulnerable and minority groups.

46. In November, OHCHR participated in a round table entitled “Promoting conflict prevention through the socioeconomic inclusion of minorities”, organized jointly by the Director-General of the United Nations Office at Geneva and the OSCE High Commissioner on National Minorities. The purpose of the round table, dedicated to the recent launch by the OSCE High Commissioner of the Recommendations on the Effective Participation of National Minorities in Social and Economic Life, was to address the effective participation of minorities in social and economic life as a key strategy for conflict prevention.

47. The topic of the sixteenth session of the Forum on Minority Issues, held in Geneva from 30 November to 1 December, was “Minorities and cohesive societies: equality, social inclusion and socioeconomic participation”.⁵³ The aim of the Forum was to tackle multiple challenges faced by minority communities worldwide, with a focus on strengthening their socioeconomic participation and ensuring equality and social inclusion. The Forum identified and analysed opportunities, practices and initiatives to strengthen the inclusion of minorities in line with the principles and rights enshrined in the Declaration and other relevant international instruments.

48. During the sixteenth session of the Forum on Minority Issues, OHCHR held a side event entitled “Comprehensive anti-discrimination legislation: a remedy for overcoming exclusion and giving a voice to minorities”. The side event aimed to give visibility to the Practical Guide to Developing Comprehensive Anti-Discrimination Legislation,⁵⁴ demonstrating how it could support advocacy against multiple forms of discrimination, including descent-based discrimination, and to what could be done to achieve more cohesive societies through social justice. The side event provided practical examples that could assist parliamentarians, policymakers and advocates in supporting and developing anti-discrimination legislation consistent with international human rights law standards.

49. In its concluding observations on Namibia, the Committee on the Elimination of Racial Discrimination expressed concern that, according to the recent data on multidimensional poverty provided by the Namibia Statistics Agency, members of the Khoisan and Otjiherero language groups experienced double the poverty levels of communities whose main language was European. The Committee also expressed concern that the country’s development policies and programmes did not effectively address the disparate socioeconomic levels of different ethnic groups or take into account the adverse impact of intersecting forms of discrimination on the enjoyment of economic and social rights. The Committee recommended that Namibia collect disaggregated information to compare progress from special measures to eliminate disparities, and that it adopt a gender-sensitive approach in combating intersecting forms of discrimination.⁵⁵

I. Empowerment and participation

50. As an integral part of the work of OHCHR on mainstreaming minority issues and on capacity-building for minority rights advocates, the annual Minorities Fellowship Programme (1 November–1 December 2023) – made up of three linguistic components, in English, Russian and Arabic – provided 14 women and 11 men from 22 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. Among the key highlights in 2023 was a one-week preparatory training course in Strasbourg, France, in collaboration with the Faculty of Law of the University of Strasbourg, the Council of Europe and the European Court of Human Rights, held with a view to providing fellows with a regional perspective and a complementary exposure to the promotion and protection of minority rights using the European regional framework on human rights. Six senior fellows,

⁵³ See <https://www.ohchr.org/en/events/forums/2023/sixteenth-session-forum-minority-issues>.

⁵⁴ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

⁵⁵ CERD/C/NAM/CO/16-18, paras. 20 and 21.

who were themselves alumni of the Minorities Fellowship Programme, assisted with the coordination of the Programme. In addition, a total of 34 fellows from previous years have been posted since the start of the programme as “senior fellows” in OHCHR country and regional offices and United Nations country teams and peacekeeping operations, in 29 locations in all regions.

51. In the Republic of Moldova, OHCHR created a civil society platform for promoting human rights and social cohesion in the country, including in the Transnistrian region. The platform also engaged representatives of minorities in capacity-building programmes. Furthermore, OHCHR contributed to the amendment of the national regulation on public participation in the decision-making process in the Ministry of Labour and Social Protection in order to ensure the genuine and inclusive participation of all, including minorities.

52. Also in the Republic of Moldova, OHCHR, in cooperation with other United Nations agencies, relaunched the Diversity Internship Programme, for underrepresented and vulnerable groups in the country. Selected through a competitive process, seven representatives of ethnic minorities contributed to the work of OHCHR, the United Nations Development Programme (UNDP), the United Nations Children’s Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Population Fund (UNFPA) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

53. In its concluding observations on Turkmenistan, the Committee on the Elimination of Racial Discrimination reiterated its concern about the insufficient representation of ethnic minorities in public institutions and elected bodies at the national and local levels. The Committee recommended that Turkmenistan adopt effective measures to ensure the fair and equitable representation of ethnic minorities, including women with an ethnic minority background, in public decision-making bodies and the civil service.⁵⁶

54. In its concluding observations on the United States of America, the Human Rights Committee raised concern about the increase in legislative initiatives and practices that limited the exercise of the right to vote, which, inter alia, had a disproportionate impact on racial and ethnic minorities.⁵⁷ The Committee asked the United States of America to ensure that electoral districts were designed by non-partisan commissions subject to checks and balances and did not have the purpose or effect of denying or abridging the right to vote on racially discriminatory grounds.⁵⁸

J. Linguistic minorities

55. The human rights monitoring mission in Ukraine expressed concerns regarding the law “on national minorities (communities) of Ukraine”, adopted by the Parliament of Ukraine in December 2022, which limited the use of national minority languages in various fields and restricted certain rights of minorities “belonging to the aggressor State”.⁵⁹ In its opinion on the law issued on 12 June 2023, the European Commission for Democracy through Law (Venice Commission) echoed those concerns and made specific recommendations to the Ukrainian authorities to bring the law into line with international standards.⁶⁰

56. In September 2023, the Parliament of Ukraine adopted amendments to that law.⁶¹ Despite the implementation of some recommendations made by the human rights monitoring

⁵⁶ CERD/C/TKM/CO/12-13, paras. 23 and 24.

⁵⁷ See also the conference room paper of the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, available from https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session54/A_HRC_54_CRP.7.docx, paras. 115–117.

⁵⁸ CCPR/C/USA/CO/5, paras. 64 and 65.

⁵⁹ See <https://www.ohchr.org/en/documents/country-reports/report-human-rights-situation-ukraine-1-august-2022-31-january-2023>, para. 114.

⁶⁰ See [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)021-e).

⁶¹ Ukraine, draft law No. 9610 “on amendments to the law of Ukraine ‘on national minorities (communities) of Ukraine’” regarding some issues related to exercising the rights and freedoms of persons belonging to national minorities (communities) of Ukraine.

mission in Ukraine and the Venice Commission, the majority of them have not been implemented, including those in the fields of governance and public services, elections and referendums, education, cultural activities and sporting events. Furthermore, two provisions suspend certain rights of those minorities who “identify their affiliation by ethnic origin” with an “aggressor State”, as well as with “the language of an aggressor State”. Some of these restrictions appear to be discriminatory and therefore not in line with article 18 (1) of the International Covenant on Civil and Political Rights.⁶² In December, the Parliament of Ukraine approved the law that implemented additional recommendations from the Venice Commission.⁶³

K. Minorities, discrimination and statelessness

57. In June, the Human Rights Council adopted, without a vote, its resolution 53/16 entitled “The right to a nationality: equality in nationality rights in law and in practice”, recognizing that the majority of the world’s known stateless populations are persons belonging to national or ethnic, religious and linguistic minorities, and that discriminatory nationality laws, policies and practices are a major cause of statelessness. The Council called upon States to – inter alia – review their laws, policies and practices that may cause statelessness, and directly engage with affected individuals to identify challenges and find solutions. The Council also called upon States to ensure that effective and appropriate remedies were available to all persons, including women, children, persons with disabilities, Indigenous individuals, persons of African descent, and persons belonging to national or ethnic, religious and linguistic minorities, whose rights related to nationality had been violated – including the restoration of nationality and the expedient provision of documentary proof of nationality by the State responsible for the violation.

58. OHCHR in North Macedonia supported the United Nations Resident Coordinator and UNHCR in assisting the authorities with their efforts to address the situation of statelessness in the country, which predominantly affects Roma and other ethnic minorities. As a result, the Law on Civil Registry was amended in June to grant every child born in North Macedonia the right to immediate registration in the birth registry irrespective of the parents’ citizenship or personal status, reducing the risk of statelessness.⁶⁴

59. In October, OHCHR contributed to a regional round table for South-East Asia on civil registration, legal identity documentation and the prevention of statelessness. The round table was co-hosted by the Government of Viet Nam and the UNHCR Regional Bureau for Asia and the Pacific. During the event, national government officials from South-East Asia shared their practical experiences identifying and addressing statelessness as an essential element of their national strategies to meet the Sustainable Development Goals and to “leave no one behind”. Among other things, officials shared effective domestic solutions for targeted populations, such as poor and marginalized communities or ethnic minorities.

60. In its concluding observations on Italy, the Committee on the Elimination of Racial Discrimination expressed concern about the number of stateless persons in the country, including among members of the Roma, Sinti and Camminanti communities, and about the lack of a national plan for the reduction of statelessness. The Committee recommended that Italy adopt the necessary measures to prevent and reduce statelessness in the country, including among the Roma, Sinti and Camminanti communities, and to ensure the adequate promotion and protection of the rights of stateless persons. The Committee also recommended that Italy improve the identification procedure and measures for the protection of stateless persons, including through the adoption of a comprehensive legal framework on

⁶² See the conference room paper of OHCHR on the situation of human rights in Ukraine: 1 August to 30 November 2023, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-crp-2-en.pdf>, paras. 90 and 91. See also <https://www.ohchr.org/en/hr-bodies/hrc/interactive-dialogue-oral-update-ukraine-19-12-2023>.

⁶³ OHCHR has not yet analysed the implications of the law.

⁶⁴ See <https://www.refworld.org/docid/64e5c8b54.html>.

statelessness determination and protection and the elaboration of a national plan for the reduction of statelessness.⁶⁵

61. In its concluding observations on Kuwait, the Human Rights Committee expressed concern about the discriminatory measures and practices against Bidoon, the stateless people in the country. The Committee called upon Kuwait to ensure that no one became or remained stateless and to provide full protection against discrimination in all spheres to Bidoon and other stateless people in the country.⁶⁶

L. Religious or belief minorities and faith actors

62. In July 2022 and October 2023, the Human Rights Committee adopted Views on three individual communications, finding that, respectively, Tajikistan and the Russian Federation had violated the rights of Jehovah's Witnesses, a religious minority in both countries. In these three cases,⁶⁷ the Committee considered that the authors' rights to freedom of religion or belief and to freedom of association had been violated.

63. In September, OHCHR together with the NGOs Helping Hands Foundation, the Al Baraem Association and Vivat International held a side event during the fifty-fourth session of the Human Rights Council on a Faith for Rights approach to promoting sustainable peace. OHCHR highlighted the objective of fostering peaceful societies that uphold human dignity and equality for all, including the human rights of persons belonging to religious or belief minorities.⁶⁸ OHCHR also noted that recommendations of the Committee on the Elimination of Discrimination against Women increasingly referred to the need to engage with faith-based actors, including through the Faith for Rights framework, to address areas in which religion and the rights of women had to be bridged. Participants recommended countering religious hatred against minorities, and avoiding the instrumentalizing of religions and beliefs and of their followers for electoral purposes or political gains.

64. In 2023, the human rights monitoring mission in Ukraine continued to document limitations to freedom of religion or belief targeting multiple religious communities in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation (Crimea),⁶⁹ who continued to be prosecuted under a broad and ill-defined prohibition on proselytizing activities under legislation of the Russian Federation. All congregations of the Jehovah's Witnesses religious group in Crimea remained under a blanket prohibition as "extremist organizations".⁷⁰

65. OHCHR also raised concerns that the Government of Ukraine and local authorities had taken several measures against the Ukrainian Orthodox Church, including the termination by the Ministry of Culture and Information Policy of the lease agreement of the State-owned Kyiv Pechersk Lavra, citing violations of the agreement.⁷¹

66. In its concluding observations on the Islamic Republic of Iran, the Human Rights Committee reiterated its concerns about numerous reports indicating that religious minorities were victims of State-sanctioned human rights violations, including discrimination, arbitrary detention, torture, harassment and confiscation of property solely for practising their faith. The Committee was concerned by the criminalization of blasphemy and by the fact that apostasy continued to be punishable with the death penalty. The Committee raised its concern at the continued and systematic violations of rights and discrimination against the Baha'i religious minority. The Committee recommended that the State party ensure respect for the

⁶⁵ CERD/C/ITA/CO/21, paras. 22 and 23.

⁶⁶ CCPR/C/KWT/CO/4, paras. 12 and 13.

⁶⁷ *Adyrkhayev et al. v. Tajikistan* (CCPR/C/135/D/2483/2014), *Pavlenko et al. v. Russian Federation* (CCPR/C/139/D/2765/2016) and *Yurlov et al. v. Russian Federation* (CCPR/C/139/D/2925/2017).

⁶⁸ See <https://www.ohchr.org/en/faith-for-rights>.

⁶⁹ General Assembly resolution 74/168.

⁷⁰ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/23-10-04-OHCHR-36th-periodic-report-ukraine-en.pdf>, para. 119; and A/HRC/44/21, para. 35.

⁷¹ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/23-10-04-OHCHR-36th-periodic-report-ukraine-en.pdf>, para. 114 (and footnote 89).

right to freedom of religion or belief, including ensuring that legislation and practices conformed to the International Covenant on Civil and Political Rights.⁷²

M. Data collection

67. In the Republic of Moldova, OHCHR provided expertise to the public consultations regarding the questionnaires for the upcoming population and housing census in 2024 organized by the National Bureau of Statistics. As a result, aspects related to ethnicity and language were better reflected in the questionnaires. In particular, persons belonging to minorities will be able to indicate more than one ethnic affiliation or a combination of ethnic affiliations, and sign languages will be considered as minority languages.

68. As a continuation of the support provided by OHCHR to the Government of Serbia with regard to monitoring, reporting on, implementing and following up on the recommendations of the United Nations human rights mechanisms, including those specifically aimed at promoting and protecting minority rights, the process of nationalizing the OHCHR National Recommendations Tracking Database was initiated in September. A workshop on the usage of this database was attended by more than 30 members of the National Mechanism for Reporting and Follow-up and by human rights focal points.

IV. United Nations network on racial discrimination and protection of minorities

69. The United Nations network on racial discrimination and protection of minorities⁷³ continued to provide a platform to address, through awareness-raising, advocacy and capacity-building, issues of racial discrimination and the protection of national or ethnic, linguistic and religious minorities, including in relation to multiple and intersecting forms of discrimination. The network brings together a range of United Nations departments, agencies, programmes and funds, which have identified focal points for this purpose. OHCHR acts as permanent Co-Chair for the network. The Co-Chair for 2023 was the Office of the Special Adviser on the Prevention of Genocide.

70. Two non-papers on options for addressing racial discrimination and advancing protection of minorities in peace and security, including prevention, as well as on options for civil society engagement with the United Nations network on racial discrimination and protection of minorities, were prepared pursuant to the decisions taken at the network's senior-level meeting held in February.

71. In March, the network's subgroup on people of African descent began to convene, which involved a core team from UNFPA, UNDP and UN-Women. The subgroup started working on a training module on tackling racism in programming, with a view both to holding training programmes starting from late 2023 and to developing a model for a future system-wide training programme.

72. The network convened in plenary in May. Around 50 network members took part in the meeting, which heard presentations from, inter alia, the Special Rapporteur on minority issues, on his March 2023 proposal for a United Nations convention on minority rights; and a business sector representative, on the subject of the diversity and inclusion work done by the private sector; as well as presentations by the United Nations country teams in Cameroon and Panama on activities undertaken with funding made available by OHCHR to address racial discrimination and protection of minorities.

73. The network closely cooperated with the experts of the newly established Permanent Forum on People of African Descent to identify potential entry points for the network to support the Permanent Forum with the implementation of its mandate.

⁷² CCPR/C/IRN/CO/4, paras. 47 and 48.

⁷³ See <https://www.ohchr.org/en/minorities/un-network-racial-discrimination-and-protection-minorities>.

74. In September, the network organized a communities of practice series for members of United Nations country teams, on minorities and statelessness, intersectional forms of discrimination, anti-racism and hate speech. Through contributions by United Nations country teams, participants learned about good practices, including areas for collaboration or strategic tools, in the context of policy development, programming and project implementation, at the country level.

75. In his 2023 report to the Human Rights Council, the Special Rapporteur on minority issues encouraged the network to be more strongly engaged with the Forum on Minority Issues, including by reporting to the Forum about minority-related activities conducted by each United Nations agency.⁷⁴

V. Conclusions

76. The Universal Declaration on Human Rights states that “all human beings are born free and equal in dignity and rights”. However, the assessment of OHCHR is that approximately two thirds of countries in the world do not have comprehensive anti-discrimination legislation that would help make the promise of equality in dignity and rights made 75 years ago in the Universal Declaration of Human Rights a reality. A significant number of countries lacking comprehensive anti-discrimination legislation have a rich canvas of minorities within their respective societies, but this diversity is too often perceived as a problem rather than an opportunity.⁷⁵

77. Diversity should be recognized not as a threat, but as a richness of our societies. The recognition of diversity starts with the inclusion and effective participation of minorities. International declarations have reaffirmed the right of persons belonging to national or ethnic, religious and linguistic minorities to participate equally and effectively in cultural, religious, social, economic and public life, as well as to enjoy their own culture, to profess and practise their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.⁷⁶

78. When persons belonging to minorities have access to education, employment and business opportunities, they are less likely to feel disenfranchised, excluded and invisible. Further concerted action by all relevant stakeholders is needed to overcome any invisibility of minorities and to move towards genuine indivisibility of all human rights for everyone, including minorities.⁷⁷

79. Advancing minority rights requires evidence-based policies and actions in fields ranging from conflict prevention to development, including through the mapping of different dimensions of exclusion and by supporting human rights-compliant data collection related to minorities, including in population censuses. Collection of disaggregated data is instrumental, including to identify indirect and intersecting forms of discrimination, and to target positive measures and other necessary action appropriately.⁷⁸

80. Addressing discrimination and inequality by upholding human rights should be at the centre of all policymaking, with a focus on protecting and increasing the meaningful participation of marginalized groups, including minorities, strengthening

⁷⁴ A/HRC/52/27, para. 78.

⁷⁵ See <https://hrcmeetings.ohchr.org/HRCMechanisms/ForumMinority/SiteAssets/Pages/16th-session/VIDEO%20Opening%20Statement%20by%20Assistant%20Secretary-General%20for%20Human%20Rights.pdf>.

⁷⁶ Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, art. 2; Vienna Declaration and Programme of Action, chap. I, para. 19; and Beirut Declaration and its 18 Commitments on Faith for Rights (A/HRC/40/58), annex II, commitment VI.

⁷⁷ See <https://hrcmeetings.ohchr.org/HRCMechanisms/ForumMinority/SiteAssets/Pages/16th-session/VIDEO%20Opening%20Statement%20by%20Assistant%20Secretary-General%20for%20Human%20Rights.pdf>.

⁷⁸ See <https://www.ohchr.org/sites/default/files/documents/Issues/Minorities/GuidanceNoteRacialDiscriminationMinorities.pdf>, para. 23.

the fulfilment of human rights in all areas, and creating conditions in which inequalities can be reduced. The Secretary-General's report "Our Common Agenda" stresses that destabilizing inequalities must be overcome to realize humanity's hopes of breaking through to a greener, better, safer future.⁷⁹

81. One of the best approaches to address inequality, which has a disproportionate impact on those in a situation of vulnerability, such as minority women and girls, children and youth, is the adoption of comprehensive anti-discrimination laws and policy frameworks. In order to be considered comprehensive, anti-discrimination legislation must prohibit all forms of discrimination on the basis of all grounds recognized in international law, in all areas of life regulated by law, provide for the effective enforcement of the right, and mandate positive actions to address historic or structural discrimination.⁸⁰ To ensure comprehensive protection, anti-discrimination legislation should also guarantee that multiple, aggravated and intersecting forms of discrimination are explicitly prohibited.⁸¹

82. OHCHR, as permanent Co-Chair of the United Nations network on racial discrimination and protection of minorities, will continue to address issues of racial discrimination and the protection of national or ethnic, linguistic and religious minorities, including issues of multiple, aggravated and intersecting forms of discrimination, by promoting the mainstreaming and integration of minority rights across all pillars and activities of the United Nations.

83. United Nations human rights bodies and mechanisms play a vital role in advancing the rights of persons belonging to national or ethnic, religious and linguistic minorities. OHCHR will continue to support and promote their essential work.

84. OHCHR will also continue to support the participation of minorities, including less visible ones, in its flagship Minorities Fellowship Programme and its senior fellowship programme. The new intersectionality component of the senior fellowship programme promotes diversity and inclusion while addressing persistent and multiple forms of discrimination. In order to maintain these programmes and expand work on minority rights, additional financial support would be needed.

⁷⁹ See https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf.

⁸⁰ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

⁸¹ See <https://www.ohchr.org/sites/default/files/documents/issues/minorities/30th-anniversary/2022-09-22/GuidanceNoteonIntersectionality.pdf>.