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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

**Racism, racial discrimination, xenophobia and related
forms of intolerance: follow-up to and implementation
of the Durban Declaration and Programme of Action**

Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 49/31, in which the Council called upon States to implement an action plan to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. The report contains information provided by States and other stakeholders on the efforts and measures taken for the implementation of the action plan, as well as views on potential follow-up measures for further improvement of its implementation. It also contains recommendations with regard to implementing the action plan, notably by respecting freedom of religion or belief offline and online, acting expeditiously on hate crimes and protecting religious or belief minorities. Each part of the action plan set out in Council resolution 49/31 should be implemented, consistently involving States, national human rights institutions, United Nations entities, independent experts and civil society, including faith-based actors.



I. Introduction

1. In 2011, the Human Rights Council in its resolution 16/18, and the General Assembly in its resolution 66/167, called upon States to take a number of actions to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. The suggested action plan comprised complementary measures to be taken at the national level in policy, law and practice.

2. The present report is submitted pursuant to Human Rights Council resolution 49/31, in which the Council requested the United Nations High Commissioner for Human Rights to prepare and to submit to it, at its fifty-second session, a comprehensive follow-up report with elaborated conclusions based upon information provided by States and other stakeholders on the efforts and measures taken for the implementation of the action plan, and views on potential follow-up measures for further improvement of the implementation of that plan.

3. The report, which covers the period from January to December 2022, is based on contributions received from 16 States in reply to a note verbale of 24 August 2022 sent by the Office of the United Nations High Commissioner for Human Rights (OHCHR), and on responses to a related call for inputs from national human rights institutions, civil society organizations and United Nations entities.¹ Section II of the report highlights efforts made and measures taken for the implementation of the action plan. Section III elaborates conclusions with regard to the action plan and observations on potential follow-up measures to accelerate its implementation.

II. Efforts and measures taken for the implementation of the action plan

4. The present section of the report highlights information that OHCHR received from Argentina, Cuba, Egypt, Hungary, Jordan, Latvia, Lebanon, Mauritius, Mexico, North Macedonia, Peru, Qatar, Romania, the Russian Federation, Uruguay and Uzbekistan in relation to combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons, on the basis of religion or belief. It also summarizes information received from two national human rights institutions, seven civil society organizations and 10 United Nations entities, including field presences. The efforts and measures taken for implementing the action plan are presented under headings that correspond to the points outlined in paragraphs 7, 8, 10 and 14 of Human Rights Council resolution 49/31.

A. Encouraging collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes²

5. Peru reported that although the coronavirus disease (COVID-19) pandemic had initially led to the suspension of face-to-face religious activities since March 2020, religious and outdoor activities had been able to resume towards the end of 2020. Peru acknowledged the contribution of various religious entities during the established quarantines to alleviate the effects of the pandemic, and their collaboration with the State to provide care to people identified as vulnerable, with donations of food, oxygen and health-related items. Furthermore, according to the submission, it was important and timely that these initiatives offered psychological support to people who were alone during the implementation of social

¹ The original texts of the submissions from States and national human rights institutions, including those sent after the deadline, are available for consultation at <https://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx> (filtered by document category at the “national level” and also under “State contributions”).

² See Human Rights Council resolution 49/31, para. 7 (a), which provides, as examples, servicing projects in the fields of education, health, conflict prevention, employment, integration and media education.

distancing measures, and that communities provided some religious buildings to the State for temporary use as shelters or hospitals.

6. Romania reported that throughout the COVID-19 pandemic, the Government had continued to implement public policies related to the new challenges to religious life that had been brought about by the exceptional medical situation. In order to ease and intensify dialogue between officials of the State and of the religious denominations, the State Secretariat for Religious Affairs initiated a digital dialogue platform for direct and efficient cooperation between them. This online platform was used by both the authorities and the religious denominations not only for consultations to manage the pandemic but also for interfaith and interreligious cooperation. In July 2022, representatives of the State Secretariat for Religious Affairs took part in the International Ministerial Conference on Freedom of Religion or Belief, hosted in London, which, inter alia, aimed to create a network among the participating States in order to tackle problems regarding the exercise of freedom of religion or belief. Furthermore, Romania joined the International Religious Freedom or Belief Alliance on 8 September 2022, which is aimed at protecting and advancing freedom of religion or belief around the world.

7. The non-governmental organization ARTICLE 19 noted that it had developed, together with Universal Rights Group, a web page serving as an information resource and repository on Human Rights Council resolution 16/18 and on the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief.³ The web page provides details on each of the action points and additional commitments contained in Human Rights Council resolution 16/18 and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,⁴ as well as documents related to previous meetings of the Istanbul Process. ARTICLE 19 also referred to its collaboration with the Benjamin N. Cardozo School of Law's Human Rights and Atrocity Prevention Clinic on an "implementation assessment framework", which provides a set of indicators and a scoring rubric for the action items and additional commitments to facilitate self-assessment by States and to encourage other stakeholders to reflect on and analyse how best to implement Council resolution 16/18.

B. Mechanisms within Governments to identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation⁵

8. Argentina reported on the creation of the Round Table for the Prevention of Discrimination on Religious Grounds, which convenes members of the different religions and beliefs in order to encourage interreligious and intercultural dialogue for promoting human rights both within and outside the communities. The Round Table is aimed at breaking down prejudices and stereotypes linked to different religions, beliefs, world views and spiritualities by promoting active participation by faith communities in the deepening of inclusion policies. The round tables are convened in places of worship and cultural spaces of each of the participating communities as well as at the headquarters of the National Institute Against Discrimination, Xenophobia and Racism.

9. Cuba reported that in March 2022, as part of the strengthening of attention to religious denominations, the country's Council of Ministers had created the Department of Attention to Religious Institutions and Fraternal Associations. Cuba stated that this new structure would improve the management methods and policy regarding religious and fraternal affairs, thus demonstrating the priority given by the Government to these issues.

10. The non-governmental Institute on Race, Equality and Human Rights noted that Afro-Cuban religions were part of the Cuban national identity, however the exact number of practitioners of Afro-Cuban religions on the island was unknown.

³ See <https://www.istanbulprocess1618.info/>.

⁴ A/HRC/22/17/Add.4, appendix.

⁵ Human Rights Council resolution 49/31, para. 7 (b).

C. Training government officials in effective outreach strategies⁶

11. Latvia reported on projects to increase confidence in the police and address the insufficient reporting of hate crime. In 2021, the State Police had launched the “Capacity-building and awareness-raising to prevent and combat intolerance in Latvia” project, which was focused on preventing and combating racism, xenophobia and other forms of discrimination. Furthermore, a training programme had been developed to increase the capacity of the police, prosecutorial staff and judges to effectively identify and prosecute hate crimes, including hate speech. The aim of the training was to contribute to a more effective application of the legal framework in the fight against racism, xenophobia and other forms of intolerance, as well as to improve cooperation and the exchange of information between key actors involved in the process.

12. Lebanon stressed the positive role of education and training in the field of human rights, in addition to strengthening and developing the relationship with international and local organizations in this regard. It reported on training of members of the security forces concerning respect for different cultures and religions. Furthermore, Lebanon highlighted providing citizens with access to information.

13. The World Jewish Congress noted that in February 2022 it had organized – together with the Holocaust and the United Nations Outreach Programme of the Department of Global Communications and with the United Nations Educational, Scientific and Cultural Organization (UNESCO) – a virtual briefing for diplomats accredited to the United Nations and UNESCO in New York, Geneva and Paris on the occasion of International Holocaust Remembrance Day. This event followed the adoption of General Assembly resolution 76/250 on Holocaust denial and raised awareness about the dangers of historical distortion and about the importance of and ways of combating such phenomena, especially the spread in the online sphere. The scale of the event allowed for interactions across continents and brought together the international diplomatic community.

D. Efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter those causes⁷

14. The national human rights institution of Burundi (Commission nationale indépendante des droits de l’Homme) noted that the Ministry of the Interior had organized several meetings with representatives of all religious denominations operating in Burundi. According to the information submitted, during those meetings it had become clear that there were several conflicts between the different religious denominations and that the pertinent legislation in force was not being respected. The national human rights institution of Burundi recommended religious leaders to adopt responsible behaviour that characterized moral authority in their community, to build good interfaith relations, and to prioritize messages of peace and tolerance in their preaching throughout the country.

15. OHCHR conducted peer-to-peer learning events with religious leaders and faith-based actors in 2022, using the interactive methodology and case studies contained in the #Faith4Rights toolkit.⁸ In this context, OHCHR has been developing an informal network of Faith for Rights facilitators and a peer-to-peer learning programme for professional faith leaders, specifically those who are either in training, have recently qualified or are young faith leaders. Together with the Freedom of Religion or Belief Leadership Network, the International Panel of Parliamentarians for Freedom of Religion or Belief, Religions for Peace, African Parliamentarians for Human Rights and the Danish Institute for Human Rights, OHCHR also co-organized a monthly dialogue series entitled “Leave no one behind”. Furthermore, in December 2022 the Global Campus of the United States Institute of Peace launched an online course entitled “Religions, beliefs, and human rights: a ‘faith for rights’ approach”, addressing the role of religious and faith-based actors in promoting human rights and how the intersection of religion and human rights can facilitate sustainable peace. This

⁶ Human Rights Council resolution 49/31, para. 7 (c).

⁷ Ibid., para. 7 (d).

⁸ Available at <https://www.ohchr.org/Documents/Press/faith4rights-toolkit.pdf>.

self-paced online course is moderated by the Special Rapporteur on freedom of religion or belief and includes modules contributed by the Special Rapporteur on minority issues, United Nations treaty body members and faith-based actors.

16. In his 2022 report on the rights of persons belonging to religious or belief minorities in situations of conflict or insecurity, the former Special Rapporteur on freedom of religion or belief stressed that faith-based actors should promote interfaith engagement, including through the #Faith4Rights framework, should oppose essentializing narratives about religious or belief communities and should refrain from and publicly denounce hatred and incitement to discrimination, hostility or violence against persons based on religion or belief. He urged faith-based leaders and influencers to use their authority to promote inclusive, peaceful and just conflict resolutions, and to prevent tensions from arising, particularly where they were conducted in the name of religion or belief.⁹

17. The Office on Genocide Prevention and the Responsibility to Protect noted that it was continuing to work with religious leaders to support implementation of the Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes (also known as the Fez Plan of Action).¹⁰ In July 2022, it had held, jointly with Morocco, a high-level event in Fez to celebrate the fifth anniversary of the Fez Plan of Action and take stock of its implementation. In 2022, it had supported a regional initiative in the Great Lakes region of Africa, bringing together national committees on the prevention of genocide, other civil society organizations, academics and representatives of the International Conference on the Great Lakes Region to develop an action plan for tackling hate speech in the region. It had also supported an initiative for Eastern Europe, including by organizing a meeting held in Vienna in March 2022, to develop an action plan specifically for civil society on addressing hate speech, in particular against ethnic and religious minorities. Furthermore, it had supported the National Cohesion and Integration Commission in Kenya to develop a national action plan for countering hate speech in the lead-up to the August 2022 elections.

E. Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence¹¹

18. Mexico reported that its “Promotion of religious tolerance” project, initiated in October 2021, had the purpose of developing collaboration between federal government entities and local governments to promote tolerance of religious diversity and beliefs from a human rights and co-responsibility approach. This project was being carried out in the state of Chiapas, which has the greatest religious diversity in Mexico, and will subsequently be expanded to those states that present cases of religious intolerance.

19. With regard to Iraq, the Department of Political and Peacebuilding Affairs noted that on 27 March 2022, the Committee for Dialogue and Societal Peace in the Prime Minister’s Office and the General Directorate of Yazidi Survivors’ Affairs under the federal Ministry of Labour and Social Affairs had held a conference to mark the one-year anniversary of the passage of the Yazidi Female Survivors Law. During the event, which was attended by a number of officials as well as minority and civil society representatives, the Prime Minister, Mustafa al-Kadhimi, recalled the crimes committed against the Yazidis, expressing his Government’s continued commitment to combating terrorism to prevent “the recurrence of what happened”. Meanwhile, the Minister of Justice, Salar Abdul Sattar, assured the full implementation of the Survivors Law, saying that it was designed to help rehabilitate the lives of victims who had endured terrorism-related offences committed by Da’esh, among other things.

20. OHCHR developed human rights-based policies and frameworks for the use and governance of digital technology by States and technology companies, including advocating respect for minority rights in the digital space, with the aim of developing effective rights-

⁹ A/HRC/49/44, para. 80.

¹⁰ See https://www.un.org/en/genocideprevention/documents/publications-and-resources/Plan_of_Action_Religious-rev5.pdf.

¹¹ Human Rights Council resolution 49/31, para. 7 (e).

based responses to threats to civic space. These were developed through direct engagement with a range of companies and in collaboration with OHCHR field presences and civil society partners. OHCHR worked with various social media platforms to step up their efforts to meet their human rights responsibilities under the Guiding Principles on Business and Human Rights. In 2022, OHCHR collaborated with Meta, Google/YouTube and Twitter with a view to better protecting human rights defenders and responding to content that might constitute incitement to hostility, discrimination or violence. On 5 November 2022, the United Nations High Commissioner for Human Rights sent an open letter to the Chief Executive Officer of Twitter, Elon Musk, in which he emphasized that freedom of expression stopped at hatred that incited discrimination, hostility or violence. Furthermore, the High Commissioner stressed that Twitter's content moderation policies should continue to bar such hatred on the platform, and that every effort needed to be made to remove such content promptly.¹²

21. The Office on Genocide Prevention and the Responsibility to Protect noted that it continued to support the implementation of the United Nations Strategy and Plan of Action on Hate Speech.¹³ In the context of the celebration for the first International Day for Countering Hate Speech, in June 2022,¹⁴ it had held several outreach events, which had included online webinars, and a high-level side event organized together with Morocco on the role of education in addressing the root causes of hate speech and advancing inclusion, non-discrimination and peace. It had also supported the President of the General Assembly in organizing a high-level commemorative meeting for the international day. Also in June 2022, it had published a policy paper entitled "Combating Holocaust and genocide denial: protecting survivors, preserving memory, and promoting prevention".¹⁵ The Special Adviser to the Secretary-General on the Prevention of Genocide had briefed the Security Council on incitement to violence in Ukraine. Furthermore, the Office on Genocide Prevention and the Responsibility to Protect continued engaging with social media companies on their role and responsibility to address hate speech on their platforms and in November 2022 had organized the third online round table with these companies, bringing together representatives from Meta, Google, Twitter and TikTok, as well as representatives of the United Nations entities represented in the Working Group on Hate Speech, relevant special procedure mandate holders, and civil society actors.

22. The World Jewish Congress noted that it had partnered with UNESCO and the United Nations to produce the report entitled "History under attack: Holocaust denial and distortion on social media".¹⁶ The study specifically investigates platforms, including Facebook, Instagram, Telegram, TikTok and Twitter, and provides recommendations about academic resources, educational tools, and standards for improved content moderation for Governments, online platforms, educators and researchers to counter denial and distortion, prevent antisemitism and uphold human rights. For that report, nearly 4,000 pieces of content related to the Holocaust, including posts and memes glorifying the atrocities of the Nazis and their destruction of the Jewish communities of Europe during the Second World War, were collected from the five platforms. The content was then manually analysed by experts from the Oxford Internet Institute at the University of Oxford, United Kingdom of Great Britain and Northern Ireland, in English, French, German and Spanish. According to the submission, the report provides insights into the effectiveness of media regulations, and serves as a wake-up call not only to social media platforms, but also to Governments as essential stakeholders in establishing relevant regulatory policies. To promote the report, the World Jewish Congress hosted a side event to the Human Rights Council session in September 2022, which included as panellists the Permanent Representative of Germany and the Permanent Observer of the European Union to the United Nations Office at Geneva as well as representatives of OHCHR, social media platforms and civil society.

¹² See https://www.ohchr.org/sites/default/files/documents/press/2022-11-05/22-11-05_Letter_HC_to_Mr_Elon_Musk.pdf.

¹³ See <https://www.un.org/en/genocideprevention/hate-speech-strategy.shtml>.

¹⁴ General Assembly resolution 75/309.

¹⁵ Available at https://www.un.org/en/genocideprevention/documents/publications-and-resources/22-00041_OSAPG_PolicyPaper_Final.pdf.

¹⁶ See <https://unesdoc.unesco.org/ark:/48223/pf0000382159>.

F. Measures to criminalize incitement to imminent violence based on religion or belief¹⁷

23. Latvia reported that on 24 March 2022, the country's Parliament had adopted amendments to the Law on Religious Organizations. According to the submission, under that law, religious organizations were prohibited, inter alia, from expressing or disseminating proposals on violent amendment of the State structure of Latvia, from propagating violence or terrorism, or outright Nazi, fascist or communist ideology, from spreading propaganda for war, and from carrying out acts directed towards triggering national, ethnic, racial or religious hatred or enmity.

24. The non-governmental organization Atheist Ireland noted that atheists and religious minorities both faced persecution in authoritarian States around the world, also referring to the danger that supposed "hate crime" laws might evolve into anti-blasphemy or anti-apostasy laws by another name. Atheist Ireland stressed the importance of laws not criminalizing expressions of criticism of religions or beliefs, in order to enable people to make more informed choices.

G. Combating denigration and negative religious stereotyping of persons and incitement to religious hatred, through education and awareness-building¹⁸

25. Uruguay reported on the work of the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination, including its educational activities and presentations providing society with information and teaching material on religious diversity. The Commission also issued press releases on situations of discrimination and organized round tables with the Human Rights Commission of the House of Representatives and with representatives of civil society organizations. The Commission held virtual seminars, including on the topic "Social networks, hate speech and freedom of expression: old problems, new scenarios", and organized the Nelson Mandela Awards, which sought to recognize trajectories that promoted a more inclusive, integrated and non-discriminatory society.

26. The former Special Rapporteur on freedom of religion or belief published, in May 2022, a follow-up action plan¹⁹ to enable key stakeholders to make further progress in implementing the recommendations set out in his 2019 report on combating antisemitism.²⁰ His follow-up action plan contained eight clusters of recommendations for Governments, politicians and faith leaders, educational institutions, international organizations, social media and other Internet technology companies. In formulating those recommendations, the Special Rapporteur engaged with a number of national, regional and international actors, including government actors, international human rights experts and civil society actors, committed to combating hate speech generally and antisemitism specifically. The Special Rapporteur's follow-up action plan had been preceded by an expert consultation to examine trends in combating antisemitism, including the positive developments and the enduring challenges faced by Jewish communities.²¹

27. The non-governmental organization NGO Monitor, a project of the Institute for NGO Research, recommended that Governments and international institutions introduce clear and specific implementation mechanisms in order to maximize their commitments, as well as to ensure that no resources and support were given to non-governmental organizations that engaged in antisemitism. It also recommended developing vetting systems to consider all aspects of the potential grantees' activity, as well as of any project partners.

¹⁷ Human Rights Council resolution 49/31, para. 7 (f).

¹⁸ Ibid., para. 7 (g).

¹⁹ See <https://www.ohchr.org/sites/default/files/2022-05/ActionPlanChanges-May2022.pdf>.

²⁰ A/74/358.

²¹ See www.jbi-humanrights.org/JBI%20SR%20FORB%20Antisemitism%20Consultation.pdf.

H. Debate of ideas and interfaith and intercultural dialogue at the local, national and international levels to combat religious hatred, incitement and violence²²

28. Jordan reported on several initiatives related to interfaith and intercultural dialogue. The “Amman Message” included a call for tolerance and unity in the Islamic world, and workshops had been held aimed at promoting those values. Furthermore, the “A Common Word” initiative called for peace and coexistence between Muslims and Christians. Jordan noted that periodic meetings were organized to galvanize Muslim-Christian dialogue. In addition, World Interfaith Harmony Week had been held in Jordan during the first week of February to spread the message of respect for beliefs and rejection of intolerance.

29. Qatar reported on a cultural symposium held on 30 March 2022 to discuss the role of interfaith dialogue in building trust among multicultural societies, with the participation of a group of intellectuals and representatives of many embassies in Doha. Furthermore, on 10 April 2022, an awareness-raising campaign about respecting religions and cultures had been held in cooperation with the Community Police Department. On 24 and 25 May 2022, the fourteenth Doha Conference for Interfaith Dialogue had been held, with the theme “Religions and hate speech between practice and texts”, with the participation of 263 people from 78 countries, in addition to the participants from Qatar.

30. The Department of Political and Peacebuilding Affairs reported that the Special Representative of the Secretary-General for West Africa and the Sahel had taken part in the Second African Conference for Promoting Peace, organized by the Abu Dhabi Peace Forum and held from 8 to 10 February 2022 in Nouakchott. The Special Representative called for appropriate consideration of the contribution of religious and traditional actors to promoting dialogue and building peace in the region.

31. In regard to the Democratic Republic of the Congo, the Department of Political and Peacebuilding Affairs referred to the statement by the country’s President, Félix Tshisekedi, at the Council of Ministers meeting of 15 April 2022, during which he had called upon political and religious leaders to refrain from hate speech and to contribute to positive intercommunal relations. He also instructed relevant government ministries to introduce new legal measures to counter hate speech and to strengthen social cohesion and national unity through intercommunity dialogue initiatives. Furthermore, from 21 to 24 June 2022, in Kinshasa, the Economic Community of Central African States and the United Nations Regional Office for Central Africa, supported by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), held a regional forum on countering hate speech and incitement to hostility. The forum brought together more than 70 participants, including social media bloggers, journalists, and representatives of the written press and of national communication regulatory bodies of countries in the Central African subregion. The workshop contributed to the development of a regional strategy to counter hate speech and incitement to hostility.

32. OHCHR noted that in a hearing in January 2022 at the Italian Senate’s Extraordinary Commission against Intolerance, Racism, Antisemitism and Incitement to Hatred and Violence, the then United Nations High Commissioner for Human Rights had stressed that narratives of hatred on social media platforms had contributed to extreme violence against minority groups in many countries.²³ She had referred to detailed practical guidance on prohibiting incitement to hatred and violence in line with the Rabat Plan of Action, notably its threshold test which was available online in 32 languages and had been used by courts, other national authorities and United Nations peacekeeping operations.²⁴ Furthermore, OHCHR had held #Faith4Rights workshops linked to hate speech scenarios that were discussed in the context of the Nelson Mandela World Human Rights Moot Court Competition 2022 (organized by the Centre for Human Rights at the University of Pretoria) and the Price Media Law Moot Court Competition 2022 (organized by the Bonavero Institute

²² Human Rights Council resolution 49/31, para. 7 (h).

²³ See <https://www.ohchr.org/en/statements-and-speeches/2022/01/hearing-italian-senates-extraordinary-commission-against>.

²⁴ See <https://www.ohchr.org/en/freedom-of-expression>.

of Human Rights at the University of Oxford). In addition, OHCHR had held two expert workshops, at the Campus adventiste du Salève and at the Geneva Academy of International Humanitarian Law and Human Rights, in October 2022, which were focused on the implementation of the Rabat Plan of Action and of the Beirut Declaration and its 18 “Faith for Rights” commitments.²⁵

33. In late August and early September 2022, the OHCHR Regional Office for the Middle East and North Africa held a multi-actor, multi-activity advocacy week to raise awareness and stimulate dialogue on addressing hate speech in the Middle East and North Africa Region. This included a regional conference on the role of religious leaders and actors in addressing and countering hate speech. The event was organized jointly with the Office on Genocide Prevention and the Responsibility to Protect as part of a sustained partnership on addressing the issue of hate speech. The conference sought to promote a culture of peaceful and robust social dialogue concerning the role of religious leaders and actors in combating hate speech, by bringing together representatives of different religious institutions and faith-based organizations from across the Arab region and engaging them in an exchange of knowledge and experiences. The Regional Office also held a two-day youth forum entitled “The role of youth in countering hate speech and promoting peaceful and inclusive societies”. The forum examined the rise in hate speech in the Middle East and North Africa Region, including the root causes of intolerance among youth, as well as their key role in promoting peaceful, diverse and inclusive societies. The two events concluded that there was a need to increase dialogue among young people from across the region on the harmful impacts of hate speech, and stressed the importance of creating safer online and offline spaces to address hate speech.

34. The High Representative for the United Nations Alliance of Civilizations noted that, in collaboration with the Office of Counter-Terrorism and the United Nations Counter-Terrorism Centre, his Office had completed the implementation of the seed-funded project for peer-to-peer capacity-building training between young religious leaders and young media makers. The project was aimed at preventing violent extremism through strategic communications and by countering hate speech, demystifying digital violence and promoting social cohesion, tolerance and mutual respect.²⁶

I. Ensuring that public functionaries do not discriminate against individuals on the basis of religion or belief²⁷

35. Hungary indicated that data on hate crimes reported to the authorities, including with regard to religion as a protected ground, were collected in the Unified System of Criminal Statistics of the Investigative Authorities and the Public Prosecution. Hungary stated that in the context of criminal proceedings, a question concerning sensitive personal data may be asked of the persons concerned by the proceedings and the answer may be recorded if it was necessary to establish a fact relevant to the assessment of the specific case and if it was indispensable and appropriate for establishing the fact. Police officers, in the course of their actions, must record the alleged or actual characteristic attacked, taking into account the dignity, needs and sensitivity of the victim, solely for the purpose of discovering and proving the case and only to the extent necessary.

36. North Macedonia reported that the Law on Prevention and Protection from Discrimination, which prohibited discrimination on several grounds, including on the basis of religion or belief, had been adopted in 2020. Pursuant to that law, the Commission for the Prevention of and Protection against Discrimination had been set up as a professional, independent body for equality and non-discrimination in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and international standards, aimed at protecting the rights of all citizens.

²⁵ A/HRC/40/58, annexes I and II.

²⁶ See <https://edin.uncct.unaoc.org/>.

²⁷ Human Rights Council resolution 49/31, para. 8 (a).

37. The Russian Federation reported that police officers must show respect for the national customs and traditions of citizens, take into account the cultural and other characteristics of various ethnic and social groups and religious organizations, and promote inter-ethnic and interfaith harmony. If citizens were subjected to certain measures of State coercion, the police must provide them with appropriate conditions of detention, which included allowing the practice of one's religion. Manifestations of intolerance, discrimination and violence against detainees on the basis of their religion or belief were not permitted.

38. The non-governmental organization Office of Public Information of Jehovah's Witnesses noted that the European Court of Human Rights had found on 7 June 2022, in the case of *Taganrog LRO and others v. Russia*, that "the forced dissolution of all religious organizations of Jehovah's Witnesses in Russia was not merely the result of a neutral application of legal provisions but disclosed indications of a policy of intolerance by the Russian authorities towards the religious practices of Jehovah's Witnesses designed to cause Jehovah's Witnesses to abandon their faith and to prevent others from joining it".²⁸ In addition, the Human Rights Committee adopted its concluding observations on the eighth periodic report of the Russian Federation on 1 November 2022, expressing concern about infringements of the freedom of religion, targeting, inter alia, Jehovah's Witnesses.²⁹

39. In his remarks on the partnership between India and the United Nations, in the context of the visit of the Secretary-General to India in October 2022, the Secretary-General noted that "as an elected member of the Human Rights Council, India has a responsibility to shape global human rights, and to protect and promote the rights of all individuals, including members of minority communities" and he raised the need to condemn hate speech unequivocally.³⁰ On 21 October, the Supreme Court of India expressed concern over hate speech, and directed the police to take *suo motu* action against perpetrators, or face contempt.

J. Promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society³¹

40. Mauritius reported that the Government provided subsidies to religious bodies and infrastructure facilities for all religious festivals celebrated in the country. It also referred to several trust funds, cultural centres and heritage funds for preservation of the country's rich and diverse cultural heritage and for the promotion of languages. Since all cultures and religions lived together, the Government adapted the calendar of public holidays each year in order to share equitably the holidays proclaimed on the basis of the religion and culture of the citizens.

41. The United Nations Assistance Mission for Iraq (UNAMI) Human Rights Office noted that in October and November 2022, as part of the OHCHR Peace Narratives project, it had conducted five training sessions for 80 Kurds, Christians, Turkmen and Yazidis on a wide range of storytelling methodologies. These had included short digital film-making, cartoon development and photography – aimed to support the promotion and protection of minority rights and peaceful coexistence in their respective communities and to serve as good practices of voluntary activities and youth activism across Iraq. Similarly, from October to December, the UNAMI Human Rights Office had held five workshops, in Dohuk, Erbil, Mosul, Basra and Baghdad, on promoting the human rights of minorities, peaceful coexistence and the safe return of internally displaced persons. Over 160 participants, comprising Fayli Kurds, Arabs, Armenians, Chaldean Assyrians, Iraqis of African descent, Turkmen, Yazidis and Sabeen Mandaean had attended. In a follow-up meeting in Basra, although participants did not raise any complaints about perceived intolerance based on religion or belief, they recommended a change in the tone of religious discourse towards other religions, as well as a change in the educational approach to the religious curricula. The

²⁸ See <https://hudoc.echr.coe.int/eng?i=001-217535>, para. 254.

²⁹ CCPR/C/RUS/CO/8, para. 30.

³⁰ See <https://www.un.org/sg/en/content/sg/speeches/2022-10-19/secretary-generals-remarks-the-partnership-between-india-and-the-united-nations-india%E2%80%99s-75th-anniversary>.

³¹ Human Rights Council resolution 49/31, para. 8 (b).

UNAMI Human Rights Office also referred to its efforts at the community level to work with civil society organizations in coordination with the local authorities to carry out different activities, including those geared to amending Law No. 5 of 2015 and reviewing of the religious curricula, at both the federal and the regional levels.

42. The World Jewish Congress noted that it had hosted a visit of permanent representatives and diplomats at the Great Synagogue of Geneva in September 2022, in celebration of the European Day of Jewish Culture. Opening the doors of the Great Synagogue to the diplomatic community had served as an opportunity to explore and discover the traditions and rituals of an ancient community, allowing people belonging to different ethnic and religious groups to come together, interact and learn, thereby contributing to a deeper understanding of the weaving of the fabric of the society.

K. Representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society³²

43. Egypt reported on several steps taken to increase parliamentary representation of Christians and to disseminate the principles of tolerance and understanding among religions. The President had issued a decision to appoint seven Christians as members of the House of Representatives in 2021, bringing the number of Christian representatives to 38. In addition, seven Christians had been appointed to the Senate in 2020, which thus included 24 Christian deputies. The Ministry of Endowments had issued publications translated into several languages to publicize citizenship, human rights and peaceful coexistence, as well as the protection of churches in Islam, while three Egyptian churches had launched activities aimed at promoting the principles of citizenship and belonging. Furthermore, Al-Azhar had created a new curriculum for all stages of the religious education system in Egypt, on the importance of religious and cultural diversity.

44. OHCHR had undertaken broad public consultations with States, national human rights institutions, civil society and affected groups and in December 2022 published a practical guide to developing comprehensive anti-discrimination legislation. Such laws may provide those exposed to discrimination with the tools to challenge the treatment that they have experienced and to secure remedy for the harms that they have suffered. Duty bearers are held to account and respond by putting in place procedures to prevent discriminatory acts, policies and practices. Over time, these changes have the potential to increase the representation and visibility of marginalized groups and so contribute to changed behaviour and ultimately to shifts in social norms.³³

L. Efforts to counter religious profiling³⁴

45. Uzbekistan reported that investigative actions by law enforcement agencies were carried out only on the basis of the country's criminal procedure legislation, which did not allow the use of religious affiliation as a criterion in conducting interrogations, searches and other investigative actions in the context of law enforcement activities. In addition, the requirements of the Human Rights Council resolution on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief had been explained to prosecutors, including the need to take active measures to counter religious profiling.

46. The National Ombudsperson of Spain (Defensor del Pueblo de España) referred to action before the General Directorate of the Police regarding the eradication of police checks

³² Ibid., para. 8 (c).

³³ OHCHR and Equal Rights Trust, *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation* (2022), p. vii. Available at www.ohchr.org/en/minorities/minority-rights-equality-and-anti-discrimination-law. The guide includes a dedicated chapter (pp. 139–153) concerning religious or belief minorities and discrimination.

³⁴ See Human Rights Council resolution 49/31, para. 8 (d), which defines religious profiling as the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures.

based on ethnic and racial profiling, a problem which, according to the submission, also affected religious communities. The National Ombudsperson recommended developing a computerized system for collecting and monitoring disaggregated data relating to stops and police checks on the street and in public places. Furthermore, he suggested adopting internal control mechanisms, including audits where necessary, to enable the identification of good practices and also of possible discriminatory tendencies in the performance of police stops and checks. Moreover, the National Ombudsperson recommended adopting instructions or other measures to ensure the eradication of racial profiling. The report of the Working Group of Experts on People of African Descent on its mission to Spain had also urged the Government to comply with the recommendations made by the Office of the National Ombudsperson, including those to end racial profiling and move towards a more nuanced official discourse on racial profiling.³⁵

47. The Committee on the Elimination of Racial Discrimination considered the combined tenth to twelfth periodic reports of the United States of America in August 2022.³⁶ In its concluding observations, the Committee reiterated its recommendation that the State party intensify efforts to effectively combat and end the practice of racial profiling by law enforcement officials at all levels of government, including by promptly revising policies insofar as they permitted or enabled racial profiling, illegal surveillance, monitoring and intelligence-gathering, including the 2014 “Guidance for federal law enforcement agencies regarding the use of race, ethnicity, gender, national origin, religion, sexual orientation or gender identity”.³⁷ Furthermore, in the report on his visit to the United States, the Special Rapporteur on minority issues noted in August 2022 that the Department of Justice’s guidelines on profiling did not apply to national security investigations or at the border, which meant that religious and ethnic profiling was still allowed to take place in those areas, often targeted at Hispanic and Latin and Muslim communities.³⁸

M. Measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines³⁹

48. The United Nations Plan of Action to Safeguard Religious Sites addressed recommendations to the United Nations, States, religious leaders, civil society and online providers, with a view to preventing attacks against places of worship and enhancing preparedness and response.⁴⁰ It also referred to Human Rights Council resolution 16/18 and related General Assembly resolutions, and highlighted the fact that the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief provided a key policy framework for cooperation in countering religious intolerance, discrimination and violence based on religion or belief.⁴¹ The Plan of Action to Safeguard Religious Sites was also expressly referenced in the Secretary-General’s Call to Action for Human Rights.⁴²

49. The High Representative for the United Nations Alliance of Civilizations continued to lead the implementation of the United Nations Plan of Action to Safeguard Religious Sites, anchored in article 18 of the Universal Declaration of Human Rights. Through a consistent social media campaign and advocacy policy, he continued to mobilize faith communities, including youth leaders, to promote the universality and symbolism of religious sites and places of worship and the imperative to protect them regardless of religion or belief or non-belief. The High Representative also delivered public statements calling for mutual respect

³⁵ A/HRC/39/69/Add.2, paras. 61–62.

³⁶ See CERD/C/SR.2899 and CERD/C/SR.2900.

³⁷ CERD/C/USA/CO/10-12, para. 19.

³⁸ A/HRC/49/46/Add.1, para. 56.

³⁹ Human Rights Council resolution 49/31, para. 10.

⁴⁰ See <https://www.unaoc.org/wp-content/uploads/Plan-of-Action-to-Safeguard-Religious-Sites-191219.pdf>, annex 1.

⁴¹ Ibid., p. 9.

⁴² See https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf, p. 8.

and warning against the disturbing rise in discrimination and related intolerance, stigma and acts of violence targeting communities and their places of worship based on their religion or belief.

50. The United Nations Alliance of Civilizations and the United Nations Operational Satellite Applications Programme have started to implement a phased approach to the mapping of religious sites around the world, with a focus on five pilot countries. The mapping is being done in accordance with the principles of geographical balance, respect for freedom of religion or belief, and representation of different religious confessions in the respective pilot countries. It provides enhanced accessibility to information on religious sites in the pilot countries and contributes to raising awareness about the importance of safeguarding religious sites.

51. In regard to the “Strengthening the security and resilience of at-risk religious sites and communities” project, funded and supported by the European Commission and implemented in 2021–2023 by Enhancing Faith Institutions, Finn Church Aid and the Architects’ Council of Europe in seven pilot countries in the European Union, the United Nations Alliance of Civilizations chairs the external Advisory Board which provides advice for the implementation of the project. The key target beneficiaries include religious leaders, and security and facilities officers of places of worship, as well as active women and young people from congregations and faith groups. The United Nations Alliance of Civilizations participated in the launching events that took place in Belgium and Germany, and provided substantive inputs to materials related to the project.

52. In the 2022 report to the General Assembly, the Special Rapporteur on freedom of religion or belief initiated a critical conversation on obstacles and opportunities facing Indigenous Peoples’ freedom of religion or belief. The Special Rapporteur noted that while “sacred sites” as per article 6 (a) of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (i.e. freedom to establish and maintain places of worship) seemingly applied to manufactured structures, experts argued that protections must also extend to traditional lands that were integral to Indigenous spirituality.⁴³ The Special Rapporteur recommended establishing collaborative, consultative mechanisms for Indigenous Peoples to influence decision-making effectively on issues that affected them, including developing holistic rights-based policies, and on matters affecting spiritual practices.⁴⁴

N. Fostering global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief⁴⁵

53. The Office on Genocide Prevention and the Responsibility to Protect responded to several requests for support for United Nations field entities to develop context-specific plans of action on hate speech. In line with the United Nations Strategy and Plan of Action on Hate Speech, the Office also began to provide support to Member States, upon request, on addressing and countering hate speech.

54. The Forum on Minority Issues, at its fourteenth session, on the theme of “Conflict prevention and the protection of the human rights of minorities”, encouraged States, the United Nations, international and regional organizations and civil society to work closely in supporting the positive contributions of faith-based actors, including through the promotion of the Beirut Declaration and the #Faith4Rights toolkit.⁴⁶ A related recommendation was also included by the Human Rights Council in March 2022 in its resolution on prevention of genocide.⁴⁷ At the regional level of the Council of Europe, the Committee of Ministers’ recommendation CM/Rec(2022)16 on combating hate speech built on the threshold test of

⁴³ A/77/514, para. 18.

⁴⁴ Ibid., para. 86 (b).

⁴⁵ Human Rights Council resolution 49/31, para. 14.

⁴⁶ A/HRC/49/81, para. 58.

⁴⁷ Human Rights Council resolution 49/9, para. 22.

the Rabat Plan of Action, and the Council of Europe's explanatory memorandum commented that the Faith for Rights framework and toolkit was a useful tool with its peer-to-peer learning methodology.⁴⁸

55. The University for Peace referred to the Declaration on the Right to Peace, of 2016, which called for international and national institutions of education for peace to be promoted in order to strengthen among all human beings the spirit of tolerance, dialogue, cooperation and solidarity.⁴⁹ The University for Peace noted that its Master of Arts in Religion, Culture and Peace Studies, which was co-sponsored in 2022 by the Muslim World League, the Pontifical Lateran University and the World Jewish Congress, included a course on countering hate speech. In addition, in 2022 the University for Peace published the book entitled *A Missing Piece for Peace: Bringing Together the Right to Peace and Freedom of Conscientious Objection to Military Service*.⁵⁰

III. Conclusions and observations on potential follow-up measures to accelerate the implementation of the action plan

56. Intolerance, discrimination and hate speech – both online and offline – have particularly targeted members of religious or belief minorities throughout the world.⁵¹ Intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief must be addressed with a human rights-based approach.

57. States and other stakeholders should redouble their efforts to implement the action plan set out in Human Rights Council resolution 49/31. In particular, States must promote freedom of religion or belief, act expeditiously on hate crimes, and protect religious or belief minorities, including their places of worship. Political and religious leaders should speak out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech.⁵² Teaching materials and peer-to-peer learning should promote respect for pluralism and diversity in the field of religion or belief. Exchanges of lessons learned and promising practices should continue to be promoted, including with the support of the United Nations.⁵³

58. In 2023, we commemorate the seventy-fifth anniversary of the Universal Declaration of Human Rights and 30 years since the adoption of the Vienna Declaration and Programme of Action on human rights. These anniversaries are an opportunity to take stock and identify areas where further support is needed. Already in 1948, the General Assembly proclaimed everyone's right to freedom of thought, conscience and religion, which includes freedom to change one's religion or belief, and freedom, either alone or in community with others, and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance.⁵⁴ Furthermore, the World Conference on Human Rights, held in Vienna in 1993, called upon all Governments "to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and including the desecration of religious sites".⁵⁵ In his 2021 report entitled *Our*

⁴⁸ See https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a6891e, paras. 32, 35, 125, 184, 195 and 224.

⁴⁹ General Assembly resolution 71/189, annex, art. 4.

⁵⁰ See <https://www.upeace.org/pages/publications-2022>.

⁵¹ See <https://www.ohchr.org/en/statements/2022/12/statement-volker-turk-15th-session-un-forum-minority-issues>, as well as the twenty reports on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief, available from <https://www.ohchr.org/en/minorities/combating-intolerance-against-persons-based-religion-or-belief>.

⁵² A/HRC/22/17/Add.4, appendix, para. 36.

⁵³ A/77/487, para. 68.

⁵⁴ Universal Declaration of Human Rights, art. 18.

⁵⁵ A/CONF.157/23, chap. II, para. 22.

Common Agenda, the Secretary-General stressed that intolerance and discrimination continued to exist in all societies, as seen during the COVID-19 pandemic with scapegoating of groups blamed for the virus.⁵⁶

59. Furthermore, the Secretary-General's Call to Action for Human Rights underscored that human diversity was not a threat but rather an asset, and that every community, including minorities, must feel that their identity was respected and that they could fully participate in society as a whole.⁵⁷ Yet, hate speech has spread like wildfire on social media platforms in countries with starkly different cultural, political and religious contexts – with horrific, life-threatening consequences for thousands of people.⁵⁸

60. As highlighted by the Secretary-General,⁵⁹ Internet providers, social media platforms and other operators in the digital space continue to struggle in trying to strike the right balance between responding effectively to the amplification and spread of hatred in the digital space while avoiding measures which could undermine freedom of expression. Clear guidance for addressing these issues is provided in the Guiding Principles on Business and Human Rights, the Rabat Plan of Action and the Faith for Rights framework and toolkit, as well as in general comments and general recommendations of the human rights treaty bodies and recommendations of Human Rights Council special procedure mandate holders.

61. Criminal sanctions related to unlawful forms of expression are measures of last resort and should be applied only in strictly justifiable situations, in line with the six-part threshold test provided by the Rabat Plan of Action which assesses the context, speaker, intent, content, extent of the speech act, and likelihood of harm.⁶⁰ States should also consider civil or administrative remedies and should adopt comprehensive anti-discrimination legislation that includes preventative and punitive action in order to combat incitement to hatred effectively.⁶¹

62. The consensual adoption of Human Rights Council resolution 16/18 and related resolutions since 2011 “constitutes a promising platform for effective, integrated and inclusive action by the international community”,⁶² requiring implementation and constant follow-up at the national level by States, including through the Rabat Plan of Action which contributes to its fulfilment.

63. As highlighted during the eighth meeting of the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, which was hosted by Pakistan in February 2022, this first dedicated intergovernmental follow-up mechanism to a Human Rights Council resolution, designed to bring the Geneva discussions to the different regions, is an exceptional example of the Council's work. It reflects creativity, political will and cross-regional collaboration.

⁵⁶ See https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf, para. 34.

⁵⁷ See https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf, p. 3.

⁵⁸ See https://www.ohchr.org/sites/default/files/documents/press/2022-11-05/22-11-05_Letter_HC_to_Mr_Elon_Musk.pdf.

⁵⁹ See A/77/487.

⁶⁰ The Rabat threshold test is available in 32 languages from <https://www.ohchr.org/en/documents/tools-and-resources/one-pager-incitement-hatred-rabat-threshold-test>.

⁶¹ A/HRC/22/17/Add.4, appendix, paras. 26 and 34. See also www.ohchr.org/en/minorities/minority-rights-equality-and-anti-discrimination-law.

⁶² A/HRC/22/17/Add.4, appendix, para. 41.

64. Further progress in implementing each part of the action plan set out in Human Rights Council resolution 49/31 is needed. Such advancement will require the consistent involvement of States, national human rights institutions, United Nations entities, independent experts and civil society, including faith-based actors.
