
FORUM ON MINORITY ISSUES

FOURTEENTH SESSION

"CONFLICT PREVENTION AND THE PROTECTION OF THE HUMAN RIGHTS OF MINORITIES"

2 AND 3 DECEMBER 2021

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SUMMARY BY THE CHAIR OF THE FORUM

Pursuant to Human Rights Council resolution 19/23 of 23 March 2012, the Forum on Minority Issues provides a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, as well as thematic contributions and expertise to the work of the Special Rapporteur on minority issues, **Mr. Fernand de Varennes**. The Forum identifies and analyses best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The Forum meets annually for two days, on a different theme each year. The Special Rapporteur on minority issues is responsible for guiding the work of the Forum, preparing its annual meetings and reporting on its thematic recommendations to the Human Rights Council. The fourteenth session of the Forum took place on 2 and 3 December 2021. Due to the COVID-19 situation, the Forum was held in a hybrid format, in person and virtually, having the plenary sessions webcasted from the Palais des Nations in Geneva, Switzerland. **Ms. Victoria Donda** was appointed as Chair of the session, which focused on the theme: "**Conflict Prevention and the Protection of the Human Rights of Minorities**".

About 680 participants from some 50 countries registered for the session, including representatives of States, United Nations mechanisms, specialized agencies, other intergovernmental organizations, regional organizations and mechanism in the field of human rights, national human rights institutions, academics and experts on minority issues, representatives of minorities, non-governmental organisations and human rights defenders. Interpretation in six official UN languages as well as international sign language was provided during the Forum. Captioning in English, French and Spanish was also provided. The Concept Note, the Agenda of the Forum and the Programme of Work were made available to all Forum participants in advance of the Forum on the webpage of the Fourteenth session of the Forum¹, and formed the basis for the discussions.

¹<https://www.ohchr.org/EN/HRBodies/HRC/Minority/Pages/Session14.aspx>

Format of the Forum

The Forum followed the procedure developed over its previous sessions. To help focus the discussions and ensure that they would be interactive, each agenda item was introduced by several invited panellists, followed by interventions from other participants.

Outcome documents

The present document is prepared in accordance with Human Rights Council resolution 19/23, which requests the Chair to prepare "a summary of the discussion of the Forum, to be made available to all participants of the Forum". This summary is to be complemented by the outcome document containing the recommendations of the Forum presented by the Special Rapporteur on minority issues to the Human Rights Council at its 49th session in March 2022²².

This summary does not provide the full details of all presentations that were made during the Forum's proceedings. The list of speakers and the statements submitted to the Secretariat of the Forum on Minority Issues can be accessed at the Forum webpage.

Item I. Opening of the Forum

The President of the Human Rights Council H.E. Ambassador Nazhat Shameem Khan welcomed all participants and thanked them for their flexibility in participating in the Forum in a hybrid format. She noted that the Forum is a unique venue to reflect on issues pertaining to the enjoyment of all human rights by minorities through dialogue and cooperation between all stakeholders. She added that the theme of the Forum, conflict prevention and the protection of the human rights of minorities, could not be timelier, as over the past decade conflicts across the globe have increased dramatically, and within affected communities, minority groups are often the most vulnerable, overlooked and neglected in times of crisis.

The President of the Human Rights Council noted that the Council has taken significant action to ensure that human rights and minority issues remain firmly on the Council's agenda, by ensuring the continuation of the mandate of the Special Rapporteur on minority issues; the establishment, through Council decision 24/118, of a Special Fund that supports the participation of civil society in a number of Forums, including this one; and finally, the Council established this Forum in 2007 to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities. She stated that since its establishment, the UN Forum on Minority Issues has played an essential role in promoting minority rights as contained in the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. She mentioned, as an example, that the Forum produces valuable guidance to human rights actors at the

²² A/HRC/49/81

international, regional and national levels through a set of action-oriented recommendations, which are presented to the Council annually by the Special Rapporteur on minority issues.

Finally, the President of the Human Rights Council reaffirmed the commitment of the Council to protect the rights and lives of all individuals who cooperate with the United Nations and its mechanisms in the field of human rights, and stated that the Council condemns any and all acts of intimidation or reprisal against such individuals and groups.

The Special Rapporteur on minority issues, Mr. Fernand de Varennes, expressed concern that crises involving refugees and internally displaced people are increasing all over the world. He noted that conflicts are overwhelmingly internal, and usually have ethnic or religious dimensions, and that since 2010, the number of major violent conflicts has tripled globally. He added that much of the increase relates to internal conflicts within states, usually involving minorities, that there are more violent conflicts now than anytime during the last 30 years, and the world is witnessing the largest displacement crisis ever recorded.

The Special Rapporteur stated that minorities have grievances of injustice, or perceived discrimination, and that their grievances are amplified by the pandemic and growing inequalities, discrimination, exclusion and hate. He added that hundreds of millions are living in extreme poverty, and the gap is growing between the poor and rich. He explained that the theme of the Forum was chosen to reflect these important issues which have not been sufficiently addressed. He noted that these issues were also described by the United Nations and the World Bank in a seminal joint report entitled Pathways to Peace as critical for policy makers at all levels to focus on preventing violent conflict more effectively in order to avoid the huge human and economic costs of conflict.

The Special Rapporteur recalled that the main point towards conflict prevention identified by the Pathways to Peace report was the need to address grievances around exclusion from access to power, opportunity and security – mainly from minority groups. He explained that the panels would explore some of these significant areas of concern in relation to prevention of conflict and the protection of minorities. The Special Rapporteur added that the panels would focus on root causes, legal and institutional frameworks, the rights of minorities and effective prevention of conflict, and positive initiatives to better protect the rights of minorities and prevent conflicts. The Special Rapporteur reiterated that protecting and accommodating minorities and their identities is a hallmark of an inclusive society, and one of the keys to countering intolerance and xenophobia, which unfortunately is occurring for political purposes and is leading to increased tensions and even violence.

The Chair of the fourteenth session of the Forum on Minority Issues, Ms. Victoria Donda, emphasized that past experiences allow us to identify the undeniable relationship between racialization, impoverishment, gender and vulnerability, and that minorities need both state intervention and the international system and the protection it affords. She stated that minorities often bear the brunt of conflicts, and explained that there are inconsistencies, controversies and contradictions regarding the concept of minorities, as there is no

internationally agreed definition as to which groups constitute minorities. The Chair added that in some instances a numerical majority may also find itself in a minority-like position. She stressed the importance of promoting inclusion and highlighting the social and institutional proceedings which simply ignore minorities and do not celebrate or recognize national ethnic, cultural, religious, or linguistic heritages or differences. She explained that this is vital to accept and to work on, and that the differences must be protected by states, in line with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, in order to preserve people's history and culture, and to preserve their language and to preserve their identities.

The Chair highlighted the need for a paradigm shift from multiculturalism to interculturalism, and explained that ethnicity, nation, race and gender are categories which intersect. She added that as societies are becoming increasingly rich and diverse, this richness should be seen as a power to be harnessed, and not as an obstacle.

The Chair concluded by emphasizing the need to think of minorities from a human rights-based approach, so that new rights may exist, but also so that states guarantee and safeguard existing rights.

Item 1.1 High-level segment

Presentations for the high-level segment were made by the following panellists: Ms. Alice Nderitu, Special Adviser to the Secretary-General on the Prevention of Genocide; Ms. Nassima Baghli, Organization of Islamic Cooperation (OIC); and Mr. Kairat Abdrakhmanov, High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe (OSCE).

Ms. Alice Nderitu, Special Adviser to the Secretary-General on the Prevention of Genocide noted that the topic of the Forum goes to the core of her mandate. She explained that atrocity crimes, and genocide, are not random or spontaneous events. Genocide constitutes the end point of a process which develops over time, with several risk factors and warning signs present. The Special Adviser explained that her Office has developed a tool for identifying and analyzing these risk factors and early warning signs, called the 'Framework for Analysis', which is used by member states and civil society actors across the world working to advance atrocity prevention in their communities. She added that two of the most critical risk factors identified in the Framework for Analysis are directly related to the topic of this Forum: First, the presence of an armed conflict and second, patterns of discrimination and marginalization of protected groups, including ethnic and religious minorities. Preventing conflict and ensuring the protection of minorities are therefore key ingredients to effective atrocity prevention.

The Special Adviser regretted the concerning trends across the world when it comes to both these risk areas. She added that we continue to witness a global surge in hateful and

divisive rhetoric including xenophobia, racism, antisemitism, anti-Muslim hatred, attacks on Christian communities and misogyny. She explained that the United Nations has developed a global Strategy and Plan of Action for tackling the growing trends of hate speech, including its drivers and root causes, and that her office is a systemwide focal point for this strategy and is working with several partners in all regions on its implementation. She added that the Secretary-General has issued his Call to Action for Human Rights, which includes protecting the right of the most vulnerable in society, including ethnic, religious, national, and racial minorities, noting that this must also go hand in hand with addressing root causes of violence in our societies and promoting peace and inclusion.

Finally, the Special Adviser recalled that effective prevention also requires the international community to take timely action to protect populations at risk of these crimes, and to hold accountable those responsible. She regretted that too often we have seen the inability of the Security Council to take unified action to protect populations at risk of even the most serious crimes, and expressed appreciation to see that other intergovernmental bodies such as the Human Rights Council have tried to fill the gap.

Ms. Nassima Baghli, Organization of Islamic Cooperation (OIC) stated that minorities are often exposed to multiple forms of discrimination, stereotyping and hate speech which contribute to excluding them from public life in all its dimensions. She explained that this exclusion produces negative impacts on the cohesion and stability of societies and can even provoke crises and conflicts, noting that some communities have even been stripped of their citizenship. She added that minorities are also the target of populist and extremist politicians who, for political gains, incite racial or religious hatred. She expressed the need to redouble efforts to guarantee the rights of minorities and promote cohesive, stable and resilient societies through an effective implementation of the tools we have at our disposal, and avoid any politicization of these matters.

Ms. Baghli noted that the Organization of Islamic Cooperation is concerned about the surge of Islamophobia, which is posing a threat to peace and security in the world. She added that the OIC has engaged in mediations with regards to crises, and that interfaith and intercultural dialogue have been a priority for the OIC in developing a culture of peace and moderation among nations and civilizations. She concluded by noting that the OIC has established an Islamophobia Observatory tasked with tracking and analyzing the facts and trends related to this phenomenon.

Mr. Kairat Abdrakhmanov, High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe (OSCE) stated that prevention is better than cure, and that taking proactive measures to prevent conflicts is more effective in the long run than implementing measures to counter the consequences of a conflict that has already taken place. He explained that preventing conflict is an integral part of the security dimension of the OSCE, and the cornerstone of his mandate.

The High Commissioner on National Minorities emphasized that in his mandate, the human rights-oriented approach to minority protection is set into a security context for a very important reason. He explained that from his mandate's perspective, an inclusive, cohesive, and peaceful society cannot operate without having an adequate system in place to protect minorities - one in which minorities feel they are equally respected members of society. This system requires the existence of interrelated building blocks consisting of, among others, the right of minorities to their own identity, to have their languages, religions and cultures respected, to have integration without forced assimilation, and to enjoy the principle of substantive equality, including participatory rights.

The High Commissioner on National Minorities noted that the approach and experience of successive High Commissioners on national minorities have been documented and published in nine sets of thematic regulations and guidelines which are available on their website. These reflect policy areas that states should have in mind when looking at comprehensive frameworks for minority protection, linguistic rights, education, access to justice, effective participation in public and political life and more.

The High Commissioner on National Minorities indicated that the Forum constitutes a unique opportunity for member States to share their own positive experiences and initiatives which can, in turn, serve as good practices for others. He highlighted the particular vulnerability and marginalization of minority women in conflict and post-conflict contexts. Finally, he emphasized that inclusion and ensuring the participation of minorities in public, economic and social life is key to conflict prevention.

Item 2: Root causes of contemporary conflicts involving minorities

Participants were invited to reflect on identifying and addressing the root causes of conflicts involving minorities. They were expected to consider how early awareness of root causes involving State policies and practices that disadvantage or exclude minorities can also be the most effective means to prevent conflicts.

Participants were invited to focus on how to monitor risk factors. They were also expected to explore the role of States, intergovernmental organizations, civil society and minorities in tackling at an early stage the root causes that may be in breach of human rights obligations, such as the right to equality and the prohibition of discrimination.

Presentations on the topic under discussion were made by the following panellists: Mr. John Packer, Director, Human Rights Research and Education Centre, University of Ottawa; Ms. Rita Manchanda, Independent Consultant, South Asia Forum for Human Rights; and Mr. Conchúr Ó Muadaigh, Advocacy manager, Conradh na Gaeilge.

Mr. John Packer, Director, Human Rights Research and Education Centre, University of Ottawa noted that the root causes of contemporary conflicts involving minorities owe historical origin to phenomena and concepts long pre-dating the United Nations, pre-dating human

rights, and even pre-dating the idea of “minorities”. He explained that the character of contemporary conflicts remains substantially similar to the past with competitions for power, clashes of wills in relation to needs, interests and aspirations, a range of grievances and other recurrent issues – like non-discrimination and equality of treatment and opportunity, maintenance and development of identity, forms and degrees of self-governance, and ultimately the power to live freely with a measure of control over one’s life. He noted an increasing trend of dominant groups targeting and scapegoating minorities.

Mr. Packer indicated that systematic or systemic oppression or exclusion of minorities generates conflict, as does unrestrained abuse by dominant communities or the State. He explained that the problem is a failure of political will to do the right thing – to apply the norms and standards and to mobilise the required resources.

Mr. Packer concluded by offering three suggestions: First: Minority rights should be widely promoted and, to this end, a Decade on the Issues and Rights of Minorities should be adopted by the UN coinciding with the 30th anniversary of the United Nations Declaration on the Rights of Minorities. Second: Knowledge and know-how regarding minority issues and rights should be pro-actively mainstreamed within and throughout the United Nations system, and promoted similarly amongst and within regional and other intergovernmental organisations. Third: Minority experts should be employed as analysts and advisers and deployed within every United Nations peace operation and special political mission.

Ms. Rita Manchanda, Independent Consultant, South Asia Forum for Human Rights focused her presentation on the South Asian region, and noted challenges in the contemporary context of ethno- religious nationalism which has reinforced structural marginalisation of minority communities. She stated that practices of religious discrimination, prejudice and persecution have been formalised into state laws and policy. She further noted the explicit targeting of minority communities through stigmatization, persecution, violent assaults, and the spread of anti-minority hate speech.

Ms. Manchanda expressed concern about the stifling of independent civil society, journalists and lawyers with a disproportionate impact on marginalized communities. Among root causes she listed internal power-seeking politics through manipulation of religion and politics, inter-state conflicts in which the majority in one state is a minority in another, and trans-regional competitive ethno-religious nationalism. She stressed the importance of supporting and protecting the production and dissemination of counter-narratives, in a repressive environment where critical fact dissent and fact finding is criminalized.

Ms. Manchanda further recommended strengthening the rule of law and institutions necessary for protection of minority rights and countering impunity, and to document the abusive practice, and to situate minority rights claims within the broad-based struggle for constitutional values and equal rights of citizens.

Mr. Conchúr Ó Muadaigh, Advocacy manager, Conradh na Gaeilge focused his presentation on the Irish language as a minoritized language in the north of Ireland in the context of a post-conflict society, and the role of the Irish language in all of Ireland's major peace agreements. He noted that the Irish language has been oppressed, Irish speakers have been marginalized, and the teaching of Irish in schools has been prohibited.

Mr. Ó Muadaigh explained that following a 30-year conflict, the Good Friday Agreement (GFA) was signed in 1998. The GFA promised to remove restrictions which discouraged the maintenance and development of the Irish language. Instead, he regretted, Irish speakers have faced continued denigration by public representatives.

Mr. Ó Muadaigh stated that for international law to be adhered to, and agreements honoured, constant vigilance is necessary. He explained that this is the only way to ensure Irish language speakers in the north of Ireland, and minorities across the world, can effectively challenge hostility, sectarianism and marginalization. He called on the Forum to support the immediate implementation of a comprehensive law and strategy on the Irish language as a means to facilitate reconciliation and parity of esteem.

Discussion

Participants raised issues and presented initiatives, such as:

- The root causes of minority conflict can vary from one country to another as each country has its own history, culture and traditions, and the level of development varies greatly. Root causes may include the exclusion, marginalization and denial of the rights of minorities, deprivation of education in their mother tongue, the commission of atrocities, crimes against humanity and war crimes against minorities leading to their displacement, and continued insecurity caused by militarization.
- States can resolve minority conflicts by promoting the question of minorities and providing more opportunities for the minorities to freely present their demands.
- Global and regional early warning and prevention mechanisms are pivotal for addressing the root causes of disastrous wars and violent conflicts.
- Hate speech, entrenched misperceptions between various groups along national, ethnic, religious and cultural spectrum, and incitement to violence should be treated as a number one warning signs against the conflicts unfolding or looming on the horizon.

Item 3: Legal and institutional framework: the human rights of minorities and conflict prevention

Participants were invited to identify and discuss key factors that can help international and regional human rights law to be used as a powerful tool to prevent violent conflicts. Participants were called on to examine how referring to and utilizing the body of standards and jurisprudence concerning the protection of minorities under international law can prevent escalation into conflict.

Participants were expected to develop a common understanding of the role of the protection of the human rights of minorities in preventing conflicts, and discuss legal, institutional and policy challenges to address long-standing grievances that may lead to tensions and possible conflicts.

Presentations on the topic under discussion were made by the following panellists: Mr. Mohammad Shahabuddin, Chair in International Law & Human Rights, Birmingham Law School, University of Birmingham; Ms. Amina Amharech, President of the Association Acal El Hajeb, Founding Member of the Amazigh community network AZUL; and Mr. Arno Kompatscher, Governor, Province of Bolzano-South Tyrol, Italy.

Mr. Mohammad Shahabuddin, Chair in International Law & Human Rights, Birmingham Law School, University of Birmingham referred to a 2019 global study called 'Peoples under Threat' which found that of the 115 countries that the study ranked by level of threat, all but 43 faced conflicts involving claims to self-determination. He explained that the traditional human rights framework, primarily focused on individual rights, is not always equipped to address and accommodate these demands for self-determination, even within the territorial confines of the existing state. The study also found that all but a handful of the countries were postcolonial states.

Mr. Shahabuddin stated that all Peace Accords, in the aftermath of violent ethnic conflicts, are premised upon a series of political arrangements, including power-sharing, democracy, federalism, and so on. These measures are the direct outcome of prolonged violent conflicts and are driven by pragmatic needs, while numerous studies suggest that incorporation of these measures beforehand can prevent the likelihood of those violent conflicts. He recommended a more robust and sincere engagement with group rights by re-imagining the dominant liberal individualist framework of human rights. He also recommended that, when it comes to legal and institutional frameworks for minority protection, the unique position and conditions of postcolonial states and minorities therein must be acknowledged.

Mr. Shahabuddin highlighted that minorities are routinely victims of developmental activities, in the name of economic growth, and that economic development leads to

displacement of minorities from ancestral lands. He added that reckless exploitation of natural resources is also disastrous for the climate, and minorities and indigenous people are the primary victims. He recommended that the minority rights discourse should build on the global momentum for climate justice, stressing that issues of climate justice cannot be separated from justice for minorities in both political and economic domains.

Ms. Amina Amharech, President of the Association Acal El Hajeb, Founding Member of the Amazigh community network AZUL noted that in the current context of the pandemic and in these uncertain times, it is more important than ever to reflect on the rights of minorities. These rights are intrinsic to human rights, which are supposed to be universal for everyone and without distinction of gender, color, ethnicity, religion or other, just as they are supposed to be applied and respected everywhere and by everyone, but above all in a global manner and not selectively and according to the goodwill of anyone.

Ms. Amharech stated that physical or verbal violence, hate crimes, feminicide and genocide are the signs of an unreasoned rejection of the other and of a socio-cultural deviance legitimized by legislation and public policies. She added that these are all favorable conditions for placing minorities in the frontline during conflicts, as hatred is an infallible catalyst and atrocities are an inescapable result of conflicts that must be defused and prevented.

Given the historic origin of violations of minority rights, she stressed first the need for a process of reconciliation and reparations, to get rid of hostile environments. Second, she recommended using social networks to launch awareness campaigns and promote tolerance and early warning. Third, she recommended the promotion of Security Council resolution 1325 on women, peace and security, adding that in the conflict process, women are the most vulnerable and pay the highest price.

Mr. Arno Kompatscher, Governor, Province of Bolzano-South Tyrol, Italy stated that his region was considered as having one of the most successful power sharing structures in the world. He noted however that it had a troubled history. The region was annexed by Italy after being part of the Austrian empire, and South Tyrol underwent an intensive 'Italianization' process, including the prohibition of German-language schools and the German language. Mr. Kompatscher explained that after World War II, an agreement between Italy and Austria guaranteed autonomous legislative and executive powers and regulations to safeguard the German minority. Nevertheless, the implementation was unsatisfying, he stated, as South Tyrol was united with the Province of Trento to form an Autonomous Region. Mr. Kompatscher explained that the Italian language group was thus in the majority and was able to overrule the political motions of the German- and Ladin-speaking minority.

Mr. Kompatscher noted that two UN resolutions have been crucial for renegotiations between Austria and Italy. The Second Autonomy Statute transferred most of the legislative and administrative powers to the Autonomous Province of Bolzano/Bozen – Südtirol and is considered the fundamental law for South Tyrol's autonomy. It brought significant improvements in terms of political, financial, cultural and economic self-government. He added

that most legislative and administrative powers were given to the autonomous region, and important measures included language equality, reserved positions, public service employment proportionality, and guarantees for equal representation for peaceful coexistence.

Discussion

Participants raised issues and presented initiatives, such as:

- The proliferation of hate speech, xenophobic rhetoric and incitement to hatred towards minorities, as well as a rise of extremist movements and political parties with neo-Nazi and extreme right-wing ideologies, jeopardize the achievements made in protecting the human rights of minorities and vulnerable groups.
- Economic, social and cultural rights and the right to development are crucial to the prevention of ethnic conflicts. Language is important for national or ethnic minorities, and imposing a dominant language, either through teaching in public schools or through formal prohibitions on the use of minority languages, can be a trigger for conflict.
- Provinces inhabited by ethnic minorities are often marginalized and lack economic investment, and minorities are too often perceived as a threat to national security. The full realization of the human rights of persons belonging to minorities in accordance with international law and standards results in a greater sense of social cohesion and solidarity and is key for effective prevention of conflicts and ensuring of long-term stability.
- Efforts should be made to oppose policies of assimilation of ethnic minorities and to demand the development of inclusive multinational and multicultural policies.
- States must intensify their commitment to “leave no one behind”, including by addressing multiple, aggravated and intersecting forms of discrimination and eradicating any incitement to hatred against persons belonging to minorities. States should ensure the full inclusion of minorities, meaningful and effective participation in conflict prevention and conflict analysis as well as their representation at all levels of decision-making.
- The inclusion in national Constitutions of provisions providing the right to equality, freedom of religion, cultural and educational rights and protection for linguistic minorities, as well as the enactment of specific legislation for the welfare of minority communities, was raised as a good practice.
- The adoption of a national law against hate, for peaceful coexistence and tolerance was raised as a good practice, to create the necessary conditions to promote and guarantee the recognition of diversity, tolerance and reciprocal respect.

Item 4: Focusing on the rights of minorities and effective early prevention of conflicts

Participants were invited to reflect on how dedicated and specialized mechanisms with appropriate mandates can concentrate on the minority dimension of conflicts by identifying situations where there is systematic denial of the rights of minorities. They were expected to examine the existence of early conflict prevention mechanisms at various levels, including at the international, regional, subregional, national and local levels.

Participants were invited to touch upon the need to focus on minorities and pool the outputs of the early warning systems of United Nations agencies, funds, programmes and agencies, and of other intergovernmental organizations. Participants were further invited to consider what makes such mechanisms a compelling tool for effectively preventing costly and protracted conflicts involving minorities. Participants were expected to pay special attention to the importance of including a gender perspective in early effective conflict prevention.

Presentations on the topic under discussion were made by the following panellists: Ms. Aya Manaa, Palestinian Human Rights Defender and Activist from Israel; and Mr. Kwadwo Appiagyei-Atua, Associate Professor, Faculty of Law, University of Ghana.

Ms. Aya Manaa, Palestinian Human Rights Defender and Activist from Israel expressed concern about the lack of safety for the Palestinian minority. She noted that it is difficult to focus on culture, education and development when people do not feel safe and live in constant fear. She referred to studies which prove that welfare and equality reduce the level of crimes. Ms. Manaa noted that different minorities are suffering from similar grievances and atrocities and lack of inclusiveness and equality. She added that patterns of discrimination must be addressed to prevent future conflicts. Ms. Manaa explained that the protection of minorities is key for stability and effective early prevention of conflicts through laws which promote justice and equality, peace, stability and justice.

Ms. Manaa stressed the need to address core grievances of minorities, including exclusion and discriminatory practices, and noted that there cannot be peace without justice. She recommended that the United Nations should establish a regional high-level advisory body on minority issues, as well as national fact-finding missions on minority issues for the Middle East. She also recommended ensuring the participation of minorities in the development of policies and laws.

Mr. Kwadwo Appiagyei-Atua, Associate Professor, Faculty of Law, University of Ghana focused his presentation on mainstreaming minority concerns into early warning mechanisms

in West Africa. He stated that the problem of minorities is and will, in the foreseeable future, remain a major security concern in Africa. He noted that there has been a shift from inter-state conflicts which characterized most part of the late 1980s to mainly intra-state conflicts in recent times, and most intra-state conflicts are in turn related to minority rights issues. He referred to the early warning system in the African Union system, noting that the Protocol Relating to the Establishment of the Peace and Security Council of the African Union has a continental early warning system, and he added that the west African system (ECOWAS) also has an early warning system. However, he regretted that these systems are military based or state centric, and pay less attention to human rights.

Mr. Appiagyei-Atua explained that the war on terror has led to a shift to a security-rooted approach to dealing with concerns of minority groups, where less attention is paid to minority rights issues, and more toward security. He indicated that African states have securitized the environment and are clamping down on minority rights, which is seen as a terrorist issue rather than a human rights issue. He added that the gap between the governments and minorities is filled by terrorist groups. Mr. Appiagyei-Atua recommended that the discussion should be linked to transnational organized crime, including access to weapons, corruption, trafficking, and drugs.

Discussion

Participants raised issues and presented initiatives, such as:

- Socio-economic and political marginalization of minorities can create cycles of deprivation which increase minority insecurity and exposure to violence. Unequal allocation of power can perpetuate grievances amongst minorities, which is exploited for recruitment by armed groups.
- Even in contexts where conflict is abating, a lack of access to legal remedies for crimes against minorities is a further contributor to renewed conflict. Steps should be taken to eliminate discrimination in social, economic, and public life, and promote the socio-economic development and political participation of marginalised minority groups. Abuses or injustices against minorities should also be recognised, addressed, and remedied without bias.
- Having minorities included in planning, decision-making and implementation processes is a prerequisite for sustainable, peaceful development of societies. Equal participation of minorities at all levels of society and ensuring non-discrimination, is an effective tool in preventing conflicts. The meaningful participation of women, girls and youth should be safeguarded at all levels.
- There is a need to adopt measures to address racial and ethnic stereotypes. One growing problem is xenophobia and hate speech, which can be used to restrict freedom of expression. It reduces the sense of engagement, increases polarization in societies

and, in the worst case, threatens the rule of law and democracy. Persons belonging to minorities, especially women, are often targeted by hate speech both offline and online. Minorities within minorities are in a particularly vulnerable situation, like sexual and gender minorities with an immigrant background.

- Ensuring the rights of minority women and girls in post-conflict situations is of paramount importance, as they play a significant role in contributing to the prevention of conflict and its non-recurrence.

Item 5: Towards a lasting peace: positive initiatives to better protect the rights of minorities to prevent conflicts

Participants were invited to focus on practical solutions designed to prevent violent conflicts involving minorities. Participants were expected to discuss the role of United Nations agencies, national human rights institutions, civil society and other stakeholders. In order to further clarify positive initiatives to prevent conflicts, participants were invited to consider the Beirut Declaration on Faith for Rights and its 18 commitments. More specifically, participants were called on to reflect on the commitment by faith-based and civil society actors to exchange on practices in areas of mediation, early detection of communal tensions and remedial techniques.

Participants were invited to debate the role of minority youth and women as valuable innovators and agents of change, whose contributions should be seen as an essential part of preventing conflicts and building peaceful communities. Participants were also expected to reflect on the benefits of minority youth and minority women ownership and leadership in conflict prevention processes.

Presentations on the topic under discussion were made by the following panellists: Ms. Farah Mihlar, Lecturer, College of Social Sciences and International Studies, University of Exeter; Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights and Head, Office of the United Nations High Commissioner for Human Rights (OHCHR) in New York; and Ms. Mireille Camitatu Olungakana, Peace and Development Advisor, United Nations Cameroon.

Ms. Farah Mihlar, Lecturer, College of Social Sciences and International Studies, University of Exeter explained that conflict fault lines in Sri Lanka have changed from ethnicity to religion, adding that the causes of conflict remain unaddressed, victims have been denied truth, justice and accountability and there has been minimal reconciliation. She stated that as long as minorities remain in the margins of state-nation building; excluded, neglected, framed as ‘outsiders’, grievances will develop or fester. Ms. Mihlar explained that minority groups in many states are increasingly being discriminated, securitized, and dehumanised, often due to identity politics, majoritarian nationalism, and competition for resources. She recommended that together with the strengthening of the legal and normative framework for the protection

of minority rights, international human rights mechanisms and bodies should pay greater attention to the minority dimension of human rights violations.

Ms. Mihlar called on the Special Rapporteur on minority issues and other relevant mandate holders to work together with the United Nations Office on Genocide Prevention to develop a tool to monitor the specific targeting of minorities, violations of minority rights and identify trends and patterns that could lead to conflict. She noted that this tool could be based on the current United Nations Framework for Analysis of Atrocity Crimes, but more specifically designed towards minority protection in conflict prevention. She stressed that this system must be developed together with minority civil society representatives.

Finally, Ms. Mihlar recommended that the Special Rapporteur on minority issues conduct a joint study with the Special Rapporteur on counter-terrorism and human rights on the targeting of minorities as part of counter-terrorism measures and how this contributes to conflicts.

Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights and Head, Office of the United Nations High Commissioner for Human Rights (OHCHR) in New York noted the need for a new focus on early warning and early action, implementation of conflict prevention and to create momentum for innovation, in order to resolve issues regarding minority rights and to avoid a securitization of minorities. She stated that prevention costs less than other interventions when conflict has already occurred, stressing that human rights and minority rights are more relevant now than ever. The Assistant Secretary-General explained that respecting minority rights provides a basis for sustainable solutions to problems. She added that Covid-19 has exacerbated deep-rooted inequalities, and minorities are disproportionately affected, and hate crime and hate speech is increasing. She regretted the insufficient participation by minorities in identifying needs and designing policies, and noted a need for renewed focus on mobilization and innovative initiatives, including leadership of youth and women.

The Assistant Secretary-General referred to two important initiatives: First, the Secretary-General's Call to Action for human rights. This Call to Action emphasizes inclusion and respect for diversity; every community, including minorities and indigenous people, must feel included, without discrimination. She explained that the seven thematic areas of the call to action are extremely relevant for many minority communities, and protection is put at the centre. She added that guidance has been developed to United Nations Country Teams and Member States in the operationalization of the Call to Action.

The second initiative she referred to was the United Nations network on racial discrimination and the protection of minorities, established a decade ago and revived under OHCHR leadership the past year. The Assistant Secretary-General explained that OHCHR is working with 20 agencies, and has developed a checklist to strengthen United Nations work at country level to combat racial discrimination. She added that the Secretary-General has also launched the common agenda, a social contract anchored in human rights which requires focus

on inclusion and equality. She explained that religious leaders play a crucial role in defending human rights, but also in undermining them, and stressed the need to work closely with faith-based actors. She concluded by referring to the Faith for Rights toolkit, an interactive methodology with modules for standing up for the rights of minorities.

Ms. Mireille Camitatu Olungakana, Peace and Development Advisor, United Nations Cameroon explained that she worked with the Mbororo, a predominantly nomadic group composed primarily of Muslim pastoralists, in Cameroon. Historically, their presence had led to tensions with indigenous Grassfields communities, particularly over land issues, and these local conflicts increased exponentially with the outbreak of the conflict in the North-West and South-West regions of Cameroon.

Ms. Olungakana explained that against this background, the United Nations sought to work with a women-led and Mbororo-led civil society organization working primarily to empower local communities, especially women and young girls. With financial support from the Peacebuilding Fund, UNESCO provided technical advice to the association to strengthen youth-led early warning and response. She explained that the project followed an inclusive approach to establish youth clubs as spaces for dialogue among and across communities. The project also built local mediation capacity through training of trainers, ensuring the availability of community mediators with the ability to work with customary authorities and religious leaders to prevent and address conflicts.

Ms. Olungakana noted that this project was particularly significant. From a prevention perspective, the project addressed often “invisible” issues at the intersection of centre-periphery dynamics with grassroots ones. It also heavily relied on strengthening community capacity to prevent and address conflict. Ms. Olungakana added that moreover, the project brought to the forefront women and youth leadership in mediation in a patriarchal society. Finally, it fostered civil society cooperation across communal divides. She finally stressed the need to ensure a minority lens in conflict analysis work, to better understand grassroots dynamics and actors, including minority actors, and deconstruct stereotypes attached to the capacity and objectivity of minority actors.

Discussion

Participants raised issues and presented initiatives, such as:

- Ensuring accountability for all crimes, accepting the facts established by international human rights mechanisms and tribunals, and refraining from glorification of war criminals aids in the prevention of conflicts. So does responsible political leadership and non-discriminatory legislation related to benefits and reparations.
- Ensuring that minorities have a strong voice in the political and public life, while enjoying cultural autonomy, ensuring full implementation of all rights and freedoms, including

equal treatment of national minority members, and ensuring they know they are an equal and valuable part of society is the best conflict deterrent.

- Cultural diversity aims at enriching, not dividing societies. When the cohesion is weak and good integration policies are lacking, the same factors that enrich a society could lead to divisions or creation of parallel societies.

- An important tool for dialogue between State and national minorities is the involvement of representatives of national minorities in local decision-making processes and the establishment of mechanisms such as a Council of National Minorities as a consultative body of the government.

- A system of education specifically elaborated for persons belonging to national minorities promoting teaching and learning in the mother tongue, as well as various media programs in minority languages, contribute to interaction in between members of different ethnic minorities, to the promotion of mutual understanding, respect and, ultimately, to peaceful co-existence.

- The important role of civil society, particularly minorities themselves, in conflict prevention at all levels should be recognized, as well as the need to prevent intimidation and reprisals.

6. Concluding remarks

The Special Rapporteur on minority issues stated that the international community and United Nations institutions are not sufficiently focusing 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. The Special Rapporteur reiterated that the number of conflicts has tripled in recent years, and most of them involve minorities who have grievances, and are facing exclusion. He stated that the United Nations and others should focus on risk factors and early warning signs of conflict. Instead, he stated, the United Nations and others are ignoring the signs. The Special Rapporteur explained that 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 likely at the centre of the context where most conflicts occur.

The Special Rapporteur stressed the urgent need to mainstream the human rights dimension, specifically for marginalized minorities and the sections within these minorities who are particularly vulnerable to abuse, such as the intersection of the rights of women and persons with disabilities within these minority communities. The Special Rapporteur also stressed the need for 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. He noted 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. He added that perhaps it is time for the United Nations to be more proactive and consider such a conflict prevention mechanism, since most conflicts today involve minorities.

The Chair of the Forum indicated that discrimination and racism are not a problem of minorities and majorities, but of inequality in the access to and exercise of power. She explained that racism and discrimination are nothing more than a form of violence which can be exercised from power and, therefore, the challenge is how to democratize that power. She stressed the importance of modifying these paradigms, to speak not only of multiculturalism but of interculturalism.

The Chair explained that intersectoral and gender perspectives are necessary to modify these situations of violence in different parts of the world, to improve the tools to deal with situations of violence, discrimination and racism. She added that the fundamental voice that is missing is that of the victims. Part of preventing conflicts has to do with including the victims in the way of building power within our peoples. The Chair noted that while she was a victim of the dictatorship in Argentina in the 1970s, she is a member of the Argentine state today because she understands the importance of designing public policies in order solve those conflicts that arise in the future.

The Chair noted that designing state policies is fundamental to prevent conflicts and the different forms of violence (as was done in Argentina with the new National Plan against Discrimination); violence that manifests itself in discrimination, segregation, racism; violence that manifests itself in different ways. She added that we cannot think that without solidarity, without dialogue, without interculturalism we are going to prevent any conflict.

The Chair concluded by stating that history teaches us that only if we are all together, we can transform the world for the better, because we have to improve everyone's lives.