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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

Argentina, Armenia, Austria, Brazil, Canada, Croatia, Cyprus, Czechia, Georgia, Germany, Greece, Honduras, Hungary, Ireland, Italy, Luxembourg, Malta, Monaco, Netherlands (Kingdom of the), North Macedonia, Poland, Slovakia, Slovenia, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland: 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 Rights¹ as well as other relevant existing international and regional standards and national legislation,

Noting with appreciation that 2023 marks the seventy-fifth anniversary of the Universal Declaration of Human Rights² and the thirtieth anniversary of the Vienna Declaration and Programme of Action,³ and acknowledging the importance of these instruments for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recalling the thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in 2022, which served as an important opportunity to reflect on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as on achievements, best practices and continuing challenges with regard to the implementation of the Declaration, and reaffirming the principles and commitments therein, and recognizing that, while

* Reissued for technical reasons on 9 November 2023.

¹ See resolution [2200 A \(XXI\)](#), annex.

² Resolution [217 A \(III\)](#).

³ [A/CONF.157/24](#) (Part I), chap. III.



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,

Taking note with appreciation of the high-level meeting convened by the President of the General Assembly during the general debate of the General Assembly at its seventy-seventh session to commemorate the thirtieth anniversary of the adoption of the Declaration, which served as an occasion for States to reflect on implementation gaps, exchange best practices and make voluntary pledges to enhance the implementation of the Declaration,

Taking note of other multilateral, regional, subregional and national initiatives to mark the thirtieth anniversary of the Declaration and further its implementation,

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 resolutions [52/5](#) of 3 April 2023,⁴ which extended the mandate of the Special Rapporteur on minority issues, as well as [49/14](#) of 31 March 2022,⁵ in which the Council considered the recommendations of the Forum on Minority Issues at its fourteenth session, held in December 2021 on the theme “Conflict prevention and the protection of the human rights of minorities”,⁶

Recalling further its resolution [76/6](#) of 15 November 2021, which welcomed, as a basis for further consideration by Member States, the submission of the report of the Secretary-General entitled “Our Common Agenda”,⁷ including its appeal for action to strengthen the inclusion of persons belonging to national or ethnic, religious and linguistic minorities,

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,⁸ of which the Addis Ababa Action Agenda of the Third International Conference on Financing for Development⁹ 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 into their respective national policies and development frameworks, as appropriate, to promote the effective implementation, follow-up and review of the 2030 Agenda, in order to ensure that no one is left behind,

Noting with concern that disregard for the identity of, and discrimination against, persons belonging to national or ethnic, religious and linguistic minorities, as well as their political and socioeconomic marginalization, hate speech and the denial of the enjoyment of their human rights often precede violence and should therefore serve as early warning signs of a risk of serious crimes and conflict,

⁴ See *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 53 (A/78/53)*, chap. V, sect. A.

⁵ *Ibid.*, *Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VI, sect. A.

⁶ See [A/HRC/49/81](#).

⁷ [A/75/982](#).

⁸ Resolution [70/1](#).

⁹ Resolution [69/313](#), annex.

Expressing concern at the frequency and severity of disputes and conflicts affecting persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that such persons, especially women and girls, often suffer disproportionately from the effects of conflicts resulting in the violation or abuse 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,

Recognizing that developments in certain territories or regions linked to national or ethnic, religious and linguistic minorities may trigger acts of violence and discrimination specifically targeting persons belonging to the same minorities elsewhere,

Emphasizing the importance of constitutional and legal frameworks, the rule of law and equal access to justice for all without any discrimination based on language, ethnicity, origin, religion or belief as the basis for the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Reaffirming that everyone has the right to recognition everywhere as a person before the law,

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,

Taking note in this regard of the publication entitled *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation*,¹⁰ and noting the publication of the Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities prepared by the United Nations network on racial discrimination and protection of minorities,¹¹

Recognizing that a vast majority of stateless persons are persons belonging to national or ethnic, religious and linguistic minorities, and in this regard emphasizing 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, 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 quality educational and other 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

¹⁰ Available at www.ohchr.org/en/minorities/minority-rights-equality-and-anti-discrimination-law.

¹¹ Available at www.ohchr.org/sites/default/files/documents/issues/minorities/30th-anniversary/2022-09-22/GuidanceNoteonIntersectionality.pdf.

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 increase of disinformation and misinformation, which may lead to the spread of hate speech, particularly on social media platforms, and, inter alia, through the use of artificial intelligence (AI), which can be designed, implemented and used in ways that spread discrimination, including racism, misogyny, xenophobia, negative stereotyping and stigmatization, particularly affecting persons belonging to national or ethnic, religious and linguistic minorities,

Expressing concern also that these developments can lead to or exacerbate human rights violations and abuses, including of the right to privacy and the right to freedom of expression, including the freedom to seek, receive and impart information, and can be used to incite violence, hatred, intolerance, discrimination and hostility against persons belonging to national or ethnic, religious and linguistic minorities, and emphasizing the important contributions of journalists, civil society and academia in countering these trends,

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,¹² and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,¹³ 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 quality 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. *Encourages* States to work towards fulfilling their voluntary pledges made during the high-level meeting convened by the President of the General Assembly during the general debate of the General Assembly at its seventy-seventh session on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, to improve the implementation of the Declaration by implementing the good practices which were shared, and to further strengthen existing measures in this regard;

¹² Resolution 47/135, annex.

¹³ See A/CONF.189/12 and A/CONF.189/12/Corr.1, chap. I.

6. *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;

7. *Calls upon* States to undertake, as applicable, initiatives to ensure that persons belonging to national or ethnic, religious and linguistic minorities are aware of and able to exercise their rights, including, inter alia, the right of everyone to a nationality, as set out in article 15 of the Universal Declaration of Human Rights and complemented by the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and in other international human rights law;

8. *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;

9. *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;

10. *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;¹⁴

11. *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 multiple 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;

12. *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;

13. *Expresses its appreciation* for the successful completion, in December 2022, of the fifteenth session of the Forum on Minority Issues, on the theme “Review, rethink, reform: thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities”, which, 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,¹⁵ and encourages States to take into consideration the relevant recommendations of the Forum, and notes the work of the United Nations network on racial discrimination and protection of minorities;

14. *Calls upon* States, while bearing in mind the theme of the fifteenth session of the Forum on Minority Issues, and the summary by the President of the General Assembly of the high-level meeting marking the thirtieth anniversary of the adoption of the Declaration in September 2022, and with a view to enhancing the implementation of the Declaration and ensuring the realization of the rights of persons

¹⁴ United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹⁵ See [A/HRC/52/71](#).

belonging to national or ethnic, religious and linguistic minorities, to take appropriate measures by, inter alia:

(a) Reviewing any legislation, including constitutional provisions as appropriate, 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 equal access without any form of discrimination to justice and remedies for human rights violations, abuses and/or crimes, including crimes committed on the basis of national, racial or religious hatred;

(e) Adopting and implementing legislative anti-discrimination measures, where required, to protect and promote the rights of persons belonging to national or ethnic, religious and linguistic minorities;

(f) 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 and discrimination against persons belonging to national or ethnic, religious and linguistic minorities, online and offline, while respecting and promoting human rights, including in the development and use of digital technologies, such as artificial intelligence (AI);

(g) Working with social media companies, as applicable, to protect persons belonging to minorities by taking active measures to counter hate speech and address its increasing spread, enable research into measures to reduce it and promote users' access to effective reporting channels, in a manner consistent with international human rights law;

15. *Takes note* of the report of the Secretary-General on the effective promotion of the Declaration¹⁶ and the reports of the Special Rapporteur of the Human Rights Council on minority issues;

16. *Commends* the Special Rapporteur for the work 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;

17. *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 A/78/306.

18. *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;

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

20. *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 thirtieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

21. *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, and to assist in resolving existing or potential situations involving minorities;

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

23. *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;

24. *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;

25. *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)¹⁷ and their respective mandates, episodes of targeted violence against persons belonging to minorities, including, when necessary, to regional and international bodies;

¹⁷ Resolution 48/134, annex.

26. *Encourages* civil society, including non-governmental organizations, to promote awareness of the Declaration, 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;

27. *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;

28. *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;

29. *Requests* the Secretary-General to submit to the General Assembly at its eightieth 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 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;

30. *Decides* to continue consideration of the question at its eightieth session under the item entitled “Promotion and protection of human rights”.
