



# General Assembly

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### Third Committee

Agenda item 74 (b)

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

**Armenia, Austria, Central African Republic, Costa Rica, Côte d'Ivoire, Cyprus, Germany, Honduras, Hungary, Ireland, Italy, Liechtenstein, Slovenia and Switzerland: draft resolution**

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

*The General Assembly,*

*Recalling* its resolution [47/135](#) of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities annexed to that resolution, and bearing in mind article 27 of the International Covenant on Civil and Political Rights<sup>1</sup> as well as other relevant existing international and regional standards and national legislation,

*Welcoming* the upcoming thirtieth anniversary of the adoption of the Declaration in 2022, and recognizing that, while progress has been made, the situation of persons belonging to national or ethnic, religious and linguistic minorities is critical in many parts of the world and many challenges remain to ensure the full enjoyment of their rights, and that in this regard the thirtieth anniversary of the adoption of the Declaration is an occasion for States to reflect on implementation gaps and to take measures for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

*Recalling* its subsequent resolutions on the effective promotion of the Declaration and all relevant resolutions of the Human Rights Council,

*Recalling also* Human Rights Council resolution [43/8](#) of 19 June 2020,<sup>2</sup> in which the Council considered the recommendations of the Forum on Minority Issues at its twelfth session, held in November 2019, addressing education, language and the

<sup>1</sup> See resolution [2200 A \(XXI\)](#), annex.

<sup>2</sup> See *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 53 (A/75/53)*, chap. IV, sect. A.



human rights of persons belonging to national or ethnic, religious and linguistic minorities,<sup>3</sup>

*Reaffirming* that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and dialogue between these minorities and the rest of society, as well as the constructive and inclusive development of practices and institutional arrangements to accommodate diversity within societies, contribute to political and social stability and the prevention and peaceful resolution of conflicts involving the rights of persons belonging to national or ethnic, religious and linguistic minorities,

*Reaffirming also* the 2030 Agenda for Sustainable Development,<sup>4</sup> of which the Addis Ababa Action Agenda of the Third International Conference on Financing for Development<sup>5</sup> is an integral part, recalling that the Sustainable Development Goals and targets seek to realize the human rights of all, and stressing the need for Member States to integrate the 2030 Agenda for Sustainable Development into their respective national policies and development frameworks, as appropriate, to promote the effective implementation, follow-up and review of the 2030 Agenda for Sustainable Development, in order to ensure that no one is left behind,

*Expressing concern* at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that such persons often suffer disproportionately from the effects of conflicts resulting in the violation of their human rights and are particularly vulnerable to forced displacement through, inter alia, population transfers, revocation of previously held identity documents, refugee flows and forced relocation,

*Emphasizing* the need for reinforced efforts to realize the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them, including by addressing multiple, aggravated and intersecting forms of discrimination,

*Emphasizing also* the need for birth registration, civil registration and national identification documents to be provided without discrimination on any grounds, in particular race, ethnicity, religion and language, in line with the 2030 Agenda for Sustainable Development, especially the target aimed at providing a legal identity for all,

*Emphasizing further* the fundamental importance of human rights education, training and learning as well as of dialogue, including intercultural and interfaith dialogue, and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

*Recognizing* the importance of realizing the right to education for all and, wherever possible, providing persons belonging to national or ethnic, religious and linguistic minorities with adequate opportunities to learn their own language or to have instruction in their own language,

*Emphasizing* the important role that national institutions can play in the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, and acknowledging the role that the United Nations, its specialized agencies and other relevant organizations, and the Special

<sup>3</sup> See [A/HRC/43/62](#).

<sup>4</sup> Resolution [70/1](#).

<sup>5</sup> Resolution [69/313](#), annex.

Rapporteur of the Human Rights Council on minority issues, play in this regard by, inter alia, promoting the implementation of the Declaration,

*Expressing concern* about the spread of disinformation and misinformation, particularly on social media platforms, which can be designed and implemented so as to mislead, to spread racism, xenophobia, negative stereotyping and stigmatization, to violate and abuse human rights, including the right to privacy, to impede freedom of expression, including the freedom to seek, receive and impart information, and to incite all forms of violence, hatred, intolerance, discrimination and hostility, and emphasizing the important contribution of journalists, civil society and academia in countering this trend,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,<sup>6</sup> and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,<sup>7</sup> including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Encourages* States to take appropriate measures so that, wherever possible, persons belonging to national or ethnic, religious and linguistic minorities may have adequate opportunities to learn their own language or to have instruction in their own language;

4. *Urges* States to take all appropriate measures, inter alia, constitutional, legislative, administrative and other measures, for the promotion and implementation of the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, consistent with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

5. *Recommends* that States continue to reflect on current and emerging challenges facing persons belonging to national or ethnic, religious and linguistic minorities, including the rise in persecution on religious and ethnic grounds, the prevalence of statelessness among national or ethnic, religious and linguistic minorities, human rights violations in law enforcement and the justice sector and increasing levels of hate crimes and hate speech targeting, among others, persons belonging to national or ethnic, religious and linguistic minorities;

6. *Also recommends* that States ensure that all measures taken with a view to implementing the Declaration are, to the fullest extent possible, developed, designed, implemented and reviewed with the full, effective and equal participation of persons belonging to national or ethnic, religious and linguistic minorities;

<sup>6</sup> Resolution 47/135, annex.

<sup>7</sup> See A/CONF.189/12 and A/CONF.189/12/Corr.1, chap. I.

7. *Calls upon* States to undertake effective efforts to prevent and combat acts of violence specifically targeting persons belonging to national or ethnic, religious and linguistic minorities;

8. *Also calls upon* States to take all appropriate measures to ensure the protection of children who belong to national or ethnic, religious and linguistic minorities, in accordance with the relevant obligations under the Convention on the Rights of the Child;<sup>8</sup>

9. *Further calls upon* States to take all appropriate measures to ensure the protection and promote the empowerment of all women and girls who belong to national or ethnic, religious and linguistic minorities and are exposed to all forms of discrimination as well as sexual and gender-based violence, and also to give special attention to the specific needs of older persons and persons with disabilities who belong to national or ethnic, religious and linguistic minorities;

10. *Recommends* that States and other relevant actors ensure to the fullest extent possible that the Declaration is translated into all minority languages and disseminated widely;

11. *Expresses its appreciation* for the successful completion, in November 2020, of the thirteenth session of the Forum on Minority Issues, on the theme “Hate speech, social media and minorities”, which, through the wide participation of stakeholders, provided an important platform for the promotion of dialogue on this topic and, as part of its outcome, produced recommendations to highlight the need for States to comply with their human rights obligations in relation to addressing hate speech on social media,<sup>9</sup> and encourages States to take into consideration the relevant recommendations of the Forum;

12. *Calls upon* States, while bearing in mind the theme of the thirteenth session of the Forum on Minority Issues and with a view to enhancing the implementation of the Declaration and ensuring the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, to take appropriate measures by, inter alia:

(a) Reviewing any legislation, policy or practice that has a discriminatory or disproportionately negative effect, both offline and in digital contexts, on persons belonging to national or ethnic, religious and linguistic minorities, with a view to considering its amendment;

(b) Considering ratifying, acceding to and adhering to all relevant international instruments that protect and promote the rights of persons belonging to national or ethnic, religious and linguistic minorities with the aim of addressing and countering the spread of racism, xenophobia, negative stereotyping and stigmatization;

(c) Strongly condemning any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and adopting and implementing measures to criminalize incitement to imminent violence based on nationality, race, religion or belief, both online and offline, while respecting all internationally recognized human rights and fundamental freedoms;

(d) Ensuring that persons belonging to national or ethnic, religious and linguistic minorities have access to justice and remedy for human rights violations, abuses and/or crimes, including crimes committed on the basis of national, racial or religious hatred;

<sup>8</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>9</sup> See [A/HRC/46/58](#).

(e) Strengthening international cooperation, including with international and regional organizations, and cooperation with the private sector, including technology companies, national human rights institutions and civil society in order to share expertise, knowledge and effective practices in addressing and countering hate speech against persons belonging to national or ethnic, religious and linguistic minorities, while respecting and promoting human rights, including in the development and use of digital technologies;

13. *Takes note* of the report of the Secretary-General on the effective promotion of the Declaration<sup>10</sup> and the reports of the Special Rapporteur of the Human Rights Council on minority issues and the special focus on persons belonging to national or ethnic, religious and linguistic minorities, their equal participation, social and economic development and the 2030 Agenda for Sustainable Development;<sup>11</sup>

14. *Commends* the Special Rapporteur for the work that has been done and the important role played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated to him, to provide him with all the necessary information requested and to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries in order to enable him to fulfil his duties effectively;

16. *Encourages* the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the Special Rapporteur, as well as to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

17. *Calls upon* the United Nations High Commissioner for Human Rights to continue to promote, within her mandate, the implementation of the Declaration, and to engage in a dialogue with Governments for that purpose and regularly update and disseminate widely the United Nations Guide for Minorities;

18. *Welcomes* the inter-agency cooperation among United Nations agencies, funds and programmes on minority issues, notes the activities of the United Nations network on racial discrimination and protection of minorities, and urges United Nations agencies, funds and programmes to further increase their coordination and cooperation by, inter alia, developing policies on the promotion and protection of the rights of persons belonging to minorities, drawing also on relevant outcomes of the Forum on Minority Issues and taking into account the work of relevant regional organizations, in particular in the light of the upcoming thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

19. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including in the context of efforts to address and counter hate speech while fully respecting the right to freedom of expression, to assist in resolving existing or potential situations involving minorities;

20. *Invites* the human rights treaty bodies, as well as special procedures of the Human Rights Council, to continue to give attention, within their respective

<sup>10</sup> [A/76/255](#).

<sup>11</sup> [A/75/211](#) and [A/76/162](#).

mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities and in this regard to take into consideration relevant recommendations of the Forum on Minority Issues;

21. *Invites* the United Nations mechanisms and bodies, the specialized agencies and regional organizations, within their respective mandates, to continue to contribute to the protection and the prevention of violations of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by strengthening cooperation in respect of information gathering and improving the information flow between themselves and with States;

22. *Encourages* regional intergovernmental bodies, within their respective regions, to promote greater attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, actively raising awareness of and promoting the Declaration in their work, encouraging its implementation at the national level and considering the creation of thematic and/or special mechanisms on this issue;

23. *Encourages* national human rights institutions to pay due attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by monitoring situations of potential threats for persons belonging to national or ethnic, religious and linguistic minorities, and by investigating and reporting, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles)<sup>12</sup> and their respective mandates, episodes of targeted violence against persons belonging to minorities, including, when necessary, to regional and international bodies;

24. *Encourages* civil society, including non-governmental organizations, to promote awareness of the Declaration, in particular in the light of the upcoming thirtieth anniversary of its adoption, and to review the extent to which it integrates the rights of persons belonging to national or ethnic, religious and linguistic minorities and the Declaration into its work, as well as to inform persons belonging to national or ethnic, religious and linguistic minorities about their rights;

25. *Requests* the Special Rapporteur to report annually to the General Assembly and include recommendations for effective strategies for the better implementation of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

26. *Invites* the Office of the United Nations High Commissioner for Human Rights, United Nations entities and Member States to support and collaborate in the organization of regional forums on minority issues initiated by the Special Rapporteur in accordance with his mandate, in order to complement and enrich the work and recommendations of the Forum on Minority Issues;

27. *Decides* to convene a one-day high-level meeting of the General Assembly on the occasion of the thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, on the second day of the general debate of the seventy-seventh session, and also decides to finalize the modalities of the meeting during its seventy-sixth session;

28. *Requests* the Secretary-General to submit to the General Assembly at its seventy-eighth session a report on the implementation of the present resolution, including information on activities undertaken by Member States, the Office of the High Commissioner, the Special Rapporteur, relevant United Nations entities and

<sup>12</sup> Resolution 48/134, annex.

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;

29. *Decides* to continue consideration of the question at its seventy-eighth session under the item entitled “Promotion and protection of human rights”.

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