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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the High
Commissioner and the Secretary-General**

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Rights of persons belonging to national or ethnic, religious and linguistic minorities

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to resolutions 13/12 and 22/4 of the Human Rights Council, in which it is requested that the United Nations High Commissioner for Human Rights submit to the Human Rights Council an annual report containing information on relevant developments regarding the rights of persons belonging to national or ethnic, religious and linguistic minorities in the work of United Nations human rights bodies and mechanisms, as well as on the activities undertaken by the Office of the High Commissioner for Human Rights (OHCHR) at its headquarters and in the field.

During the reporting period, OHCHR continued to prioritize the protection of minorities, as illustrated by the pronouncements to that effect made on several occasions by the High Commissioner. The activities undertaken this year by OHCHR in line with the “Guidance note of the Secretary-General on racial discrimination and protection of minorities” demonstrate that progress has been achieved in providing support to governments, and to minorities to claim their individual rights, but serious challenges remain in terms of implementation of these rights.



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I. Introduction

1. The Human Rights Council, in its resolutions 13/12 of 2010 and 22/4 of 2013 concerning the rights of persons belonging to national or ethnic, religious and linguistic minorities, requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to present an annual report to the Council containing information on relevant developments in the work of United Nations human rights bodies and mechanisms, as well as on the activities undertaken by OHCHR at its headquarters and in the field, that contribute to the promotion of, and respect for, the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (“the Declaration”). The present report covers activities carried out by OHCHR in 2014.

2. During the reporting period, OHCHR provided support to member States in their efforts to protect minority rights and engaged with regional and national actors, including minority representatives, with a view to responding to their needs and improving their capacity to prevent and address challenges to their rights. It also supported system-wide efforts to advance minority rights, in particular by coordinating the work of the United Nations network on racial discrimination and protection of minorities, which was established in 2012 by the Secretary-General. The “Guidance note of the Secretary-General on racial discrimination and protection of minorities”, developed by the network, was adopted by the Secretary-General in 2013, and OHCHR has engaged in various activities to implement its 19 recommendations.

II. Work of the Office of the United Nations High Commissioner for Human Rights at its headquarters and in the field

3. OHCHR strives to ensure that the principles of the Declaration and other relevant human rights standards are used more effectively to support the participation of minorities in decision-making and to strengthen human rights protection at the national level. OHCHR is determined to combat exclusion, marginalization and abuse of people on the basis of their perceived race, their indigenous, ethnic or religious background, their colour, gender, caste status, disability, age, health status, or sexual orientation. As such, throughout the year, the High Commissioners have stressed in public statements the importance of advancing non-discrimination and protection of minorities.

A. Work to strengthen advocacy and capacity

4. In 2014, OHCHR marked International Roma Day on 8 April by organizing an expert panel discussion entitled “Exposed and excluded: addressing forced eviction and the housing rights of Roma”, which illustrated how forced eviction of Roma from their homes, destruction of their property and deportation result in violations of the right to adequate housing as a component of the right to an adequate standard of living. Forced evictions are incompatible with the requirements of international human rights law and contribute directly and indirectly to violations of a range of civil, political, economic, social and cultural rights enshrined in international human rights treaties. The event served to raise the profile and visibility of International Roma Day and offered an important opportunity for sharing experiences, including with Roma advocates who pursue practical work related to preventing evictions at the national level.

5. The expert panel discussion brought together Roma rights advocates, including from the grass roots, whose work focused on combatting violations of Roma rights to housing.

They explored key challenges and the role of forced evictions as a major threat to the obligations of States to recognize, respect, protect and fulfil human rights. During the discussions, the situation of women and children was highlighted, as they were particularly vulnerable to tenure insecurity, and to other human rights violations resulting from forced evictions. The vulnerability of Roma women to intersecting forms of discrimination that were manifested, for example, in stigmatization, marginalization and sexual violence increased when they fell victim to forced eviction. The participants pointed out that ensuring women's security of tenure was crucial, regardless of age or marital, civil or social status, and independently of their relationships with male household or community members. The experts identified good practices that could be relied upon to prevent forced evictions and to secure the right to adequate housing.

Minorities Fellowship Programme

6. The annual Minorities Fellowship Programme was held between 27 October and 28 November 2014. The fellowship enables individuals from minority groups to familiarize themselves with the United Nations human rights machinery and to reinforce their advocacy skills. Former OHCHR minority fellows have become leaders in minority rights advocacy, as exemplified by Rita Izsák, the current Special Rapporteur on minority issues.

7. In 2014, the programme was strengthened, including through the introduction of a practical training module that covered project design, effective fund-raising for human rights, and documenting human rights violations. A Russian-language component was added. The OHCHR Minorities Fellowship Programme benefits from interpretation into Arabic, English and Russian. In 2014, the fellows came from Egypt, Estonia, Georgia, Iraq, Kyrgyzstan, Lithuania, Mauritania, Nepal, Nicaragua, Pakistan, the Syrian Arab Republic and Yemen. The Senior Minority Fellowship Programme brought to Geneva a minority advocate from Lithuania who worked within the Indigenous Peoples and Minorities Section of OHCHR in order to gain specialized knowledge that she could take back to her community. In parallel, as part of the National Minority Fellowship, two minority fellows continued their training by working with United Nations presences and human rights institutions in Colombia and Nigeria.

B. Regional and country engagement activities: selected areas of focus

8. Many serious human rights violations targeting minorities were denounced by the High Commissioner during the reporting period. For example, the High Commissioner made several statements regarding gross violations by the *takfiri* group, the so-called Islamic State in Iraq and the Levant (ISIL). On 25 September 2014, he expressed his "deep dismay at the situation facing hundreds of captured Yezidi women and girls, as well as some from other ethnic and religious groups, who have reportedly been sold into slavery, forced into marriage and repeatedly raped by ISIL fighters since their home areas were overrun in August." The High Commissioner said, "these latest killings, and the ongoing abductions and enslavement of women and children, illustrate the utterly poisonous nature of this *takfiri* group, and demonstrate the similarities between it and other groups such as Boko Haram in Nigeria, which is also treating large numbers of women and girls in an abominable fashion. The fact that such groups try to attract more people to their cause by asserting that their acts are supported by Islam is a further gross perversion."¹

¹ Statement to the Security Council, on Iraq, by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, 18 November 2014.

9. In cooperation with the United Nations Assistance Mission for Iraq and the Alliance of Iraqi Minorities, OHCHR organized the Conference on the Promotion and Protection of the Rights of Iraq's Diverse Ethnic, Religious and Linguistic Communities. Held in Baghdad from 26 to 28 March 2014, the conference was the first to bring together representatives of all of Iraq's ethnic, religious, linguistic and cultural communities. The issues discussed at the conference included developing strategies to strengthen (a) protection and security; (b) effective political and economic participation; (c) enjoyment of social cultural rights, with a specific focus on education; and (d) representation of various communities. The outcome of the conference was a declaration/statement of principles on rights and protections for Iraq's diverse ethnic, cultural, religious and linguistic communities, and a road map to ensure the protection of members of minorities from violence and to enhance their equal participation in public life. In addition, a committee was established to follow up on the road map and to prepare an action plan for its implementation.

10. In its August 2014 report, the Independent International Commission of Inquiry on the Syrian Arab Republic reported that members of ISIL had committed war crimes and crimes against humanity and posed a clear and present danger to civilians — and particularly minorities — under its control in the Syrian Arab Republic and in the region.

11. In Libya, in accordance with Security Council resolution 2144 (2014), which defines the mandate of the United Nations Support Mission in Libya (UNSMIL), including its Human Rights Division, the OHCHR human rights component continued to engage with minority groups and to monitor and report on violations against minorities within its general monitoring mandate. UNSMIL held meetings with representatives from the Amazigh Supreme Council, the National Tabu Gathering and the Tuareg Supreme Council, as well as with human rights defenders and members of the Parliament.

12. In Yemen, with a view to ensuring that the Muhamasheen participated in the post-2015 development agenda consultations, OHCHR conducted a workshop for a group of 30 representatives from that community, so that they could voice their priority concerns and their perspectives on future solutions. Muhamasheen representatives were invited to take part in a consultation with OHCHR's Yemen office during the preparation of the OHCHR country office note, and in the technical meetings for the development of Yemen's national human rights strategy. They also took part in a number of capacity-building activities organized by OHCHR that were focused on anti-discrimination and minority rights.

13. As part of the implementation of the guidance note, OHCHR organized a regional consultation on minority rights in the Middle East and North Africa region, entitled "Strengthening minority rights protection in the Middle East and North Africa region through national implementation of recommendations from the United Nations human rights machinery". Held in Tunis on 2 and 3 December 2014, the consultation allowed participants, who included representatives of national human rights institutions, non-governmental organizations, the media, and United Nations entities, to share strategies and tools for national actors to translate recommendations into action. Participants also explored the relationship between United Nations mechanisms and national frameworks and institutions, and how they could interact to promote the rights of minorities at the national and regional levels.

14. The conclusions of the consultation included (a) a review of the status of implementation of minority rights recommendations specific to the region and emanating from treaty bodies, the universal periodic review and special procedures; (b) requirements for compliance with minority rights principles in the region: what works, especially regarding the situation of minority women and girls; and (c) recommendations for future work to strengthen the engagement of various stakeholders and of the United Nations system as a whole.

15. OHCHR held a workshop for human rights defenders, including minority representatives, in May 2014 in Turkey, which focused on how best to monitor and report on alleged human rights violations in the Syrian Arab Republic. It covered issues related to discrimination, sectarianism, and incitement to hatred against vulnerable communities.

16. In Central Asia, OHCHR provided support for national consultations on the universal periodic review in Bishkek and Osh in May 2014. These brought together State authorities, civil society and national human rights institutions to discuss the limited participation and representation of minorities in public and political life, language rights and access to education for minorities, freedom of religion and belief, and other problems related to discrimination against minorities.

17. In the Republic of Moldova, OHCHR's activities with the United Nations country team throughout the year included joint work with UN-Women and the United Nations Development Programme on the empowerment of Romani women and girls, including providing support for the establishment of a civil society network for Romani women and girls.

18. The Human Rights Monitoring Mission in Ukraine, deployed in March 2014, reports that while incidents of violent attacks against minorities remain isolated and rare, religious minority representatives from Protestant, Greek Catholic and Muslim communities continue to face persecution and intimidation in the eastern part of the country with armed groups detaining clergy and parishioners and seizing church buildings. The Human Rights Monitoring Mission in Ukraine has also reported about persistent acts of intimidation targeting the Crimean Tatars in the Autonomous Republic of Crimea.

19. OHCHR provided guidance to the United Nations country team in Myanmar on the international standards applicable to non-discrimination and the principle of self-identification, in line with article 27 of the International Covenant on Civil and Political Rights and related jurisprudence of the Human Rights Committee.

20. In the Plurinational State of Bolivia, OHCHR continued to deliver technical assistance to Afro-Bolivian organizations and the Ministry of Education. For example, OHCHR provided technical assistance, in May and September 2014, to Afro-Bolivian organizations in connection with their participation in the first regular session of the National Committee against Racism and all Forms of Discrimination, in order to empower those organizations to participate effectively in the discussions. For the first time, 23 September was commemorated as the national day of the Afro-Bolivian people, by both the Government and Afro-Bolivian communities.

21. Pursuant to resolution 23/18 of the Human Rights Council, the High Commissioner deployed a fact-finding mission to the Central African Republic to collect information on human rights violations committed in Bangui and other localities between 10 December 2012 and 11 July 2013. That mission was followed by an OHCHR monitoring mission. In its report dated 28 January 2014, and in light of the violations committed on the basis of religious affiliation, the mission recommended to the Transitional Government to "organize free, fair, credible and transparent presidential and legislative elections following an inclusive and transparent consultation process, without any discrimination based on ethnicity, religion or political affiliation, and enhance the participation of women in the electoral process and at the decision-making level", and to "support initiatives fostering the peaceful coexistence of communities, such as the platform for dialogue established by Christian and Muslim religious leaders" (A/HRC/24/59).

22. In 2013, OHCHR completed three studies to improve the situation of minorities in Central Asia. These include "Minorities and the media in Kazakhstan", "Participation of minorities in public life in Kyrgyzstan" and "Access of minorities to education in Tajikistan". In 2014, two-page fact sheets containing the main findings and

recommendations from those studies were prepared, which were translated into Russian, Kyrgyz, Uzbek and Ukrainian, and were also made available in the various state, official and minority languages as well as in English. The fact sheets seek to make the key findings accessible to a broader audience and to strengthen advocacy at the regional level.

23. OHCHR issued two one-page fact sheets entitled “Addressing forced evictions of Roma” and “The inclusion of religious minorities in consultative and decision-making bodies”. These are distributed to civil society and to State authorities during consultations and other events with a view to raising awareness on what can be done to strengthen protection of minority rights in specific areas.

C. Strengthening the capacity of United Nations country teams

24. In line with the guidance note, OHCHR held a training course on minority rights for the United Nations country team in Pakistan on 6 and 7 May 2014, which brought together participants from several United Nations agencies and programmes. A briefing, on minority rights and the guidance note, was organized for senior staff. In addition, a session was added to the course for senior staff of UN-Women Pakistan, which focused on the role of the United Nations system in ensuring that its strategies and actions take into consideration the special situation of minority women, including in terms of criminal justice responses to harmful traditional practices and violence against women. Participants stressed that effective United Nations action required continuous dialogue with a diverse representation of minority women, including with a view to ensuring their contributions to the design and implementation of United Nations action.

25. On 1 December 2014, OHCHR convened a training session in Tunis on racial discrimination and the protection of minorities. Organized pursuant to the guiding principles and recommendations established under the guidance note, the training session brought together participants from several United Nations agencies and programmes to strengthen the capacity of the United Nations country team by looking at anti-discrimination and protection of minorities at the national and regional levels.

26. OHCHR provided programmatic and advisory services support to United Nations field presences. For example, it conducted a human rights assessment fact-finding mission to the Sandžak/Raška region in Serbia, and drafted for the United Nations country team a human rights profile for one of the most remote and economically disadvantaged regions of the country in which minorities reside compactly. The human rights assessment identified implementation gaps and highlighted the role that national stakeholders, non-national stakeholders and the United Nations system as a whole could play in filling the gaps in addressing the rights of minority communities. It has also pointed to appropriate entry points for programmatic interventions to help define strategies for better protection of human rights and minority rights in the region.

D. Forum on Minority Issues

27. The Forum on Minority Issues, established by the Human Rights Council in its resolution 6/15, and renewed in resolution 19/23 of 23 March 2012, provides an annual platform for dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities. The annual session of the Forum is prepared under the guidance of the Special Rapporteur on minority issues. The Forum’s seventh session was held on 25 and 26 November 2014; its topic was “Preventing and addressing violence and atrocity crimes targeted against minorities”, and it aimed to increase awareness of the obligations of States under international law to protect minorities against

violence by creating and/or strengthening institutional and policy frameworks for minority rights protection.

28. On 24 November 2014, the day preceding the Forum session, OHCHR held a “Dialogue on the role of the United Nations in preventing and addressing violence and atrocity crimes against minorities”. The dialogue provided an opportunity to share experiences and practices that are effective in strengthening prevention and protection capacities in various contexts, such as: (a) addressing discrimination and securing effective participation of minorities in times of peace; (b) preventing violence by facilitating national engagement, including with human rights mechanisms, when identity-related tensions exist; and (c) responding to violence in situations of widespread and systematic attacks against minorities during conflict and post-conflict situations. The first panel looked at the global perspective and the role of United Nations mechanisms, as regards preventing violence and atrocity crimes against minorities. The second panel considered the role of the United Nations and lessons learned, with regard to the prevention of violence and atrocity crimes against minorities at the country level. The discussions served to identify approaches that work best, by examining United Nations action ranging from human rights advocacy work at OHCHR headquarters and in the field, to humanitarian action involving peacebuilding and peacekeeping during conflict and post-conflict situations and involving a variety of United Nations actors.

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

29. In order to enhance the combined impact of the work of the United Nations system in this area, the Secretary-General established, on 6 March 2012, the United Nations network on racial discrimination and protection of minorities. The network is designed to enhance dialogue and cooperation between relevant United Nations departments, agencies, programmes and funds.

30. The network, in response to the recommendations of the guidance note, developed a four-year action plan. As part of the plan, the network is tasked, inter alia, with facilitating knowledge exchange opportunities, including through training on racial discrimination and protection of minorities for United Nations country teams, while underscoring the gender dimension of exclusion. One of the goals envisaged under the action plan is to ensure that existing and future subregional United Nations system initiatives on racial discrimination and protection of minorities draw on the guidance note and on existing good practices and lessons learned.

31. The training courses organized by OHCHR in 2014 helped to strengthen the capacity of United Nations presences to support national authorities to take urgent steps to guarantee respect for minority rights, and to put into place protective measures against the perpetration of violence against minorities and bring to justice the perpetrators of attacks against members of religious minorities.

32. The network is currently working on a guidance tool, for the United Nations system, on discrimination based on work and descent. The guidance tool responds to the specific action point in the action plan about developing “guidance for the United Nations system on key challenges, priorities and strategic approaches to combat discrimination based on work and descent”. In accordance with the action plan, the tool will draw on “existing United Nations tools and standards, including general recommendation No. 29 on ‘descent’ of the Committee on the Elimination of Racial Discrimination”.

33. Another example of the activities envisaged under the action plan relates to joint advocacy strategies to follow up on recommendations from human rights mechanisms.

OHCHR, together with the network, organized an expert consultation for the Middle East and North Africa region that focused on joint strategies to support follow-up on recommendations from various human rights mechanisms regarding minority rights issues. In order to facilitate awareness-raising about the content of the guidance note, the network is publishing it in several United Nations official languages.

34. One of the action points calls for intensifying system-wide interaction with mechanisms such as the Forum on Minority Issues. It is in this context that OHCHR made its first-ever intervention on behalf of the network, at the Forum's seventh session. The relevance, to the United Nations system, of this year's Forum theme is also reflected in the Secretary-General's guidance note, which highlights the importance of taking enhanced action to advance the rights of minorities by, *inter alia*, encouraging "constructive management of diversity to address identity-based tensions, including culturally attuned preventive measures focusing on the most important risk factors".

IV. Human rights treaty bodies

35. Human rights treaty bodies have addressed minority issues throughout the reporting period, as illustrated by the following examples.

A. Concluding observations

36. The Human Rights Committee, at its 110th session (10–28 March 2014) adopted concluding observations on Kyrgyzstan, the United States of America, and Latvia. The Committee noted Kyrgyzstan's efforts to integrate minorities into political and public life, but remained concerned about the low level of representation of minorities in political and public institutions both at the national and the local level (CCPR/C/KGZ/CO/2). With regard to the United States of America, the Committee remained concerned about the practice of racial profiling, and about surveillance by law enforcement officials targeting certain ethnic minorities, notably Muslims (CCPR/C/USA/CO/4). As regards the concluding observations on Latvia, the Committee addressed questions of the status of "non-citizen" residents and the situation of linguistic minorities in the country (CCPR/C/LVA/CO/3).

37. The Committee on Economic, Social and Cultural Rights, at its 52nd session (28 April–23 May 2014), adopted concluding observations on China, including Hong Kong, China, and Macao, China. The Committee expressed concern that, despite the measures adopted by Hong Kong, China to ensure equal access to 12-year free education, children of ethnic minorities continued to face discrimination. The Committee recommended that Hong Kong, China ensure, through legislative and other measures, that all children, including ethnic minority children, have free access to compulsory education on an equal basis with other children (E/C.12/CHN/CO/2).

38. The Committee on the Elimination of Racial Discrimination, at its 84th session (3–21 February 2014), reviewing the seventh, eighth and ninth periodic reports of Switzerland, remained concerned that Traveller communities and Yenish, Manush, Sinti and Roma continue to face obstacles in accessing education and in preserving their language and lifestyle. The Committee recommends that the State party strengthen its efforts to promote and protect the rights of national minorities, particularly with regard to access to education and preservation of their language and lifestyle (CERD/C/CHE/CO/7-9).

39. The Committee on the Rights of the Child, at its 65th session (13–31 January 2014), adopted concluding observations on Germany. It expressed concern about the rise of the poverty rate and the at-risk-of-poverty rate among children, with children from single-

parent families, large families, and families from ethnic minority backgrounds being particularly affected. The Committee regretted the fact that children from ethnic-minority backgrounds had a significantly weaker record of school achievement, leaving school without having graduated from it twice as often as pupils from non-ethnic-minority backgrounds (CRC/C/DEU/CO/3-4).

40. The Committee against Torture, at its 50th session (6–31 May 2013), in regard to the Netherlands, expressed concern at the alleged incidents of illegal use of force, insults and mistreatment at the Koraal Specht prison in Curaçao and in the cells at police stations on the islands of Aruba, Bonaire and Sint Maarten, as well as at ethnic profiling by the police and border guards that had been aimed in particular at foreigners and members of minorities. It requested the State party to establish systems to obtain disaggregated data about the composition of the detainee population to avoid disproportionate representation of minorities (CAT/C/NLD/CO/5-6). At its 51st session (28 October–22 November 2013), adopting concluding observations on Portugal, the Committee was concerned at reports of discrimination and abuses against Roma and other minorities by the police. The Committee added that the State party should take effective measures to ensure the protection of members of the Roma community (CAT/C/PRT/CO/5-6).

B. General comments and general recommendations

41. The Committee on the Elimination of Discrimination against Women adopted, in November 2013, its general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, some provisions of which requested that States address the needs of women belonging to minorities. It was noted in the general recommendation that during and after conflict, specific groups of women and girls were at particular risk of violence, especially sexual violence, for example women of diverse caste, ethnic, national or religious identities, or of other minorities, who were often attacked as symbolic representatives of their community. The general recommendation also considered the specific risks and particular needs of different groups of internally displaced and refugee women who were subjected to multiple and intersecting forms of discrimination, including women with disabilities, older women, girls, widows, women who headed households, pregnant women, women living with HIV/AIDS, rural women, indigenous women, women belonging to ethnic, national, sexual or religious minorities, and women human rights defenders, as well as stateless women and girls in times of conflict (CEDAW/C/GC/30).

42. A joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices was adopted in November 2014. The Committees recommended to States parties to both Conventions to take all appropriate measures to ensure that stigma and discrimination were not perpetuated against the victims of harmful practices and/or against the practising immigrant or minority communities.

43. The Committee on the Rights of Persons with Disabilities adopted its general comment No. 1 in April 2014, in which it was recalled that article 12 of the Convention on the Rights of Persons with Disabilities affirmed that all persons with disabilities had full legal capacity. It was noted in general comment No. 1 that legal capacity had been prejudicially denied to many groups throughout history, including women (particularly upon marriage) and ethnic minorities (CRPD/C/GC/1). In its general comment No. 2, also adopted in April 2014, the Committee added that States parties should take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential. The Convention on the Rights of Persons with Disabilities, in article 30, paragraph 4, provides that persons with disabilities are

entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, which includes sign languages and deaf culture (CRPD/C/GC/2).

V. Special procedures

A. Thematic reports

44. In her report to the Human Rights Council on her mission to Indonesia, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Raquel Rolnik, raised her concern with “reports received about forced relocation of religious minorities (particularly Shia and Ahmadiyya communities) that has been instigated by mobs, and based on religious incitement” (A/HRC/25/54/Add.1, para. 72). In a press release dated 2 June 2014, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, expressed his utmost concern at “the recent surge of violent attacks against Ahmadiyya Muslims by militant extremists. Such violence is fuelled by existing blasphemy legislation in Pakistan particularly targeting minorities.” Mr. Bielefeldt went on to urge Pakistan to “guarantee the right to freedom of religion or belief of members of minority religious communities”.²

45. In the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, which was presented to the Human Rights Council at its 26th session, held from 10 to 27 June 2014, the Special Rapporteur, Maina Kiai, documented the challenges faced by marginalized groups, including minorities, in exercising and in seeking to exercise their rights to freedom of peaceful assembly and of association. The Special Rapporteur emphasized that “the process of registering an association may prove to be cumbersome for marginalized groups and exclude groups such as minorities or persons with disabilities. For example, the language used to communicate could be inaccessible” (A/HRC/26/29, para. 54). He also urged States to “take measures to protect and promote the rights of minorities and their identity and take positive action to help minority cultures flourish” (ibid., para. 18).

B. Press statements

46. Along with other United Nations experts, the Special Rapporteur on minority issues reiterated her grave concern over the situation in Iraq in a press statement dated 12 August 2014: “All possible measures must be taken urgently to avoid a mass atrocity and potential genocide within days or hours — civilians need to be protected on the ground and escorted out of situations of extreme peril... The responsibility to protect populations at risk of atrocity crimes falls both on the Iraqi Government and on the international community.”³

47. On 14 August 2014, the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on minority issues expressed their grave concern at the situation of Pakistani asylum seekers in Sri Lanka who were being detained and forcefully deported to Pakistan without an adequate assessment of their asylum claims. “Most asylum seekers from Pakistan belong to religious minorities, including Ahmadiyya Muslim, Christian and Shia, groups that are often subjected to persecution, discrimination and violence in Pakistan,” said the Special Rapporteur on minority issues. “Such violence is fuelled by

² Available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14658&>.

³ Available from

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14936&LangID=E>.

existing blasphemy legislation particularly targeting minorities and a lack of protective measures for them in Pakistan,” added the Special Rapporteur on freedom of religion or belief.⁴

48. On 2 August 2014, on the occasion of the Roma Holocaust seventieth anniversary commemoration, the Special Rapporteur on minority issues, together with the Special Adviser on the Prevention of Genocide, Adama Dieng, called for stronger measures and initiatives to keep the memory of the Roma Holocaust alive and to enable survivors, Roma communities and others to mark it in a recognized and dignified manner.

49. On 25 July 2014, in a press statement and on the situation in Iraq, the Special Rapporteur on minority issues, and the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, stated that ethnic and religious minorities were bearing the brunt of the conflict and that if protection measures were not taken urgently, the impact of the conflict on minorities would be “devastating and irreversible”. Ms. Izsák added that she was gravely concerned about the physical safety of several minority groups in the country, including Christians, Shia, Shabaks, Turkmen and Yazidis, who were “subjected to abductions, killings or the confiscation of their property by extremist groups”, and some of whom were given “an ultimatum that by 19 July, they should convert, pay a tax, leave the city, or face execution”.⁵

50. On 23 July 2014, Ms. Izsák and Mr. Beyani explained that many of the individuals displaced in Nigeria belonged to ethnic and religious minorities who had been victims of violence.

51. On 2 July 2014, three United Nations special rapporteurs, on freedom of religion or belief, minority issues, and extrajudicial, summary or arbitrary executions, called on Sri Lanka to adopt urgent measures to stop the promotion of racial and faith-based hatred, and violence against Muslim and Christian communities by Buddhist groups with extremist views, and to bring the perpetrators of the violence to justice.⁶

52. In a news release on 2 June 2014, the Special Rapporteur on minority issues stressed that “Pakistan must urgently put in place protective measures to ensure the personal security of Ahmadiyya Muslims, as well as any other religious minorities living in the country, under threat of hostility and violence by militant extremists.”⁷

53. In a statement delivered on 15 April 2014, at the end of her country visit to the United Kingdom that took place between 31 March and 15 April 2014, the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, noted that “considering their higher rates of victimization, the specific experiences and needs of black and minority ethnic women and girls who have experienced violence need to be acknowledged.” She stated that “the disproportionate effect that the legal aid cuts are having on black and minority ethnic women was consistently shared with me during the mission”. She asserted that “participation in public life is further impacted for people from black and ethnic minority groups, who are much more likely to be in situations of poverty, with an income of less than 60 per cent of the median household income. Finally, the

⁴ Available from <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14942&LangID=E>.

⁵ Available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=14904>.

⁶ Available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14812&LangID=E>.

⁷ Available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14658&>.

Special Rapporteur emphasized that black and minority ethnic women were “overrepresented within British prisons and immigration detention centres”.

54. Between 7 and 14 April 2014, the Special Rapporteur on minority issues conducted a country visit to Ukraine. She released a statement on 16 April in which she reiterated that a key pillar of minority rights is “full and equal participation in public life, including political participation at national, regional and local levels”. She also stressed the importance of enabling students to learn both about their own origins, cultures and religions, and also about those of others, in a positive way that recognizes the contributions of all groups.

VI. Universal periodic review

55. The universal periodic review is a key awareness-raising and advocacy mechanism tool for the protection of human rights. It comprises three stages: (a) a review by United Nations Member States; (b) the implementation of the recommendations received during the review; and (c) an assessment of the implementation at the next review (four-and-a-half years later). Regarding minority rights and the first stage, at its twenty-fifth session (3-28 March 2014), twenty-sixth session (10-27 June 2014) and twenty-seventh session (8-26 September 2014) the Human Rights Council adopted the reports of the Working Group on the Universal Periodic Review on numerous countries.

56. In the adopted reports, minority rights issues were discussed, and several States made recommendations relating to: (a) legislative and practical measures to ensure the promotion and protection of minority rights; (b) measures aimed at protecting minorities against discrimination, particularly in employment, housing, health and education; (c) enhanced efforts to promote the participation of minorities in politics; (d) the implementation and enforcement of provisions on freedom of religion and belief; and (e) measures to tackle prejudices and eradicate racial discrimination.

57. Additional recommendations included: (a) promoting religious and ethnic tolerance, including through awareness-raising campaigns; (b) ensuring the enjoyment of social, cultural and economic rights, including by pursuing efforts to lower the infant and maternal mortality rates experienced by minority groups; (c) ensuring that a greater provision of resources is directed towards regions inhabited by ethnic minorities; and (d) measures to ensure the preservation of cultural identity, including cultural relics of significance to minority groups. Furthermore, several States adopted a significantly higher number of recommendations relating to minority rights than they had in their previous cycles. In doing so, States highlighted their increased recognition of the importance of developing an environment conducive to the flourishing of population diversity.

58. The second stage (the “implementation” or “follow-up” stage) is the most crucial, as it demonstrates States’ engagement and key actions that they have taken leading to the realization of recommendations on the ground. The third stage requires information on implementation. In this connection, each party concerned, ranging from States to civil society to national human rights institutions, plays a very important role. While it is not possible to report here the results of all of the recommendations accepted by States, earlier adopted recommendations have been translated into actions in several countries. Examples are: (a) the adoption of a national strategy for the integration of Roma communities, which comprises several measures in different areas to improve the situation of Roma, with different projected dates for complete implementation; (b) the establishment of an intersectoral task force to formulate policy guidelines for educationally marginalized children; (c) steps taken to ensure the inclusion of minority rights in constitution-writing processes, amendments to the constitution, and the national human rights plan; and (d) the

adoption of an Equal Opportunities Act, and the project for an Equal Opportunities Commission prohibiting discrimination in employment on the basis of colour, sex, ethnic origin or race.

VII. Conclusions

59. Discrimination against minorities, and their exclusion and marginalization, undermine human rights and threaten the peace and stability of communities, countries, and eventually regions. Currently, we are witnessing increased violence against ethnic and religious groups in a number of countries. In that context, women and girls are being particularly targeted. We have to redouble our efforts to strengthen protection and end persistent discrimination and impunity, particularly in those countries where violence against minorities is resurging.

60. While the primary legal obligation to protect minorities remains with States, advancing human rights requires efforts that are concerted. OHCHR has continued to advance minority rights via concrete action at its headquarters and in the field, in cooperation with States, minorities and other partners.

61. The work carried out by independent special procedures mandate holders, including the Special Rapporteur on minority issues, in combination with the universal periodic review and the work of the treaty bodies, has continued to play an important role in protecting minority rights, raising key thematic and country-specific concerns and making recommendations that contribute to the full implementation of the 1992 Declaration on Minorities.

62. Constant strengthening of cooperation between international, regional and national actors is also crucial. Guidance and resource tools that provide hands-on suggestions to the United Nations, to States and to other stakeholders for addressing gaps in protection can facilitate such efforts. The “Guidance note of the Secretary-General on racial discrimination and protection of minorities” is such a tool. It offers an important point of reference in strengthening advocacy to prevent and counter minority rights violations, and the United Nations network on racial discrimination and protection of minorities is supporting the implementation of the guidance note through a range of concrete initiatives in line with a new action plan.
