

Thank you very much MAdam Chairperson. The United States is pleased to offer a few brief views on the draft recommendations proposed for inclusion in the independent experts report. We strongly support the independent experts work to combat discrimination and highlight issues of concern relating to minorities. Promotion of the rights of persons belonging to minorities advance human rights and prosperity everywhere. In particular we would like to highlight the importance of recommendations that states should engage further with civil society organisations. These are consistent with the preamble of the declaration which takes into account the important work that is done by intergovernmental and non-governmental organisations in protecting minorities and promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities.

The US believes it is essential to engage with a broad range of civil society organisations that represent and advocate for the human rights of persons belonging to minorities. It is also critical that the rights of persons belonging to minorities to associate with each be protected, at the September session of the HRC, the US with the Czech Republic, Indonesia, Lithuania, the Maldives, Mexico and Nigeria introduced a resolution on the freedom of association and assembly which was adopted by consensus. We welcome the recommendations that encourage civil society organisations to participate in the work of and collaborate with human rights mechanisms.

However with regard to the recommendation in paragraph 23 on acts or incitement to acts that physically threaten the existence of minorities or their identity, we would note that it fails to distinguish between offensive expression which should be protected and actions such as discrimination and violence motivated by bias, that should always be prohibited. As is well known the US government believes less restrictive measures than prohibiting speech can address hate speech more effectively than government bans on speech. We do not consider curtailing expression to be an appropriate or effective means of combatting racism and related intolerance. We also understand the references to minority rights in the recommendations consistent with the declaration to refer to the rights of individuals belonging to national or ethnic, religious and linguistic minorities. With regard to other specific recommendations we'd also like to highlight the importance of training, both to ensure that officials are aware of the rights of persons belonging to minorities and to ensure that members of society more broadly are made directly aware of their rights.

US agencies, state, local and tribal governments actively conduct training and education programmes to train their staff and the public on civil rights protections, for example under the No Fear Act, all federal agencies are required to train managers and supervisors in non-discrimination. In addition the Department of Justice trains judicial and law enforcement officers, the equal employment opportunity commission trains state and local government civil rights workers, the department of homeland security trains immigration officials and other departments train officials involved in education, healthcare and other professions on issues related civil rights protections. With regard to ensuring that individuals are aware of their rights a number of agencies actively offer training to members of the public. Civil society organisations can also play an important role in such efforts. We very much

appreciate the opportunity to comment on these recommendations. Thank you Madam Chairperson.