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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, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

Report of the United Nations High Commissioner for Human Rights*

Summary

In its resolution 40/25, the Human Rights Council requested the United Nations High Commissioner to prepare and submit to it at its forty-third 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 outlined in paragraphs 7 and 8 of that resolution, and views on potential follow-up measures for further improvement of the implementation of that plan.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 40/25, entitled “Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief”. In that resolution, the Council requested the United Nations High Commissioner for Human Rights to prepare and submit to it at its forty-third 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 outlined in paragraphs 7 and 8 of that resolution, and views on potential follow-up measures for further improvement of the implementation of that plan.

2. The present report is based on contributions received from 22 Member States in reply to a note verbale issued by the Office of the High Commissioner (OHCHR).¹ Section II contains a summary of those contributions. It should be borne in mind that some information received from some States on their implementation of the action plan has been reflected in previous reports on the same topic, most recently in the report of the Secretary-General to the General Assembly at its seventy-fourth session.² The present report has largely been drafted around the points specified in paragraphs 7 and 8 of Human Rights Council resolution 40/25.³ Section III provides some observations and views on potential follow-up measures for further improving implementation of the action plan.

II. Implementation of the action plan: information received from States

A. Constitutional and legislative frameworks

3. OHCHR received submissions from Azerbaijan, Belize, Canada, Denmark, France, Honduras, Iraq, Italy, Mexico, the Philippines, Poland, Portugal, Romania, the Russian Federation, Sweden, the Syrian Arab Republic, Tunisia and Turkey in relation to constitutional and legislative frameworks present in the countries pertaining to combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. A number of States noted that important constitutional amendments and legislative reforms relative to discrimination on the basis of religion or belief had recently taken place. The full texts of the submissions can be consulted on the OHCHR website.

4. While noting the significance of domestic constitutional and legislative frameworks, the High Commissioner wishes to stress the need for improved implementation of such frameworks to counter discrimination, intolerance and violence on the basis of religion or belief. In tandem with these frameworks, practical actions by Governments and stakeholders are needed to reach victims of discrimination and religious communities and to promote a culture of tolerance and peace domestically.

B. Extremism and radicalization

5. Under the action plan, some States are addressing extremism and radicalization. The High Commissioner encourages States to increase awareness and understanding of these

¹ The original texts of the contributions from Azerbaijan, Belize, Canada, Denmark, France, Honduras, Hungary, Iraq, Italy, Malta, Mexico, the Philippines, Poland, Portugal, Qatar, Romania, the Russian Federation, Sweden, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates are available at <https://adsdatabase.ohchr.org>.

² A/74/229.

³ Not all parts of the action plan outlines in paragraphs 7 and 8 of resolution 40/25 are reflected in the present report, as relevant information was not received from States.

phenomena and to ensure that relevant information is easily available, widely disseminated and used to develop and improve policies aimed at combating them.

6. Azerbaijan reported that article 1 of its law on fighting religious extremism of 4 December 2015 provided that actions based on religious hostility, religious radicalism and religious fanaticism constituted religious extremism. Between January and November 2019, on the basis of applications received and documentation forwarded by law enforcement agencies, the department of religious expertise reviewed over 4,000 titles of religious texts and articles and recommended prohibiting the dissemination, publication and/or importation of approximately 100 of them deemed to support religious intolerance, discrimination and radicalism. Azerbaijan added that, in the framework of measures on fighting religious extremism, 117 persons had been found criminally responsible and a number of prohibited items and firearms had been confiscated.

7. The Canada Centre for Community Engagement and Prevention of Violence, launched in 2017, was leading the efforts of Canada to counter radicalization to violence and identify and address community concerns about all forms of violent extremism, including extremism motivated by hate. The Centre's Community Resilience Fund was a key tool for supporting partnerships and innovation in countering radicalization to violence in Canada.

8. Denmark reported that several projects aimed at mobilizing young people to prevent online radicalization and hate speech had been financed in 2016–2019 as part of the National Action Plan for Preventing and Countering Extremism and Radicalization. One such project was a nationwide "youth dialogue corps" that prepared peer-to-peer dialogues, workshops and online teaching materials to support teachers at primary and secondary schools and youth clubs in holding dialogues on online behaviour.

9. In Poland, a national strategy was being prepared to address the threats of intolerance, discrimination, violence, stigmatization and incitement to violence against persons based on religion, belief or sex. Poland reported that government initiatives to ensure that all individuals could enjoy their human rights were essential for countering inhumane tendencies and preventing extremism and all forms of discrimination.

10. The Russian Federation reported taking all measures necessary to prevent the creation and operation, in its territory, of organizations and movements based on xenophobic ideologies and calling for discrimination and violence against persons on the basis of religious affiliation. It noted that persons involved in various manifestations of such intolerance had been prosecuted under Federal Law No. 114-3 of 25 July 2002 on countering extremist activities, whereby incitement to social, racial, national or religious hatred was recognized as an extremist activity.

11. The Russian Federation added that considerable attention was paid to preventing the spread of radicalism among young people. Interactive programmes for the prevention of extremism and discrimination among students between the ages of 14 and 21 years had been created, reflecting a "zero discrimination" approach.⁴ The Science and Education against Terror portal, elaborated with 42 Russian institutions of higher learning, published materials to counter terrorist ideology.⁵ An online interactive map of antiterrorism activities in educational organizations and scientific institutions of the Russian Federation had been functioning since 2016.

12. The Syrian Arab Republic reported that the Damascus Islamic international centre had been established in 2019 to fight terrorism and extremism and to support moderation in speech. The Ministry of Religious Property was responsible for the centre, which comprised several departments dedicated to training imams and religious leaders, undertaking scientific research on extremism and monitoring and identifying extremist thinking and actions, including online. It also reported that since 2017 the Ministry of Religious Property, in cooperation with the Ministry of Education and the Ministry for

⁴ <http://tolerancecenter.ru/vserossiyskiy-urok-2018/>.

⁵ <http://scienceport.ru>.

Social Affairs, had been working with the Centre for Training and Rehabilitation in order to deal with the negative impacts of extremist ideas resulting from terrorism.

13. The High Commissioner recalls that measures taken to combat religious intolerance and violent extremism should reflect the principles of inclusiveness and participation. They should take gender into account and be adapted to the domestic context. Key concepts related to violent extremism should be clearly defined, particularly when they can potentially trigger measures that may impinge on human rights, for example when the terms “extremism” or “radicalization” are used in relation to non-violent activities.⁶

C. Creating collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education⁷

14. Canada reported that the Office of Human Rights, Freedoms and Inclusion, within Global Affairs Canada, had promoted international freedom of religion or belief within the broader framework of human rights by highlighting their universal, indivisible, interdependent and interrelated nature. The Office had engaged with a broad network of stakeholders representing civil society organizations and faith or belief communities, both in Canada and abroad, and funded projects and initiatives related to its mandate.

15. France reported that the Ministry of Justice and the Interministerial Delegation against Racism, Antisemitism and Hatred against Lesbian, Gay, Bisexual and Transgender Persons had been working, in partnership with Germany, on a European project on preventing racism and intolerance to reinforce the penal response to actions of a racist, xenophobic or anti-religious character through exchanges between judicial authorities and institutions charged with combating these phenomena. Based on four study visits to the European partner and other States, the project had resulted in a guide of good practices that was presented at a final conference.

16. In Italy, the National Anti-Discrimination Office had participated in a one-year research project promoted by the Catholic University of the Sacred Heart and the Centre for Contemporary Jewish Documentation and benefiting from the collaboration of the Shoah Memorial Foundation of Milan and the Young Italian Muslims’ Association. In the framework of the project, activities had been carried out to raise awareness of and to prevent and combat hate speech and discriminatory phenomena on social media. The findings arising from the project will be compiled in a report containing data on the theme of combating religious hatred online.

17. As part of the fifteenth week of action against racism, held in 2019, the National Anti-Discrimination Office had organized a conference entitled “Witnesses” that was hosted by the Presidency of the Council of Ministers, with the participation of guests who had witnessed experiences of persecution and discrimination related to issues arising from the Holocaust and *Porajmos*. In August, the Office organized a visit to the Auschwitz-Birkenau camp for high school students and members of the national Roma, Sinti and Traveller associations.

18. Italy reported on the annual commemoration of the Day of Remembrance on 27 January (Law No. 211 of 20 July 2000), during which the Ministry of Education, University and Research and the Union of Italian Jewish Communities promoted many educational activities aimed at keeping alive the memory of the Holocaust.

⁶ For additional guidance, see the Secretary-General’s Plan of Action to Prevent Violent Extremism (A/70/674) and the report of the High Commissioner on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism (A/HRC/33/29).

⁷ Human Rights Council resolution 40/25, para. 7 (a).

19. Malta reported that the first governmental integration unit, set up within the Human Rights and Integration Directorate, had built networks and collaborated with different stakeholders. Migrants living in Malta had been encouraged to enrol in English- and Maltese-language courses and in an orientation course on Maltese culture through the “I belong” programme,⁸ which aimed to facilitate their integration into Maltese society. The local integration charter and action plan encouraged local councils to support their increasingly diverse migrant communities and their integration needs. A councillor from every locality had been appointed to address social and integration matters. Meetings were held within local councils inviting residents to discuss common issues faced by migrants and locals. Malta also reported that a new platform for interfaith integration would be formed jointly with the International Organization for Migration, specifically to tackle integration matters related to religion and belief in Malta.

20. In Mexico, the community, civil, administrative and criminal justice authorities, human rights defenders, the Ministry of Public Safety, the National Council for the Prevention of Discrimination and counterpart authorities at the federal level have collaborated in networks on issues related to freedom of religion and belief. The General Directorate of Religious Affairs of the Ministry of the Interior held a national meeting of state government officials charged with religious affairs in which 28 federal entities participated. At the meeting, participants recognized that religious diversity was increasing in Mexico and sought to identify issues concerning religion in the different parts of the country.

21. The Philippines reported that the National Commission on Muslim Filipinos protected and promoted the interests and welfare of Muslim Filipinos at both the local and national levels. The Department of Education of the Philippines, in coordination with the National Commission, had issued Order No. 53 (2001) directing all schools to protect students from discrimination by ensuring that school policies were sensitive to the religious rights of students (e.g., in respect of the use of veils or hijabs inside campuses and the non-participation in non-Muslim religious rites).

22. In Portugal, the Intercultural Dialogue Unit of the High Commission for Migration was mandated with developing projects and activities to elicit positive interaction among different communities and cultures and with promoting intercultural and interreligious dialogue, involving key segments of Portuguese society and strategic partners. The Unit’s main initiatives are intercultural education, the training of trainers, promotion of the Portuguese Diversity Charter, intercultural mediation and interreligious dialogue.

23. The Government of Sweden met regularly with representatives in Sweden of the world religions in a special forum. The Government provided funds to the Swedish interreligious councils and, through the Swedish Agency for Support to Faith Communities, supported local interreligious councils. In 2016, the Government launched a national plan to work strategically to combat racism, similar forms of hostility and hate crime in Sweden.⁹ The Swedish Police Authority had established pro-democracy and anti-hate crime groups in the Stockholm, West and South police regions.

24. The United Arab Emirates reported that the Ministry of Tolerance had partnered with the federal and local governments to develop and implement four joint national initiatives to promote the values of tolerance, including religious tolerance, and reject the values of religious and racial intolerance. The Ministry of Tolerance had worked with the Ministry of Education, the United Arab Emirates University, Mohammed V University, Al Ain University, the Abu Dhabi Sports Council, the Supreme Council for Family Affairs, the Ministry of Community Development, the Abu Dhabi Police and the National Media

⁸ <https://meae.gov.mt/en/Documents/migrant%20integration-EN.pdf>;
<https://homeaffairs.gov.mt/en/media/Policies-Documents/Documents/SRAPolicyDocumentNov2018.pdf>;
<https://integration.gov.mt/en/ibelong/Pages/IbelongProgramme.aspx>.

⁹ www.government.se/492382/contentassets/e6047ff54c00452895005f07e2e2ba39/a-comprehensive-approach-to-combat-racism-and-hate-crime.

Council, to name a few, in a number of sectors to implement the national plan and bring about greater tolerance.

D. Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities, and assisting with conflict prevention and mediation¹⁰

25. In Malta, the Forum on Integration Affairs of the Human Rights and Integration Directorate encouraged representatives from a range of migrant community organizations active in Malta to meet and discuss policies and social matters.

26. In the Philippines, the Task Force on Interreligious and Intercultural Concerns within the Office of the President was mandated with addressing and coordinating all interreligious and intercultural concerns and initiatives of the Office of the President and all government offices; identifying, reviewing and assessing all existing values-forming programmes of the different agencies of government, including partnerships with interfaith and ethno-cultural groups, civil society organizations and the private sector; participating in interfaith and ethno-cultural consultations and dialogues; and assisting the Executive Secretary of the Office of the President in the exercise of oversight functions related to interfaith issues and efforts on peacebuilding and conflict resolution.

27. The Consultative Council of the Religious Cults of Romania held consultations on all social issues of common interest for the promotion of solidarity and cooperation between the different recognized religions in Romania, as well as for the prevention of interreligious and interconfessional conflict.

28. In the Russian Federation there was the Presidential Council for Coordination with Religious Organizations and the commission for religious associations. The Interreligious Council of the Russian Federation coordinated the efforts of religious associations in developing relations between religions, society and the State; strengthening public morality; preserving and recreating the spiritual and cultural heritage of the peoples of the Russian Federations; and organizing and supporting interfaith dialogues on socially important and other related issues, in cooperation with international interreligious organizations.

E. Training government officials in effective outreach strategies¹¹

29. Canada launched a religious literacy training series to help Canadian officials develop a better understanding of the world's major religious and belief traditions; appreciate the diversity between and within those traditions; confront stereotypes concerning different religions and beliefs; raise awareness of the profound role of religion and belief in world affairs; and broaden understanding of how to engage with and serve as a bridge to communities from a variety of religious and belief traditions, both within Canada and abroad.

30. Mexico reported that the General Directorate of Religious Affairs had held a meeting of municipal and state officials on religious affairs in Mexico City in October 2019, which was attended by 102 civil servants from municipalities and state governments. Effective guidance on procedures and services for religious associations and information on building a culture of peace were presented. In October 2018, officials from the states and municipalities of Tabasco, Veracruz, Morelos, Quintana Roo, Zacatecas and Tamaulipas strove to identify key linkages between efforts to implement anti-discrimination measures and the 2030 Agenda for Sustainable Development.

31. In Sweden, training on hate crime is a compulsory element of the basic training given to new police officers, and an internal online training module is available to all police

¹⁰ Human Rights Council resolution 40/25, para. 7 (b).

¹¹ Ibid., para. 7 (c).

employees. The Swedish Police Authority has also commissioned a training course from Uppsala University intended to provide in-depth skills on the underlying causes of racism, hate speech and hate crimes.

F. Adopting measures to criminalize incitement to imminent violence based on religion or belief¹²

32. Azerbaijan, Canada, Denmark, France, Hungary, Iraq, Italy, Mexico, Poland, Romania, the Russian Federation, Sweden and the Syrian Arab Republic sent comprehensive information about domestic criminal frameworks prohibiting incitement to violence based on religion or belief. Many of the frameworks addressed issues of incitement to racial, national or religious hatred through speech or written media and publications and through the Internet. The laws generally also covered the establishment of or participation in organizations that urge violence or incite religious hatred, and public meetings in this context; the denial of war crimes, genocide and crimes against humanity; and the linkages between incitement to violence and acts of terrorism. The frameworks outlined usually provided for criminal regimes and heavy sentences. Many of the States reported on important reforms, actions and updates to the measures taken during 2018–2019. All the information provided by the States can be consulted on the OHCHR website.¹³

33. The High Commissioner recalls that, where legal sanctions may be necessary to protect human beings against incitement to hatred, discrimination or acts of violence, three types of expression should be clearly distinguished: expression that constitutes a criminal offence; expression that is not criminally punishable but may justify civil or administrative sanctions; and expression that does not invoke any legal action but still raises concern in terms of tolerance and respect for the rights of others.

34. Legislation prohibiting incitement to racial, national and religious hatred should be specific, should not be overly broad in either its scope or its application and should be consistent with the international standards on freedom of religion or belief and freedom of opinion and expression. States should ensure that there is no impunity in the judicial system and that prosecutions and adjudications are undertaken in accordance with the law.

35. Some useful guidance in this regard is provided by the Committee on the Elimination of Racial Discrimination¹⁴ and the Human Rights Committee.¹⁵ The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence¹⁶ and its six-part threshold test, as well as continuing developments on what the threshold entails and what is considered to be advocacy of religious hatred constituting incitement may provide some guidance to those implementing the international standards relating to the prohibition of incitement to racial, national and religious hatred.

G. Hate crimes

36. Denmark reported that, in order to implement its hate crimes monitoring programme, the National Police had issued guidelines to all police districts on how to detect and register hate crimes correctly, to ensure that all relevant crimes would be investigated as hate crimes. In 2018, the National Police initiated a dialogue with the police districts to ensure that all hate crimes were registered correctly in the Police Record System (POLSAS). The National Police had added some supplementary search words to its monitoring practice to give a more accurate overview of the extent of hate crimes in Denmark.

¹² Ibid., para. 7 (f).

¹³ <https://adsdatabase.ohchr.org>.

¹⁴ General recommendation No. 35 (2013) on combating racist hate speech.

¹⁵ General comment No. 34 (2011) on the freedoms of opinion and expression.

¹⁶ A/HRC/22/17/Add.4, appendix.

37. France reported that the Interministerial Delegation against Racism, Antisemitism and Hatred against Lesbian, Gay, Bisexual and Transgender Persons had taken concrete measures against religious hatred online and had made Internet platforms responsible for taking down and retracting hateful content at short notice, under penalty of pecuniary sanctions, according to a bill that had undergone a first reading by the National Assembly on 9 July 2019 and that would be debated and undergo a first reading by the Senate. It had also adopted an online system for submitting complaints on hateful content. The Interministerial Delegation had funded associations specialized in combating hateful content online and intended to reinforce the PHAROS platform, through which notifications of hateful content on social networks were made and investigated.

38. In order to better serve victims, address complaints and encourage investigations into incidents of discrimination based on religion or belief, a network of specially trained police, gendarmes and magistrates has been set up on an experimental basis in partnership with the institution operating the Memorial Site of Les Milles Camp.

39. In Italy, the Observatory for Security against Acts of Discrimination of the Ministry of the Interior was charged with improving the ability of the Italian police forces, in particular the national police and the carabinieri, in preventing and combating hate crimes. In 2018, all the staff of the national police participated in a day of training in ethics and values that included modules on offences, the prevention and suppression of acts of discrimination and hate crimes, racial and ethnic profiling and intervention in crimes involving victims of discrimination.

40. In Poland, the Ministry of the Interior and Administration, together with the national police and the Internal Security Agency, had taken measures to implement a unique computer system and technology that collected a wide range of data generated by the police forces. The national police had also initiated a dialogue with a number of stakeholders to establish closer cooperation and identify ways to increase the number of reports of hate crimes by victims.

41. Poland reported that the National Public Prosecutor's Office oversaw cases of hate crimes committed against groups of people or individuals because of their beliefs or their national, ethnic, racial, political or religious affiliation, regardless of its legal qualification. Cases involving hate crimes were considered serious offences and their management might be overseen by a supreme official authority.

42. The Swedish Police Authority was combating information technology-related crime, including hate crime, for which additional national resources were being allocated and regional crime centres were being set up. Since 2018, the Police Authority had allocated additional special funding for certain measures, including to strengthen existing efforts to bring perpetrators of hate crimes to justice, improve coordination and carry out strategic work and follow-up.

H. Understanding the need to combat denigration and negative religious stereotyping of persons and incitement to religious hatred by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-building¹⁷

43. Iraq reported that the Government had made several efforts, in cooperation with religious institutions in the country, to combat incitement and discrimination based on religion and belief in the country. It advocated education, awareness-raising and training to teach moderation and tolerance among the different religious confessions.

44. Italy reported that in 2016 the National Anti-Discrimination Office had established an observatory against discrimination in the media and on the Internet to research, monitor and analyse, on a daily basis, through specific software and using a set of keywords,

¹⁷ Human Rights Council resolution 40/25, para. 7 (g).

potentially discriminatory content in the main social networks and social media (articles, blogs and comments in forums). The observatory adopted an interdisciplinary strategy that combined the analysis, monitoring and protection of victims with study, research and the design of campaigns and initiatives aimed at raising awareness among Internet users of the fight against hatred, intolerance and violence online, including a specific focus on hate speech of religious origin.

45. Italy added that the National Anti-Discrimination Office promoted awareness-raising campaigns and communication in the media and supported educational projects and cultural initiatives. For example, on 10 December 2018 it had organized a public event to mark the seventieth anniversary of the Universal Declaration of Human Rights, during which experts contributed to an in-depth study on the topic of racial and religious hatred and antisemitism.

46. The Syrian Arab Republic reported that the Ministry of Religious Property had been working with youth religious groups on initiatives, such as exchanges and dialogues, to promote religious freedom, freedom of expression and mutual respect for all religions. It had organized a university symposium on the role of young people in fighting discrimination and religious intolerance and countering extremism. Youth groups participated in local community meetings to discuss promoting tolerance and countering extremism. The Syrian Arab Republic reported that youth groups had also been working with the department of sharia education on educational curricula and initiatives for students on tolerance and moderation. The Ministry was also involved in education and training for imams and preachers to prevent radicalism and the spread of violence.

47. The Syrian Arab Republic also reported that the Ministry of Religious Property was active on social media in order to fight extremist channels. Moreover, it organized theatre performances, art competitions and television advertisements and programmes to disseminate positive values of tolerance and counter negative messages of extremism. In addition, the national media had broadcast a talk show and an interactive seminar about the risks of incitement to religious hatred in which academics, imams and others took part.

48. Tunisia reported that its government ministries and departments advocated a culture of moderation and tolerance in the country and forbade any calls for *takhfir* (incitement to racial, national and religious hatred or violence) by anyone.

49. Turkey reported that *khutbahs* (religious sermons delivered during Friday prayers), as well as other regular sermons, played a positive role in raising awareness among the Turkish public about preventing violence and discrimination based on religion or belief. In 2019, eight specific *khutbahs* on that issue had been prepared and delivered throughout Turkey. Sermons on preventing discrimination and violence were given on 12,269 occasions. Seminars and programmes on hate speech and preventing violence were also organized for students staying in State-funded dormitories.

50. Turkey stated that it had collaborated with other States to combat discrimination against persons based on religion or belief, noting the consideration of joint initiatives with other countries, including on concrete projects aimed at raising international awareness about Islamophobia.

51. The United Arab Emirates reported that the Ministry of Tolerance was implementing a specialized programme for schools, with the Ministry of Education, on celebrating tolerance in State schools. The programme included activities such as celebrations of important national occasions, joint clubs, sports competitions, volunteer programmes to support charitable institutions and the creative use of modern technologies to activate cultural exchanges. The “youth lifestyle tolerance initiative” was a joint national initiative aimed at consolidating the values of tolerance, coexistence and peace among young people, to enable them to contribute to building a bright future and to protect them from fanaticism and extremism.

I. Recognizing that the open, constructive and respectful debate of ideas and interfaith and intercultural dialogue at the local, national and international levels can play a positive role in combating religious hatred, incitement and violence¹⁸

52. Azerbaijan reported hosting, including in partnership with other countries, institutions and organizations, regular international forums and conferences dedicated to issues of multiculturalism, interreligious dialogue and understanding. One international conference, held in March 2019, had been organized jointly by the State Committee on Religious Associations and the Caucasus Muslim Board. The second international conference on interreligious dialogue and radicalism, held in April 2019, had been organized jointly by the State Committee on Religious Associations, the Baku office of the European Union and ADA University. Azerbaijan had hosted the Second World Summit of Religious Leaders, held in Baku on 14 and 15 November 2019, in which important religious and public figures from more than 70 countries and 10 international organizations had participated.

53. Denmark reported that through organizations like Danmission and through the Danish-Arab Partnership Programme it conducted interreligious dialogue in selected countries, as well as seminars and meetings in Denmark. The Government had funded several projects promoting interreligious dialogue in several countries.

54. In 2019, the Parliament of Portugal unanimously approved 22 June as the National Day of Religious Freedom and Interreligious Dialogue.¹⁹ The Commission on Religious Freedom collaborated with the High Commissioner for Migration in organizing the Second Congress of Interreligious Dialogue, under the theme “Caring for the other”, held in Lisbon on 3 October 2018.

55. Romania reported that the State Secretariat for Religious Affairs had organized, funded and supported numerous national and international events to promote interreligious and interconfessional dialogue, as well as meetings and conferences organized by the faculties of theology in Romania, attended by theologians and representatives of all recognized religions in the country. As a member of the trio of States holding the presidency of the Council of the European Union, Romania had organized, through the State Secretariat for Religious Affairs, an international conference on the positive side of religious freedom and how Governments can engage with religious organizations, which was held in June 2019 and attended by representatives of religious denominations and other important officials.

56. Qatar reported that the Doha International Center for Interfaith Dialogue had hosted 13 editions of the Doha Conference on Interfaith Dialogue, under the patronage of the Emir of Qatar and with the support of the Ministry for Foreign Affairs. The most recent conference had taken place on 20 and 21 February 2018 on the theme “Religions and human rights”. In 2019, the Center had continued to support and organize various activities, including the issuing of publications and interfaith journals, youth forums, sports tournaments, workshops, book fairs, cultural and literary events, festivals, trainings and cultural dialogues in Doha and elsewhere. The Centre also worked on round tables and symposiums with a variety of stakeholders, including young people, media professionals, institutions, religious leaders, academics and other regional and international organizations.

57. Moreover, the Center published a magazine entitled *Religion* focusing on dialogue among religions and communication among civilizations. Festivals were held, at which many cultures were represented, and members of the international diaspora in Qatar were welcomed during important religious holidays, including during the month of Ramadan. Every year an award is given to individuals who promote principles of dialogue, foster a culture of peace, fight discrimination and counter extremism based on race or religion.

¹⁸ Ibid., para. 7 (h).

¹⁹ www.parlamento.pt/Paginas/2019/junho/Dia-Nacional-liberdade-Religiosa.aspx.

J. Taking effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of religion or belief²⁰

58. France reported on efforts taken to train and raise the awareness of police officers and commissioners, gendarmes and magistrates, in particular on the treatment by the judiciary of hate-motivated speech and acts based on the origin or on the real or presumed membership of a person or a group in a nation, an ethnic group or a religion. The secular training framework for public officials had also been strengthened as part of a legal approach to the principles of secularism, neutrality of public services, the free exercise of worship and non-discrimination.

59. In Malta, the personnel of the integration unit within the Human Rights and Integration Directorate were given training, as part of their induction process, on cultural sensitivity, grounds of discrimination, including religion and belief, and customer service. During the meeting with the applicant, personnel asked the applicant whether he or she had faced discrimination in Malta, including on the grounds of religion and belief.

60. In Poland, the National School of Judiciary and Public Prosecution had organized or co-organized several training events in 2018 and 2019 on topics such as European Union anti-discrimination law, the practical aspects of cultural diversity in criminal proceedings, procedural guarantees for the protection of human rights, cultural diversity in the courtroom and the new challenges faced by judges in Europe, and antisemitism and hate crimes. The Ministry of Justice had made efforts to promote equal treatment in employment by organizing regular training sessions addressed to all its employees.

61. In Turkey, whenever the prohibition of discrimination was violated, Law No. 6701 imposed an obligation on all public institutions and private entities to take all measures necessary to put an end to the discrimination, provide compensation, prevent repetition and pursue legal and administrative remedies. The office of the ombudsman monitored public institutions' compliance with the principle of prevention of discrimination. Since 2015, 157 applications had been made to that office.

62. In the United Arab Emirates, the Ministry of Tolerance worked to institutionalize the value of tolerance in government work and reject intolerance, including religious and ethnic intolerance, through a specialized initiative aimed at increasing awareness and spreading a culture of tolerance in the work, mechanisms and daily practices of the employees of ministries, departments and institutions.

K. Fostering religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society²¹

63. Azerbaijan reported on a number of amendments and changes made to the code of administrative offences, the Criminal Code and State policy to ensure religious freedom in the country. It also reported that, as of 25 November 2019, 942 religious communities (of Muslims, Christians, Jews, Baha'is, Krishnaites and representatives of other religions) had been officially registered. The State Committee on Religious Associations had created favourable conditions for Muslim and non-Muslim communities to celebrate religious ceremonies and that financial assistance from the State budget for 2019 had been allocated to various religious communities. No cases of religious discrimination had been registered by governmental bodies.

64. In Denmark, the freedoms of religious assembly, association and speech were constitutionally guaranteed and included the right to form religious communities without prior approval of the State. Approval was only necessary if the religious community or

²⁰ Human Rights Council resolution 40/25, para. 8 (a).

²¹ Ibid., para. 8 (b).

congregation wished to obtain certain advantages, such as the right to perform marriages with civil validity in Denmark or the possibility to deduct contributions from the annual tax declaration.

65. Honduras reported that the right of association was guaranteed by granting legal personality to all of churches upon request to the Secretary of the Interior, Justice and Decentralization and through registration with the Directorate for the Regulation, Registration and Monitoring of Civil Associations, which was responsible not only for preparing the registry of all civil associations and monitoring their activities, but also for ensuring that the registered associations complied with the purposes and objectives for which they were constituted and authorized by the State. As established by article 4 of the Special Register for Churches, religious associations identified or recognized as churches will, once their legal personality is granted, be immediately registered in the special registry for them, which is kept by the General Secretary of the Ministry of Human Rights, Justice, Governance and Decentralization.

66. Italy reported that article 8 of the Constitution provided that all religious denominations were equally free before the law, clarifying that non-Catholic denominations could organize themselves freely and that their relations with the State were based on bilateral agreements. In accordance with article 19 of the Constitution, everyone was entitled to freely profess his or her religious belief, both individually and collectively, to promote it and also to celebrate religious rites in public and in private, unless they were offensive to public morality. Article 20 forbade the imposition of any special legal limitation or fiscal burden on religious associations and institutions with confessional aims.

67. Romania reported that the State Secretariat for Religious Affairs had been supporting the projects of religious communities and continually encouraged cooperation among them. Grants offered by the Secretariat had contributed to the restoration of several important monuments belonging to religious communities. Romania had also supported the efforts of religious communities to build appropriate spaces for exercising freedom of worship, among other social projects. The State Secretariat had not yet received, from any person or on behalf of a recognized religion, any information concerning religious intolerance.

68. Tunisia reported that its Constitution and legal framework reflected the measures set out in Human Rights Council resolution 40/25, highlighting that under article 6 the State guaranteed freedom of religion and opinion, religious celebrations and the impartiality of mosques in the country. Tunisia underscored the principles of equality and non-discrimination in respect of all Tunisian citizens. It added that, for the first time in Tunisian history, a law (Law No. 50 of 2018) had been adopted to fight all forms of discrimination. In particular, article 2 penalized any racial discrimination, division or exclusion based on race, colour or national or ethnic origin, consistent with the International Convention on the Elimination of All Forms of Racial Discrimination.

69. Turkey reported that, in an effort to prevent discriminatory behaviour, the new identity cards for Turkish citizens did not include any indication of the cardholder's religion. It added that non-Muslim Turkish citizens were able to practise their religion, hold religious ceremonies and manage their properties, including places of worship, without impediment. Several places of worship, including the Grand Synagogue in Edirne and the 120-year-old Sveti Stefan Bulgarian Church in Istanbul, had been restored and reopened for worship in 2015 and 2018. Between 2003 and 2018, over 1,000 properties had been registered to foundations belonging to non-Muslim minorities. Programmes and ceremonies were organized for Alevis as well, especially during significant dates on the Alevi calendar, such as Muharram and Hidrellez.

L. Encouraging the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society²²

70. Iraq reported that the Constitution guaranteed the rights of all minorities in the country. Religious minorities were allocated a quota of seats in the national parliament and in the regional councils, and they had the right to speak, learn and operate in their languages. Law No. 58 of 2012, which regulated religious property, had been amended to make specific reference to the Yazidi, Christian, Saabia and Mendaiya religious confessions present in Iraq. Through the judgment of a federal court, the legality of Christian tribunals established in accordance with the laws of the country had been confirmed. The University of Baghdad had a department of Syriac languages and all confessions were represented in the army, the security forces and the intelligence services.

M. Making a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures²³

71. During criminal investigations the Danish police was obliged to follow Danish legislation, which prohibited any kind of discrimination on the basis of faith, race, skin colour, national or ethnic origin and sexual orientation. Students at the police academy were taught to combat and prevent ethnic profiling, including religious profiling, and to avoid discrimination of any kind when conducting investigations and other law enforcement activities.

72. In line with the requirements and obligations prescribed by the Fundamental Law of Hungary, the provisions of criminal law, including provisions on criminal procedure, were drafted so as to avoid differentiating between the rights to be enjoyed and the obligations of the defendants based on their religion or religious belief.

III. Activities undertaken by the Office of the United Nations High Commissioner for Human Rights to support implementation of the action plan

73. In addition to carrying out the above-mentioned actions, OHCHR works on the various dimensions of religious intolerance, including multiple discrimination, xenophobia, migration, freedom of religion or belief, religious profiling and incitement to racial, national or religious hatred.

74. Through its field presences, OHCHR works on those issues through training sessions, workshops and advisory services and, upon request, by reviewing draft anti-discrimination laws and constitutional amendments. It has also supported several States and specialized bodies in developing national action plans against racism.

75. In 2019 OHCHR organized regional workshops in Marrakech, Djibouti and Tunis on implementing the Beirut Declaration on Faith for Rights,²⁴ enhancing the civic space and addressing hate speech in social media. Furthermore, it finalized a training manual for judicial training institutions in the Middle East and North Africa on the protection of freedom of opinion and expression and the prohibition of hate speech.

76. OHCHR manages a public database²⁵ that includes relevant information on all the issues contained in the action plan.

²² Ibid., para. 8 (c).

²³ Ibid., para. 8 (d).

²⁴ A/HRC/40/58, annexes I and II.

²⁵ <https://adsdatabase.ohchr.org>.

77. OHCHR has engaged with national and international organizations working to combat antisemitism. As a member of the working group on the United Nations strategy and plan of action on hate speech, OHCHR is currently drafting its own strategy on hate speech.

78. The United Nations High Commissioner for Human Rights has spoken out on issues of freedom of religion and belief relevant to the many topics contained in the action plan, in various public forums, including at the Second Global Summit on Religion, Peace and Security, held in Geneva from 29 April to 1 May 2019. On that occasion, the High Commissioner highlighted the importance of protecting religious minorities, particularly those targeted through incitement to hatred and violence.²⁶

79. In August 2019, the High Commissioner addressed the Security Council, in an Arria formula meeting, on advancing the safety and security of persons belonging to religious minorities in armed conflicts, stressing that efforts to protect minorities must begin before conflicts erupt and that it is important to collect data disaggregated by religion and ethnicity. Referring to the Rabat Plan of Action, she emphasized the role of politicians and religious leaders in preventing and speaking out against intolerance, discriminatory stereotyping and hate speech.

IV. Observations and views on potential follow-up measures for further improvement of the implementation of the action plan

80. The action plan adopted by the Human Rights Council in its resolution 40/25 and similar General Assembly resolutions adopted by consensus provide guidance for collective action to counter religious discrimination and intolerance. Greater efforts are required to promote the implementation of the practical actions contained in those resolutions.

81. As stressed in several prior reports of the High Commissioner to the Human Rights Council and of the Secretary-General to the General Assembly, there is a need to improve the overall number of contributions received from States and the regional geographic participation.²⁷

82. During 2019, OHCHR reviewed the 12 reports on the action plan submitted between 2012 and 2019 pursuant to the relevant resolutions of the Human Rights Council and the General Assembly. It found that about 30 per cent of all Member States had sent contributions for the reports of the High Commissioner to the Human Rights Council between 2014 and 2019.²⁸ On average, 9 per cent of Member States (equal to 19 States) submitted contributions for each report.

83. Similarly, about 34 per cent of all Member States contributed to the reports of the Secretary-General to the General Assembly between 2012 and 2019 and on average 9 per cent of States (equal to 17 States) submitted contributions for each report to the General Assembly. In one year, only five contributions were received from States.

84. A significant majority of Member States never submitted a single contribution. Those that did submitted a contribution in respect of either the report of the High Commissioner or the report of the Secretary-General; very rarely was a contribution submitted for both in any given year. Over the entire period reporting has been sporadic, with only one or two States reporting more or less consistently to both reports.

²⁶ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24531&LangID=E>.

²⁷ A/HRC/34/35, A/HRC/40/44, A/72/381, A/73/153 and A/74/229.

²⁸ The first resolution of the Human Rights Council requesting a report based on information provided by States was resolution 22/31 in 2013.

85. There was also a significant geographical imbalance in the reporting profile. Some regions were scarcely represented and even within regions only a handful of States ever reported and, when they did, did so once only or very infrequently.

86. As the Human Rights Council requested the High Commissioner to prepare a report based on, among other things, views on potential follow-up measures for further improvement of the implementation of the action plan,²⁹ it would be beneficial to gain a more complete picture of the efforts and measures taken by States to implement the plan.

87. As suggested in several previous reports, and given that there are two separate annual reports on the same action plan – to the Human Rights Council and to the General Assembly – States should seriously consider streamlining these parallel reporting processes either in terms of content or focus, or by adjusting the reporting time frames to a biannual period in order to give a more meaningful update of how the action plan is being implemented worldwide. For example, the preparation of one annual report, to be submitted alternately to the Council and the Assembly, may increase the number and improve the representation of submissions received from States.

88. As stressed by the Human Rights Council³⁰ and mentioned in previous reports, there is a need to implement all parts of the action plan outlined in paragraphs 7 and 8 with equal focus and attention in order to address the complex issue of religious intolerance. Once again, some States continue to emphasize some paragraphs or elements of the action plan and to pay little or no attention to others. Moreover, the review carried out by OHCHR of the 12 reports on this topic submitted between 2012 and 2019 has highlighted that States tend to focus on constitutional and legislative frameworks and collaborative networks;³¹ governmental mechanisms;³² education and awareness-raising activities;³³ interreligious dialogue;³⁴ and religious freedom and pluralism.³⁵

89. It is therefore important that States also highlight the steps they have taken, *inter alia*, with respect to: training government officials in effective outreach strategies;³⁶ encouraging the efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter those causes;³⁷ speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;³⁸ encouraging the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society;³⁹ and making a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questionings, searches and other investigative law enforcement procedures.⁴⁰

90. The States that contributed to the present report noted that religious intolerance, stigmatization, negative stereotyping and discrimination, including issues of extremism and radicalization, are addressed through various educational measures and cultural activities, dialogues, strategic plans and public information and media campaigns, including online platforms. A number of these State-funded initiatives focus on youth or are youth-driven. As several States have highlighted, while young

²⁹ Human Rights Council resolution 40/25, para. 13.

³⁰ *Ibid.*, para. 12.

³¹ *Ibid.*, para. 7 (a).

³² *Ibid.*, para. 7 (b).

³³ *Ibid.*, para. 7 (g).

³⁴ *Ibid.*, para. 7 (h).

³⁵ *Ibid.*, para. 8 (b).

³⁶ *Ibid.*, para. 7 (c).

³⁷ *Ibid.*, para. 7 (d).

³⁸ *Ibid.*, para. 7 (e).

³⁹ *Ibid.*, para. 8 (c).

⁴⁰ *Ibid.*, para. 8 (d).

people may be vulnerable to hate speech and possible extremist activity, they also play a critical role in countering and confronting hate speech, educating and building awareness and providing dynamic counter-narratives.

91. Finally, as noted previously,⁴¹ it is important for the implementation of the action plan that States submit information on the gender-related aspects of freedom of religion or belief. Consideration could be given, for example, to how women are affected by issues such as religious profiling, whether they are participating and are meaningfully represented and whether they are able to manifest their religion and contribute openly and on an equal footing to society.⁴² It would be helpful if, in future submissions, States made reference to the gender dimensions of discrimination on the basis of religion or belief and if consideration were given to possibly dedicating a future thematic report to the steps taken to implement the action plan, specifically in respect of women and girls.

⁴¹ A/HRC/40/44, A/73/153 and A/74/229.

⁴² Human Rights Council resolution 40/25, para. 8 (b).