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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Report of the Secretary-General**

Summary

The present report is submitted pursuant to General Assembly resolution [76/168](#) of 16 December 2021, entitled “Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities”. It includes information on activities undertaken by Member States, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on minority issues, relevant United Nations entities and other relevant stakeholders to enhance the implementation of the Declaration and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, with a special focus on the thirtieth anniversary of the adoption of the Declaration in 2022.

* [A/78/150](#).

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I. Introduction

1. The present report is submitted pursuant to resolution [76/168](#), in which the General Assembly requested the Secretary-General to submit to the Assembly at its seventy-eighth session a report on the implementation of the resolution, including information on activities undertaken by Member States, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Special Rapporteur on minority issues, relevant United Nations entities and other relevant stakeholders to enhance the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, with a special focus on the thirtieth anniversary of the adoption of the Declaration in 2022. The report, covering the period from 1 July 2021 to 30 June 2023, provides a summary of contributions received from States and activities undertaken by OHCHR and other United Nations human rights mechanisms, with a focus on events and activities commemorating the thirtieth anniversary of the Declaration.

2. In 1992, the General Assembly adopted the Declaration by consensus, making it the only United Nations instrument devoted to minority rights and providing guidance to States on protecting minorities from discrimination. The Declaration elaborates on the contents of article 27 of the International Covenant on Civil and Political Rights and article 30 of the Convention on the Rights of the Child. Three decades since the adoption of the Declaration, the situation of minorities continues to be shaped both by long-standing challenges, such as lack of meaningful participation and statelessness, and emerging challenges, such as hate speech online and the effects of climate change.

3. The principle of non-discrimination and effective participation are under threat in many jurisdictions, which affects communities in need of protection. Minority women are often subject to multiple and intersecting forms of discrimination, which deprive them of their human rights and at times condemn them to poverty and exclusion. The situation requires action to be refocused onto preventing discrimination and exclusion consistent with the 2030 Agenda for Sustainable Development and the commitment to leave no one behind.

II. Thirtieth anniversary of the Declaration

4. The thirtieth anniversary of the Declaration provided an important opportunity for States and other stakeholders to take stock and evaluate the status of implementation of the Declaration, identify constraints and achievements, and collect examples of good practices and priorities for the future, consistent with the effective participation, and based on the realities and needs, of minorities.

A. High-level meeting of the General Assembly at its seventy-seventh session to mark the commemoration of the thirtieth anniversary of the adoption of the Declaration

5. Pursuant to paragraph 27 of resolution [76/168](#), on 21 September 2022, OHCHR and the Office of the President of the General Assembly jointly organized a high-level meeting to mark the commemoration of the thirtieth anniversary of the adoption of the Declaration. The event brought together Heads of State and Government and other high-level State representatives. The meeting was the first high-level event since the adoption of the Declaration in 1992 to focus exclusively on minority rights. It offered

an important opportunity to evaluate the state of protection of minority rights and chart the way forward.

6. In their opening remarks, the President of the General Assembly and the Secretary-General observed that the protection of minorities was integral to the mission of the United Nations and they recognized the importance of the Declaration. They deplored the current lack of protection of minority rights and urged States to acknowledge the value brought by the full protection of minority rights to the overall stability, inclusivity and sustainable development of States. Furthermore, the Secretary-General noted that thirty years since the adoption of the Declaration, the world was falling far short of upholding the principles of that Declaration. He also noted that humanity was not only dealing with gaps but with outright inaction and negligence with regard to the protection of minority rights, and he called for the high-level meeting to serve as a catalyst for action.¹ Other speakers in the opening segment highlighted specific crises and issues affecting minorities disproportionately and which were exacerbated by structural inequalities. In that regard, they highlighted climate change, the coronavirus disease (COVID-19) pandemic, hate speech in social media and statelessness.²

7. The general debate included statements by 64 Member States, 3 observers and 4 non-governmental organizations. The challenges in protecting minority rights outlined by the speakers ranged from long-standing grievances of minority groups which could serve to destabilize countries and regions, to minorities being instrumentalized as a pretext to justify war and being used as scapegoats on the Internet and social media. Speakers highlighted the disturbing trends in the violation of minority rights, including threats, harassment, intimidation, violence and even calls for genocide, on the basis of ethnicity, national or social origin, race, religion or language or other characteristics.

8. In terms of good practices, some speakers highlighted constitutional and legal frameworks as the bedrock for change at the national level, such as the adoption of innovative legislation that could grant birth certificates to stateless persons born in a given country. The representation of minorities in parliament and election processes was mentioned as means to promote their participation in public life. Interreligious dialogue was noted as a good example for promoting understanding and peace. Several speakers emphasized that ensuring access to higher education for minorities delivered in minority languages was good practice. Another good practice highlighted was the establishment of independent human rights bodies for the protection of minority rights, with the financial support necessary for ensuring their effectiveness. Some speakers underlined the need, in the aftermath of the COVID-19 pandemic, to protect the right to health of minorities, including by granting access to health-related information in minority languages, and underscored the importance of universal health coverage as a tool in protecting the right to health.

9. Several speakers called for action by Member States and the international community for strengthening the protection of the rights of minorities. One speaker highlighted the commitment of States to leave no one behind, and the need to address multiple, aggravated and intersecting forms of discrimination. Many delegations stated the need to reinforce protection for religious minorities and to guarantee the participation of minorities, including the effective participation of minority women, in peace processes, conflict prevention and conflict analysis.

¹ See António Guterres, Secretary-General of the United Nations, remarks at the high-level meeting on the thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, September 2022.

² See <https://media.un.org/en/asset/k1a/k1au2ueyt4>.

10. A number of States made pledges to strengthen the promotion and protection of the rights of minorities. Pledges included protecting the existence of minorities, ensuring their access to education, nurturing diversity and inclusion through education and expanding the access to education delivered in minority languages at a young age. Pledges also included supporting the preservation of minority languages; combating all forms of discrimination; implementing a new national plan against discrimination with a special focus on minorities; and ensuring effective participation of minorities in public affairs. Additional pledges involved continuing to strengthen social and economic integration of minorities, as well as promoting respect for cultural, religious and linguistic diversity of all persons, including by funding theatres, museums and various cultural events of ethnic, religious and linguistic minorities.

11. In the closing segment, the importance of respecting the rights of minorities to secure, peaceful and inclusive societies was highlighted, as was the need to keep the rights of minorities at the top of the priorities of the international community and the agenda of the United Nations. The pledges of States to implement specific measures to promote the rights of minorities and the proposal to create, within the United Nations, a permanent body dedicated to minorities were also welcomed.

B. Activities undertaken by States to enhance implementation of the Declaration and ensure the realization of minority rights

12. Contributions were received from five States in reply to a note verbale sent by OHCHR, dated 21 February 2023, requesting information on recent activities undertaken to promote and protect minority rights, and are summarized below.

13. Armenia noted that its draft human rights action plan for the period 2023–2025 charged the Ministry of Justice with creating mechanisms for protection against discrimination. The country also provided information on measures it was undertaking to better preserve the languages of national minorities and to provide primary and secondary education in the languages of the Assyrian, Kurdish and Yezidi minorities. Education in Russian was already offered at all levels of schooling, with Russian, Polish and Hebrew among the minority languages studied as foreign languages at university in Armenia. Other minority languages were offered in public schools upon demand from parents.

14. Austria reported that the budget of the Federal Chancellery for national minorities for the period 2020–2024 had been doubled in 2021. At the same time, a new funding item had been created to secure media for national minorities in an effort to safeguard minority languages. A focus was set on digitization and increasing the visibility of the languages of national minorities in the digital sphere. In the context of the new European Union Roma strategic framework for equality, inclusion and participation for 2020–2030, Austria reaffirmed its strategy for the continuation of Roma inclusion in the country. The strategy focused on seven core areas, including combating anti-Gypsyism through education. An evaluation of the current strategy was conducted by the University of Vienna and published in October 2022 and its results were being used to revise and update the strategy.

15. Azerbaijan reported on the diverse ethnic composition of the country and referred to several constitutional provisions that provided minorities with protection from discrimination in various areas of life. It noted that recognition of minority languages and providing access to education in minority languages constituted an important achievement for the State.

16. Italy reported that it applied the provisions of the Council of Europe Framework Convention for the Protection of National Minorities to the 12 officially recognized national minorities that are referred to as linguistic minorities in the Constitution and as historical linguistic minorities in Law No. 482/1999. In addition, Law No. 38/2001 protected the Slovene linguistic minority in the autonomous region of Friuli-Venezia Giulia and the German and French linguistic minorities in the autonomous regions of Trentino-South Tyrol, Aosta Valley and Friuli-Venezia Giulia. Italy reported that a general climate of openness and mutual respect prevailed in the country towards persons belonging to recognized, long-established linguistic minorities and it welcomed its continuous dialogue with religious groups.

17. Mexico noted that through various reforms to its Constitution, the Government had recognized the need for special protection of persons belonging to minority groups in the light of their situation of marginalization and vulnerability. In relation to the protection of the rights of ethnic minorities, various revisions of the Constitution by the Supreme Court of Justice had determined that in order to guarantee equality in access to justice, it was essential to adopt an intercultural and intersectional perspective and avoid arbitrarily imposing an approach that was inconsistent with the rights of Indigenous Peoples and Afro-Mexicans.

III. Activities undertaken by the Office of the United Nations High Commissioner for Human Rights for the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities

A. Activities at the global level

18. OHCHR commemorative activities helped identify obstacles to the implementation of the Declaration and effective approaches to boost engagement towards renewed commitments by States to implement the Declaration. The commemorative activities were also aimed at generating greater involvement of United Nations entities and regional institutions; increasing collaboration with civil society; providing additional opportunities for capacity-building on minority rights at the national level; and strengthening the role of young people in general and in combating hate speech online in particular.

19. The celebration of the thirtieth anniversary of the Declaration focused on the theme “All in 4 minority rights” and the conviction that the promotion and protection of the rights of persons belonging to national, ethnic, religious and linguistic minorities contribute to the political and social stability of the States in which they live.³ In that regard, OHCHR launched a year-long communication campaign on social media platforms to promote the Declaration and raise awareness of its significance in protecting the rights of minorities; to mobilize support from States to better address minority rights; to raise awareness of the challenges minorities currently face in securing their effective participation in decision-making; and to promote the positive aspects of minority rights advocacy and demonstrate the contributions of minorities in enriching society. The campaign generated significant interest online and inspired OHCHR audiences to learn more about the Declaration.

³ See www.ohchr.org/en/events/events/2022/30th-anniversary-adoption-un-declaration-minority-rights.

1. Applying norms and standards to better protect minority rights under the Declaration

20. In May 2022, OHCHR organized a virtual round table on strengthening protection of minority rights under the Declaration. The round table also looked towards the future and examined the gaps in normative standards protecting minorities. The event brought together 29 experts (16 women, 13 men) and contributed to the examination by the Special Rapporteur on minority issues of the issue, leading to a call by the Special Rapporteur for a stronger United Nations normative measure to improve the recognition and protection of the human rights of minorities in the light of the deteriorating human rights situation for many minorities around the world (see [A/HRC/52/27](#)).

21. In June 2022, OHCHR, in partnership with the International Dalit Solidarity Network, organized a virtual round-table conversation with 22 experts. With the theme “Leave no-one behind: addressing business-related discrimination and exclusion from participation of minorities belonging to descent-based communities”, the conversation focused on implementation gaps with regard to the business and human rights agenda in relation to descent-based minorities. Participants discussed the United Nations Guiding Principles on Business and Human Rights and concluded that business behaviours needed to incorporate broader participation, including of those most at risk of being left behind.

22. Following the round table, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, who participated as a panellist, observed in his thematic report to the General Assembly ([A/77/163](#)) that there were a number of drivers that promoted informality, such as poverty, discrimination and high costs and financial exclusion. He also observed that ethnic, religious and linguistic minorities were disproportionately represented in the informal economy. He recommended, among other things, that States ensure that informal businesses and employers comply with the Guiding Principles on Business and Human Rights through awareness-raising, training and regular monitoring of their business operations.

23. In September 2022, a new introductory note concerning the Declaration was published in the United Nations Audiovisual Library of International Law.⁴ The Declaration, in the three decades since its adoption, has been referred to in more than 500 documents related to the work of the United Nations, including United Nations reports, resolutions and summary records; letters from Member States and statements by civil society organizations. In the Vienna Declaration and Programme of Action, adopted at the World Conference on Human Rights held in Vienna in 1993, the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration was reaffirmed. There were, however, some significant omissions in the Declaration itself, such as the absence of a specific reference to hate speech, that had been remedied through subsequent soft law instruments.

24. The introductory note also mentioned that the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence highlighted that minorities and other vulnerable groups constituted the majority of victims of incitement to hatred, and members of minorities were also persecuted through the abuse of vague domestic legislation, jurisprudence and policies ([A/HRC/22/17/Add.4](#), appendix, para. 11).

⁴ Heiner Bielefeldt and Michael Wiener, “Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities”, introductory note, December 1992.

Furthermore, the Beirut Declaration and its 18 Commitments on Faith for Rights expands on article 2 of the Declaration with the specific pledges of faith-based actors to denounce all instances of advocacy of hatred that incites to violence, discrimination or hostility, and to stand up for the right of all persons belonging to minorities to participate equally and effectively in cultural, religious, social, economic and public life ([A/HRC/40/58](#), annex II, commitments VI and VII).

2. People of African descent

25. Pursuant to resolution [47/21](#) of the Human Rights Council, the High Commissioner for Human Rights submitted to the Council a report on racial justice and equality for Africans and people of African descent (see [A/77/205](#)). The High Commissioner provided information on developments and initiatives undertaken by States and others to address manifestations of systemic racism against Africans and people of African descent, including in the area of law enforcement, and to advance accountability and redress for victims, including for legacies of enslavement, the transatlantic trade in enslaved Africans and colonialism.

26. In November 2022, OHCHR convened in-person consultations with human rights defenders of African descent from South America, building on a virtual consultation held in May 2022, with a view to strengthening protection and networking for defenders in the subregion. In December 2022, OHCHR brought together activists, practitioners and academics of African descent from the region of Europe and other stakeholders to explore specific initiatives at the local, national and regional levels for dismantling systemic racism faced by Africans and people of African descent and for addressing legacies of enslavement, the transatlantic trade in enslaved Africans and colonialism.

27. In May 2022, February 2023 and March 2023, OHCHR convened virtual consultations with civil society activists of African descent from the regions of Latin America and the Caribbean, Europe, and Middle East and North Africa, respectively, to discuss, among other things, challenges and experiences with regard to the right to participate in public affairs for people of African descent. The continued approach of active listening to and interactive dialogue with people of African descent enabled OHCHR to continue to place their voices and lived experiences at the centre while facilitating the building of connections and solidarity between activists in various countries.

28. As part of efforts to promote and advance implementation of the programme of activities of the International Decade for People of African Descent (2015–2024), OHCHR held a regional meeting for the Middle East on the International Decade on 31 October and 1 November 2022.⁵ It was the fourth in a series of regional meetings held to promote the implementation of the programme of activities of the Decade, following regional meetings for Africa (held in 2019), Europe, Central Asia and North America (held in 2017) and Latin America and the Caribbean (held in 2015).⁶ In her opening remarks at the regional meeting for the Middle East, the Deputy High Commissioner for Human Rights highlighted the significance of the Decade for the region and encouraged all actors to join forces to support the establishment of policies and practices to uphold the equal rights of all people, including people of African descent.

29. The inaugural session of the Permanent Forum on People of African Descent, established in 2021 by General Assembly resolution [75/314](#), was held in December

⁵ See www.ohchr.org/en/events/meetings/2022/regional-meeting-middle-east-international-decade-people-african-descent.

⁶ See www.ohchr.org/en/racism/international-decade-african-descent.

2022.⁷ Part of the mandate of the Forum is to contribute to the elaboration of a United Nations declaration on the promotion, protection and full respect of the human rights of people of African descent. In addition, the Forum is to contribute to the full political, economic and social inclusion of people of African descent. The second session of the Forum was held in New York from 30 May to 2 June 2023 as part of a global consultative process and focused on five themes, namely global reparatory justice; pan-Africanism for dignity, justice and peace; transnational migration; a data-driven and evidence-based approach to recognizing and addressing systemic and structural racism; and health, well-being and intergenerational trauma.⁸

3. Roma rights

30. In September 2022, OHCHR, in collaboration with the Special Rapporteur on minority issues, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and civil society partners, organized an international stocktaking round table on the theme “Roma and memorialization: advancing recognition and remedy for the dark chapters of the Romani past and their impact on the present”. The purpose of the event was to advance recognition and memorialization of the problematic chapters of Romani history and the structural racism that affected Roma, such as the Roma holocaust, slavery, sterilization of Romani women and other racial and anti-Gypsy persecution, as well as to consider the impact of such actions on the present. Participants in the round-table event explored how the legacies of structural racism against Roma were obstacles to the right to know and the right to truth and justice of Roma.⁹

4. Religious or belief minorities

31. In October 2022, OHCHR organized a one-week series of peer-to-peer seminars on the interaction between religion, belief and human rights, taking stock of the implementation of the Rabat Plan of Action and the Beirut Declaration and its 18 Commitments on Faith for Rights. The seminar also established a network of peer-to-peer learning facilitators. In December 2022, OHCHR and the Gandhi-King Global Academy launched an online course on the theme “Religions, beliefs, and human Rights: a ‘Faith for Rights’ approach”,¹⁰ addressing the role of religious and faith-based actors in promoting human rights and the ways that the intersection of religion and human rights can facilitate sustainable peace. The self-paced online course was moderated by the Special Rapporteur on freedom of religion or belief and included modules contributed by the Special Rapporteur on minority issues, United Nations treaty body members and faith-based actors.

32. A series of monthly events, including on the rights of religious or belief minorities, were led in turn by the United States Institute of Peace, Religions for Peace, University for Peace and OHCHR facilitators. The events were organized as part of the celebrations of the thirtieth anniversary of the Declaration and the seventy-fifth anniversary of the Universal Declaration of Human Rights and were aimed at creating a community of practice and peer-to-peer learning with a view to promoting the universality and indivisibility of all human rights.

⁷ See www.ohchr.org/en/events/forums/2022/1st-session-permanent-forum-people-african-descent.

⁸ See www.ohchr.org/en/events/sessions/2023/second-session-permanent-forum-people-african-descent.

⁹ Further information is available at www.ohchr.org/en/minorities/advancing-roma-inclusion.

¹⁰ See www.usip.org/academy/catalog/religions-beliefs-and-human-rights-faith-rights-approach.

5. Protecting minority rights: a practical guide to developing comprehensive anti-discrimination legislation

33. In December 2022, OHCHR published, jointly with the Equal Rights Trust, a guide entitled *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation*, which provided clear and comprehensive guidance for States and civil society actors on the essential elements of anti-discrimination law. The High Commissioner for Human Rights marked the launch of the guide by calling on States to renew and reinforce their commitment to the equal enjoyment of human rights by enacting new laws, using the guide as a road map.¹¹ The need to adopt comprehensive laws against discrimination, including on the basis of race or ethnicity, age, gender, religion, disability, and sexual orientation or gender identity, was mentioned in the report of the Secretary-General entitled “Our Common Agenda” (A/75/982, para. 34).

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

34. Throughout the reporting period, OHCHR has continued to act as permanent co-chair of the United Nations network on racial discrimination and protection of minorities, an inter-agency platform bringing together more than 20 United Nations departments, agencies, programmes and funds to address, through awareness-raising, advocacy and capacity-building, issues of racial discrimination and the protection of national or ethnic, linguistic and religious minorities, including issues of multiple and intersecting forms of discrimination. Primary actions of the network during the thirtieth anniversary of the Declaration included the publication of a guidance note on intersectionality, racial discrimination and protection of minorities¹² and the organization of a day of events on the same theme at the Human Rights Council; the publication online of a training package for United Nations country teams; the convening of community-of-practice meetings for country teams; the organization of the Times of Crisis Pillar Summit, with follow-up plans for an associated action plan; and the translation into multiple languages of the checklist produced by the network in 2021 to strengthen the work of the United Nations at country level to combat racial discrimination and advance minority rights.¹³

35. In addition, OHCHR provided support through the network for action by nine country teams to advance country-level programming to address racial discrimination and protection of minorities. Examples of work undertaken include efforts by the country team of Panama to build the capacity of young people of African descent to promote self-recognition and encourage and strengthen new leadership;¹⁴ action by the country team of Nepal to address the rights of Dalits and to address caste-based discrimination in its United Nations Sustainable Development Cooperation Framework for the period 2023–2028; and efforts by the country team of Cameroon to address obstacles to the right to education and sexual and reproductive health among minority women.¹⁵

¹¹ See www.ohchr.org/sites/default/files/documents/issues/minorities/minorities-guide-briefings-meeting-links.pdf.

¹² United Nations network on racial discrimination and protection of minorities, *Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities* (2022).

¹³ Available at <https://www.ohchr.org/en/minorities/un-network-racial-discrimination-and-protection-minorities>.

¹⁴ See www.youtube.com/watch?v=9XCMna5GyvY.

¹⁵ A summary of the work of the United Nations network on racial discrimination and protection of minorities, including work undertaken by country teams with support provided by the network, is available at www.ohchr.org/en/minorities/un-network-racial-discrimination-and-protection-minorities.

7. International art contest for minority artists

36. In 2022, OHCHR, the United Nations High Commissioner for Refugees, Freemuse and Minority Rights Group International launched the first edition of the International Art Contest for Minority Artists, with a focus on minority artists working on statelessness themes. On 3 November 2022, a hybrid award ceremony was held in Geneva and online at which three minority artists working on statelessness themes were presented with awards. The award ceremony also marked the launch of an exhibition and catalogue featuring the artwork of seven laureates, information on minority statelessness and the right to nationality, and details of global action to end statelessness. OHCHR and its partners decided to continue joint efforts in 2023 to shed light on the plight that minority communities are facing in all areas of life by organizing a second edition of the International Art Contest, for minority artists working on intersectionality.¹⁶

8. Minorities Fellowship Programme

37. OHCHR continued to organize the Minorities Fellowship Programme, which aims to reinforce the knowledge of minorities of the United Nations system and international human rights instruments and mechanisms so that they can better promote and protect the rights of minorities in their communities. In 2022, OHCHR recruited 11 (3 women and 8 men) former minority fellows as senior fellows in their home regions. Three senior fellows were assigned to OHCHR regional offices. In May 2022, OHCHR launched an intersectionality component of the Minorities Fellowship Programme and extended the Programme to former OHCHR fellows of African descent to promote inclusion and diversity while at the same time addressing persistent and multiple forms of discrimination. In 2022, five new senior fellows were recruited under the component. Seven former minority fellows and current minority senior fellows received small grants to carry out projects commemorating the adoption of the Declaration, in the light of its thirtieth anniversary. The projects are currently being implemented in seven countries in various regions.

9. Fellowship Programme for People of African Descent

38. In order to advance equality, OHCHR strengthened capacity through its Fellowship Programme for People of African Descent. In 2022, 11 fellows of African descent (8 women and 3 men) from Argentina, Brazil, Ecuador, France, Iraq, Italy, Japan, Mexico, Paraguay, the United Kingdom of Great Britain and Northern Ireland and the United States of America participated in the programme. Within the framework of the International Decade for People of African Descent, grants were allocated to two projects developed by organizations representing people of African descent in Ecuador and Haiti, respectively.

B. Activities at the country level

1. Central Asia

39. In 2022, in Kyrgyzstan, following recommendations from the Special Rapporteur on minority issues regarding the underrepresentation of ethnic minorities in State structures, gaps in minority language education, and the shrinking of civic space (see [A/HRC/46/57/Add.1](#)), the OHCHR Regional Office for Central Asia continued to advocate for the adoption of anti-discrimination legislation and provided capacity to human rights advocates representing multi-ethnic communities.

¹⁶ See www.un.org/en/academic-impact/international-art-contest-minority-artists.

40. In Tajikistan, the OHCHR Regional Office for Central Asia provided support in the drafting and adoption of national legislation on equality and non-discrimination, which was adopted in July 2022 and prohibits direct and indirect discrimination based on race, origin, language and ethnicity.¹⁷ OHCHR also contributed to the drafting of a national strategy for the protection of human rights, which aimed to promote the participation of national minorities in the political, economic and cultural life of the country. Effective implementation of the anti-discrimination legislation and protection of minorities by the Government of Tajikistan included addressing the recommendations from the United Nations human rights mechanisms on the situation of the Pamiri minority in Kūhistoni Badakhshon Autonomous Province, which has deteriorated since November 2021. The events of 2022, raised in a statement by the Special Rapporteur on minority issues, caused concern regarding the need for the authorities to adopt conflict-prevention measures that met international human rights standards, including the protection of the Pamiri minority.¹⁸

41. In Uzbekistan, on 5 July 2022, the High Commissioner for Human Rights called for a prompt, independent and transparent investigation into the deaths of at least 18 people¹⁹ during clashes at protests in the Uzbek region of Karakalpakstan. OHCHR continued to monitor the situation in Karakalpakstan and to advocate for the publication of legislation in minority languages and the translation into Karakalpak and Russian of a booklet on the universal periodic review, as well as the concluding observations of the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights.

2. Europe

42. On 21 June 2022, in Bosnia and Herzegovina, representatives of the Human Rights Ombudsman, the Agency for Gender Equality of Bosnia and Herzegovina at the Ministry for Human Rights and Refugees, the Central Election Commission and the Communications Regulatory Agency, under the auspices of the Resident Coordinator, signed a pledge reaffirming their commitment to countering all forms of hate speech and discrimination.²⁰

43. In Kosovo,²¹ during the reporting period, the human rights component of the United Nations Interim Administration Mission in Kosovo found, through its monitoring of hate speech and incitement to hatred online and on social media in line with the United Nations Strategy and Plan of Action on Hate Speech, that such incidents were particularly prevalent along inter-ethnic lines, as well as when targeting members of the LGBTIQ+ community. It noted that the lack of systematic monitoring, disapprobation or sanction of such exchanges on social media by public authorities risked deepening inter-ethnic divisions and discrimination and might cause violence.²²

44. In 2021 and 2022, OHCHR in the Republic of Moldova provided expertise and technical assistance for the development of a national programme of support for the

¹⁷ See <https://cis-legislation.com/document.fwx?rgn=142287>.

¹⁸ OHCHR, “Tajikistan: UN expert fears crackdown against Pamiri minority could spiral out of control”, 20 May 2022.

¹⁹ OHCHR, “Bachelet calls for urgent probe into deadly protest in Uzbek city of Nukus”, 5 July 2022.

²⁰ United Nations, “#NoToHate: human rights institutions and the United Nations in Bosnia and Herzegovina pledge to counter hate speech in Bosnia and Herzegovina”, 21 June 2022.

²¹ All references to Kosovo should be understood to be made in the context of Security Council resolution 1244 (1999).

²² United Nations, “Ending hate speech and discrimination closer than ever – year-long project to train municipal staff concludes”, 6 July 2023.

Roma population for the period 2022–2025, including by ensuring meaningful participation of Roma civil society in consultations.

45. In Montenegro, OHCHR and various United Nations agencies provided technical advice for a Government strategy for social inclusion of Roma and Egyptians for the period 2021–2025, drawing on recommendations from the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the universal periodic review. The appointment by OHCHR of a senior minority fellow from the Ashkali minority community for the period from May 2022 to June 2023 led to stronger collaboration with and an increased number of activities for supporting Roma and Egyptian communities in Montenegro. The senior fellow submitted an analysis of the situation of those minority communities in Montenegro to the country team in November 2022, including recommendations for action under the new United Nations Sustainable Development Cooperation Framework for the period 2023–2027, which has an overall focus on realizing the rights of the most marginalized communities.

46. In North Macedonia, OHCHR, in cooperation with the United Nations High Commissioner for Refugees, provided support to the Resident Coordinator Office in launching in February 2022 the first country dialogues dedicated to the situation of stateless people in the country, which include predominantly Roma and other ethnic minorities. OHCHR engaged in a year-long joint country team advocacy with national and international partners, increasing their understanding of the international standards and the limitations on the equal enjoyment of the human rights of Roma and other minorities owing to lack of birth and civic registration. OHCHR also provided technical advice for the drafting of legal amendments to the civic registration law aiming to bring an end to statelessness, which were adopted on 14 June 2022.

3. Middle East and North Africa

47. During the reporting period, the OHCHR Regional Office for the Middle East and North Africa continued to promote the rights of minorities through its active participation in the Africa-Middle East Regional Forum on minority issues. OHCHR held two awareness-raising and educational campaigns on protecting the human rights of minorities; published a series of messages on its social media platforms on the occasion of the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief; and organized several national and regional activities on the role of youth and religious leaders in countering hate speech. Participants in the activities included representatives from various ethno-religious backgrounds from across the Arab region.

48. During the reporting period, the United Nations Support Mission in Libya advocated for meaningful representation and involvement of ethnic minorities in Libya in ongoing and future political and reconciliation processes. The Mission regularly conducted advocacy with Libyan authorities on the need for adequate realization and protection of the rights of all Libyans to nationality and citizenship, which includes the right to vote and run for public office.

IV. Activities undertaken by relevant United Nations human rights mechanisms to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities

A. Special Rapporteur on minority issues

49. The Special Rapporteur on minority issues used the thirtieth anniversary of the Declaration as an opportunity to bring out the voices of minorities and mainstream protection of their rights within the United Nations system. The Special Rapporteur had repeatedly brought attention to the content of the Declaration and the importance attached to its implementation. More recently, the Special Rapporteur had expressed alarm at the increase in hate crime and hate speech motivated by racism, xenophobia or intolerance, and directed at people belonging to minority communities. He recalled that victims of genocide were often firstly targets of hate speech, discrimination and violence. The Special Rapporteur also noted that minorities worldwide were scapegoated and increasingly subjected to discriminatory treatment. In that regard, the Special Rapporteur insisted on the need for a treaty to provide clarity and guidance to better address minority rights issues (see [A/HRC/52/27](#), paras. 64–65).

50. In his report to the Human Rights Council in 2023 ([A/HRC/52/27](#)), the Special Rapporteur provided an overview of his activities marking the thirtieth anniversary of the adoption of the Declaration and assessed the state of the implementation of the Declaration. He found that little or no significant institutional development had taken place at the United Nations to benefit the protection of minorities when compared with other groups in need of protection. Recommendations in his report include proposals for States to begin work on a legally binding instrument on the protection of the rights of minorities; for the consolidation under United Nations auspices of the regional forums on minorities; and for the creation of a permanent forum and voluntary fund for minorities at the United Nations.

B. Forum on Minority Issues

51. The Forum on Minority Issues is mandated to provide a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, and to provide thematic contributions and expertise to the work of the Special Rapporteur. The Special Rapporteur guides the work of the Forum.²³ The two-day annual session of the Forum provides a platform for minorities to hold open discussions about what can be done to eliminate obstacles preventing them from enjoying their human rights. The fifteenth session of the Forum, held in Geneva on 1 and 2 December 2022, in the year marking the thirtieth anniversary of the adoption of the Declaration, was on the theme “Review, rethink, reform” and focused on questions relating to the implementation of the Declaration in responding to new challenges and to the mainstreaming of minority rights not only into national and regional normative frameworks but also in the United Nations system.²⁴

52. The annual session was preceded by regional forums, which offered region-specific context on the constraints minorities face in securing their rights. Organized in cooperation with the Tom Lantos Institute, as well as regional and international organizations and non-governmental organizations, the four regional forums, for Europe and Central Asia, Asia and the Pacific, Africa and the Middle East, and the

²³ See www.ohchr.org/en/hrc-subsiary-bodies/minority-issues-forum.

²⁴ See www.ohchr.org/en/events/forums/2022/fifteenth-session-forum-minority-issues.

Americas, offered an opportunity for taking stock on implementation and planning future action.²⁵

53. The regional and annual forums benefited from contributions from expert panellists who provided recommendations to address some of the most pertinent challenges to minority rights. In 2022, recommendations emanating from the Forum and the mandate of the Special Rapporteur generally revolved around four axes: advocating for the adoption of stronger legal protection of minority rights at national and international levels; mainstreaming minority rights in United Nations work; providing the support and means for the effective participation of minorities in decisions that concern them, including at the United Nations; and developing a treaty to better recognize and protect minorities and to complement the nine articles of the Declaration. The recommendations of the annual session were submitted by the Special Rapporteur on minority issues to the Human Rights Council at its fifty-second session, in March 2023.²⁶

C. Human rights treaty bodies

54. The COVID-19 pandemic exposed discrimination and exacerbated inequalities within and among countries. It was within that context that the Committee on the Elimination of Racial Discrimination started the elaboration of a general recommendation on racial discrimination and the right to health under article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee convened a day of general discussion on 23 August 2022, during its 107th session, and received submissions from States parties, national human rights institutions, international and regional organizations and mechanisms, and non-governmental organizations.²⁷ On 23 April 2023, the Committee announced that it had adopted a first draft of the general recommendation. The aim of the document was to clarify the obligations undertaken under the International Convention on the Elimination of All Forms of Racial Discrimination regarding the right to health, building on the evidence-based link between racial discrimination and the right to health. In the document, it was stated that racial discrimination in the enjoyment of the right to health followed similar trajectories for Indigenous Peoples, people of African descent, certain castes, national or ethnic minorities, and non-citizens, and recommendations were put forward for States and other stakeholders.²⁸

55. In its concluding observations to States parties under review during the reporting period, the Committee on the Elimination of Racial Discrimination highlighted several areas where States should undertake measures to implement the Convention. Regarding representation and participation, the Committee recommended that the necessary special measures or affirmative action aimed at eliminating the structural discrimination faced by Indigenous Peoples, minorities, including Roma, people of African descent and non-nationals be adopted at all levels of government and that effective measures be adopted to ensure their full

²⁵ See www.ohchr.org/en/special-procedures/sr-minority-issues/regional-forums-minority-issues.

²⁶ The outcome documents of the regional forums are available at www.ohchr.org/en/events/forums/2022/fifteenth-session-forum-minority-issues.

²⁷ See www.ohchr.org/en/events/days-general-discussion-dgd/2022/thematic-discussion-racial-discrimination-and-right-health.

²⁸ The draft is available at www.ohchr.org/en/documents/general-comments-and-recommendations/first-draft-general-recommendation-no-37-2023-racial.

participation.²⁹ Furthermore, the Committee recommended that legislation explicitly prohibiting racial profiling by law enforcement officers at the national and provincial levels be adopted and that action be taken to prevent, identify and punish attitudes of racism and racial discrimination in the judicial system.³⁰ The Committee also made recommendations regarding the adoption of measures to monitor and combat the dissemination of racist hate speech, and the provision of training for the police, prosecutors and judges on appropriate methods for identifying, recording, investigating and prosecuting racially motivated hate crimes and hate speech.³¹

56. During the reporting period, the Human Rights Committee in its concluding observations made a number of recommendations pertaining to minorities and their rights. For example, the Committee noted the need for the States parties to take specific measures to combat all forms of discrimination and violence against religious and belief minorities, including by amending existing legislation to ensure protection and guarantee the right to freedom of religion or belief for everyone, eliminate discriminatory policy practices against religious minorities, and ensure the effective protection of religious minorities, including by investigating allegations of violence and sectarian attacks and bringing perpetrators to justice.³²

57. Regarding hate speech, the Human Rights Committee called on States to strengthen efforts to ensure full protection against discrimination, both in law and in practice, against persons of African descent and Indigenous people. It stated that States parties must take measures to prevent all hate speech, and incitement to hatred and violence or other alleged offences motivated by prejudice and stereotyping, including when such offences occur in the media or on the Internet, and must respond to them promptly and effectively. The Committee further noted that hate speech could amount to persecution aimed at ethnic and religious minorities and, in that regard, States should ensure that any such acts are promptly, independently and effectively investigated, that perpetrators are held accountable, with penalties commensurate with the seriousness of the crimes, and that victims have access to full reparations.³³

58. On the issue of ethno-religious tensions, the Committee underscored the importance of States parties creating opportunities for open dialogue between various ethnic and religious groups, allowing for public discussions on existing tensions and conflict, promoting inter-ethnic and interreligious harmony and tolerance and overcoming prejudices and negative stereotypes, including in schools and universities and in the media.³⁴

D. Universal periodic review

59. In the course of its third (2017–2022) and fourth (2022–2027) cycles, which both included part of the reporting period of the present report, the universal periodic review peer review process issued important recommendations to States on measures that could be undertaken to combat discrimination and exclusion. On the basis of such

²⁹ See CERD/C/ARG/CO/24-26, CERD/C/AZE/CO/10-12, CERD/C/BHR/CO/8-14, CERD/C/BEN/CO/1-9, CERD/C/BWA/CO/17-22, CERD/C/BRA/CO/18-20, CERD/C/FRA/CO/22-23, CERD/C/NER/CO/22-25, CERD/C/PHL/CO/21-25, CERD/C/PRT/CO/18-19, CERD/C/RUS/CO/25-26, CERD/C/SVK/CO/13, CERD/C/SUR/CO/16-18, CERD/C/TJK/CO/12-13, CERD/C/USA/CO/10-12 and CERD/C/ZWE/CO/5-11.

³⁰ See, for example, CERD/C/ARG/CO/24-26, paras. 22–23.

³¹ Ibid., para 23.

³² See [CCPR/C/EGY/CO/5](#), [CCPR/C/ETH/CO/2](#), [CCPR/C/IRL/CO/5](#), [CCPR/C/KGZ/CO/3](#), [CCPR/C/PAN/CO/4](#), [CCPR/C/PER/CO/6](#), [CCPR/C/RUS/CO/8](#), [CCPR/C/LKA/CO/6](#), [CCPR/C/TKM/CO/3](#) and [CCPR/C/ZMB/CO/4](#).

³³ See, for example, [CCPR/C/ETH/CO/2](#), paras. 45 and 46.

³⁴ See, for example, [CCPR/C/LKA/CO/6](#), paras. 38–39.

recommendations and with a view to ensuring compliance with human rights obligations, several countries have adopted legislation, introduced policies and taken initiatives to address, for example, discrimination, exclusion from participation and racial profiling.

60. One of the positive contributions of the universal periodic review process was the way the review recommendations were encouraging countries to develop national action plans against discrimination. During the third cycle, for example, New Zealand received a specific recommendation for the adoption of a national plan or strategy against racism, racial discrimination, xenophobia, hate crimes and other forms of intolerance. As a result, the Government prioritized the issue in its agenda, which led to various consultations, including with Māori and other ethnic minority communities, when elaborating the plan and ensure that it reflected their vision, values and experiences. Although the national action plan had not yet been finalized, important steps have been taken, including consultations with various actors across the country, the adoption of a budget and the establishment of a team at the Ministry of Justice with the sole purpose of developing the plan.³⁵

V. Conclusions and recommendations

64. **The Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities is short but its call to equality is powerful. It remains a milestone document for the full realization of the human rights of minorities, as its implementation fosters inclusion and social cohesion, which are essential in preventing conflicts and ensuring long-term stability. It provides a voice to minorities in decision-making and a framework for States for achieving equality and participation.**

65. **The thirtieth anniversary of the Declaration offered an opportunity to raise awareness of minority rights and increase the visibility of the Declaration and to examine achievements and challenges regarding its implementation. Regrettably, minorities across the world continue to face discrimination and are often excluded from taking part fully in society. Much more needs to be done to address the most critical challenges affecting minorities in every region of the world today.**

66. **Many States participating in the high-level meeting of the General Assembly on 21 September 2022 recognized that the commitments in the Declaration had not been fulfilled and that new challenges in securing the rights of minorities had emerged. In that respect, it was important to acknowledge that adoption by States of targeted legislative measures accompanied by stronger implementation at the national level could create the conditions required to better protect the human rights of minorities, serve as an integral aspect of good governance and prevent grievances that could lead to conflicts.**

67. **States should be more deliberate and exercise greater care in managing diversity. Minority rights issues are complex and should be addressed through contextualized measures reflecting the specific national circumstances and encouraging inter-ethnic, interreligious and intercultural interaction and dialogue so as to guarantee inclusion and participation of minorities in decision-making.**

68. **Combating discrimination and protecting minority rights stand at the core of much of the work of the United Nations and efforts in that regard require**

³⁵ The universal periodic review, midterm report submitted by New Zealand at www.ohchr.org/en/hr-bodies/upr/upr-implementation.

engagement and cooperation across all three pillars of the Organization. In response to the report of the Secretary-General entitled “Our Common Agenda” and with a view to building trust between people and institutions, the United Nations must contribute to efforts to better listen to, consult and engage with everyone. It is in that context that the United Nations network on racial discrimination and protection of minorities, which brings together 20 relevant United Nations departments, agencies, programmes and funds, provides a regular channel for exchange and cooperation between United Nations actors and for building expertise and guidance on key thematic issues of common concern.

69. Civil society, non-governmental organizations and representatives of minorities have a vital role to play in promoting the Declaration. In that regard, they must be able to participate effectively in the development, implementation and evaluation of national policies and strategies on the protection of minority rights.

70. Overall efforts to improve protection and prevent tension must involve society at large, both majorities and minorities, paying special attention to ensuring the participation of minority women, girls and young people. It is vital that future activities place even greater focus on the implementation of the Declaration along with other international human rights standards in order to address the complex problems minorities are facing.

71. The United Nations remains ready and seeks to build on the momentum generated by the commemorations of the thirtieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the thirtieth anniversary of the Vienna Declaration and Programme of Action and the seventy-fifth anniversary of the Universal Declaration of Human Rights in order to invigorate its promotion and protection capacities and continue to work towards the aim stated in the preamble to the Declaration, namely that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live.
