

### **Closing Statement of Special Rapporteur**

Madame la présidente, excellences, distingués délégués et experts, chers participants, Mesdames et Messieurs.

I will begin in English. Je vais commencer en anglais. Voy a empezar en ingles.

As I indicated yesterday morning when I opened this forum, this really is a unique opportunity and platform for promoting dialogue and cooperation on issues pertaining to minorities. It is obviously not easy, and unfortunately because of the pandemic and instability with the new Omicron variant, the forum this year had to face very challenging conditions as you will have noticed. The Forum is also perhaps victim of its own success with the largest number of registered participants of its history, and the difficulties to identify and accommodate the speakers in this hybrid format. In fact, let me point out how successful the mandate on minority issues has been to reaching out to and giving a voice to so many of you: almost 1,500 individuals, state representatives and organisations have registered in this Forum and the four regional forums held in 2021.

Nevertheless, it's clear that next year's Forum must be in person, and there are perhaps other improvements that we should consider.

Still, I wanted to state that you are all to be commended for the information, insights and recommendations which are essential to carry out the objectives of the UN FORum.

I will not try to summarise all of the urgent issues, disturbing situations, recommendations and invaluable insights and expertise that have come out from the expert panelists and your interventions. It will take time for us to digest all of this.

I did however want to emphasise a few of the main points which permeates much of the contributions of experts, minority and civil society organisations, human rights defenders and other stakeholders:

- First, that the international community and United Nations institutions are not sufficiently focussing where it is most needed to recognise and address the main factors leading to conflicts in order to develop effective mechanisms and tools that privilege early warning and conflict prevention. It was mentioned many times but needs to be emphasized: the world is failing to prevent conflicts with the number of conflicts, mostly internal conflicts within a state, has close to tripled in recent years. Most of these conflicts involve minorities who have grievances of exclusion, discrimination, even violence and atrocities. The point that was made often in different ways is that the UN and other players dealing with conflicts should be focussing most of their attention on the risk factors and early warning signs of conflicts that could emerge involving minorities. Instead, the UN and many others are ignoring, and in a sense in a form of denial that minorities and indigenous peoples are involved. If you listened closely, it was surprising, even disturbing, to hear some speakers avoid using the word minority when dealing with various conflict situation, using instead sometimes the word community, group, or some other word along those lines. Let me be blunt about why this is a dangerous omission or neglect: minorities have human rights in international law – groups or communities do not, and not referring to minorities in conflict situations is to deny the human rights dimensions of exclusion, discrimination and other factors that are more likely at the center of the context where most conflicts occur and spiral into violence and atrocities.
- Another issue that came up is the urgent need to mainstream the human rights dimension, specifically those of marginalised minorities and the sections within these minorities who are particularly vulnerable to abuse such as the intersection of the rights of women and disabled within these minority communities. Let me again be clear that the human rights of minorities are not

mainstreamed in the United Nations approaches or initiatives in conflict prevention: they are not even explicitly mentioned, even though once again most conflicts today are internal and involve minorities. As I am an independent expert, I can tell you that I have had UN officials tell me I should not deal with the conflict situation in Ethiopia in relation to Tigrayans, or the conflict situation in Yemen involving the Shia – because these officials rejected that these groups were minorities. They were just, groups.

- Thirdly, beyond conflict prevention mechanisms there also needs to be much more robust responses to identify and address the early risk factors that can lead to conflicts: this includes the explosion of hate speech in social media, as well as the increase of hate crimes, which around the world mainly targets minorities. In many of the recommendations that have come out from the regional forums, and some of those that we've heard yesterday and today, it was argued that the international community needs to further enhance the human rights protection of minorities, and that it should consider developing a more detailed instrument on the human rights of minorities
- A connected recommendation and point raised a number of times here but also in regional forums is that in addition to mainstreaming the human rights of minorities in all country and regional offices of the United Nations, because even at the UN, and obviously among many states, there is often a poor understanding of what are the human rights of minorities in international law.
- There have been alarm bells also in the human rights of minorities being increasingly attacked in many countries through the securitisation of human rights claims, and the use of anti-terrorism and similar legislation to clamp down on the activities of human rights defenders of minorities.
- One point which I also noted was that the only mechanism that links and provides a means of addressing conflict prevention and the protection of minorities is the OSCE High Commissioner on National Minorities. Perhaps it is time for the UN to be more proactive and consider such as conflict prevention

mechanism since most conflicts today involve minorities. Some of you have suggested also that the UN should have other institutional approaches and resources to address minority issues, such as a High-level Advisory Panel, or a Permanent Forum such as there is for indigenous peoples and for people of African-descent. As someone asked me directly, why is the UN discriminating against minorities and not providing a similar level of support as for these groups?

There are many other very significant matters raised which will appear in my final report to the UN Human Rights Council.

In finishing, a few other matters. Many of you have emphasized the need and importance in supporting a regional approach to the forums, since Geneva is not always very accessible for many minorities and their representative.

I can assure you that the intent is to continue with four regional forums next year so that we can be more accessible, more reflective of the reality and different contexts around the world, and to enrich and enliven the dialogues and exchanges helping to produce the recommendations which will emanate from the regions and eventually the forum here in Geneva.

There have been today and yesterday clear and constructive recommendations along these lines, and the OHCHR team members and volunteers are still in the process of identifying and preparing these. Please make sure the Secretariat received your statements. I will say that already you have provided rich, highly relevant, and useful suggestions which I have no doubt will help even further achieve these objectives.

The mandate of the Special Rapporteur requires me to bring these recommendations, your recommendations, to the attention of the UN Human Rights Council in a report to them in March, and this I will be doing of course.

Let me also take this opportunity to bring to your attention that next year will be marking the 30<sup>th</sup> anniversary of the UN Declaration on the rights of minorities. This will be the theme of the four regional forums and the UN Forum, and will be an opportunity not only of assessing the impact of this UN instrument, but also of looking forward – of considering what could be done to strengthen the recognition and protection of the rights of minorities. It was clear from your messages and insights today, including those of the expert panelists, that what is in place needs further improvement to meet the challenges of social media and increasing hate, xenophobia, discrimination, exclusion and scapegoating of minorities in many parts of the world.

I will continue in French. Je poursuis dans la langue de Molière.

Avant de clore le 14e Forum des Nations Unies, permettez que je signale et reconnaisse la situation très inhabituelle et difficile que nous avons eu à faire face : à la dernière minute plusieurs personnes n'ont pas pu se rendre à Genève, y compris moi-même, pour participer au Forum en raison des contrôles et autres mesures imposées en raison de la montée fulgurante du variant Omicron à travers le monde.

Même si le format hybride du Forum a pu permettre la tenue, tant bien que mal, de nos échanges et de l'exploration du thème extrêmement important de la prévention des conflits par l'entremise du respect des droits des minorités, on ne peut nier que le déroulement n'a pas été aussi fluide et inclusif que nous l'avions souhaité.

Néanmoins, et dans des conditions très difficiles, vous-mêmes Madame la Présidente et tout le personnel du Haut-Commissariat des droits de l'homme à Genève ont fait de

votre mieux afin d'assurer autant que possible le bon déroulement des échanges et contributions.

I end now in English.

Madame la Présidente, Ladies and gentlemen.

The Forum would not be possible except for the help of many, many volunteers. There are UN staff members, minority fellows and others who are freely contributing to help on all of the essential work of these last two days. I cannot name all of them, but I do wish to at least acknowledge the hard work and devotion of the head of section Karim Ghezraoui and the OHCHR and Forum consultant Marina Shupac for all they've done to ensure the forum can proceed as smoothly as possible despite the very difficult conditions.

I wish to thank the Government of Austria and other Friends of the Forum whose support is essential to enable the functioning of the Forum, and hope that more states from all regions will join them and demonstrate their commitments to the human rights of minorities rights and its future improvements and evolution.

Please allow me to especially thank again the chair, Madame Victoria Donda-Perez for having accepted and carried out the demanding challenge of Chairing this Forum in as I said very difficult conditions.

Thanks also to the expert panelists from all regions of world for the contribution of their experience and expertise and recommendations to the Forum. Your expertise has truly enriched the understanding of many of the complex issues involved, and I hope there will be further opportunities to work closely with you in the future. Thank you and bravo!

My deep felt gratitude to those of you in Geneva who also had not always understood challenges during these pandemic times. The pandemic has been particularly difficult for interpreters, with some of them facing health problems because of the effects in using some of the online platforms. Their expert minds and voices under difficult conditions are however absolutely indispensable to make the forum as accessible for as many of you as possible. Merci à vous. Thank you, chokran, Spasiba Bolshoi, Xie xie, Muchas gracias.

Finally, thanks to all of you who as participants and delegations who are at the centre of the Forum, and with whom I hope we can work together to make and a better world but also a better forum – and a better world. We live in challenging times, and I would even add very difficult times for many minorities around the world. In many places there's a great deal of hostility, and for many they face repression, violence, reprisals and sometimes worse right now. These are horrors and despair in some cases facing millions.

And yet, we cannot give up, because to simply shrug shoulders means nothing will change. Even in the darkest hours there can be glimmers of light, people willing to help, individuals and governments and other organisations and networks that can push back against intolerance and ignorance and even hostility to try to make a better world.

Je vous cède la parole, madame la présidente.