

FORUM ON MINORITY ISSUES SEVENTH SESSION

"Preventing and addressing violence and atrocity crimes targeted against minorities"

**25 and 26 November 2014
Room XX, Palais des Nations, Geneva**

SUMMARY BY THE CHAIRPERSON OF THE FORUM

Mr Patrick Thornberry

Pursuant to [Human Rights Council resolution 19/23](#) of 23 March 2012, the Forum on Minority Issues continues to provide a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, as well as thematic contributions and expertise to the work of the Special Rapporteur on minority issues, Ms. Rita Izsák. The Forum identifies and analyzes best practices, challenges, opportunities and initiatives for the further implementation of the [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#) (hereinafter referred to as “the Declaration”).

The Forum meets annually for two working days dedicated to thematic discussions. The Special Rapporteur on minority issues is responsible for guiding the work of the Forum, preparing its annual meetings and reporting on its thematic recommendations to the Human Rights Council.

The seventh session of the Forum took place on 25 and 26 November 2014 in Room XX of the Palais des Nations in Geneva, Switzerland. Mr Patrick Thornberry was appointed as Chair of the seventh session of the Forum that focused on **“Preventing and addressing violence and atrocity crimes targeted against minorities”**.

Some 570 participants attended this seventh session of the Forum, including United Nations Member States, intergovernmental and regional organizations, human rights treaty body members, national human rights institutions, United Nations specialized agencies, academics and experts, as well as civil society actors working on minority issues¹. In addition to this wide range of stakeholders, this session brought together persons belonging to minority groups who are actively engaged in minority rights advocacy and in the protection and promotion of minority rights.

A note by the Special Rapporteur on minority issues on preventing and addressing violence and atrocity crimes targeted against minorities as well as a set of draft

¹ The list of the organizations and delegations that participated in the Forum is available on the website of the Forum on Minority Issues: <http://www.ohchr.org/EN/HRBodies/HRC/Minority/Pages/Session7.aspx>

recommendations were made available to all Forum participants in advance of the Forum and formed the basis for the discussions².

Format of the Forum

The Forum followed the procedure that has been developed over its previous sessions. To help focus the discussions and ensure that those would be highly inter-active, each agenda item was introduced by presentations before the Forum would hear interventions from other participants, based on a list of speakers.

Outcome documents

The present document is prepared in accordance with Human Rights Council resolution 19/23 which requests the Chair to prepare “a summary of the discussion of the Forum, to be made available to all participants of the Forum”. This summary is to be complemented by the outcome document containing the recommendations of the Forum that will be presented by the Special Rapporteur on minority issues to the Human Rights Council at its 28th Regular Session in March 2015.

This summary does not provide the full details of all presentations that were made during the Forum’s proceedings. The consolidated list of speakers and, where available, the full text of their presentations can be found on the Forum’s website at the following address: <http://www.ohchr.org/EN/HRBodies/HRC/Minority/Pages/Session7.aspx>

Item I. Opening meeting

H.E. Ambassador Baudelaire Ndong Ella, President of the Human Rights Council

Mr Ella, welcomed all participants and congratulated Mr Patrick Thornberry for his appointment as Chair of the seventh session of the Forum. He emphasized the high relevance of the issues discussed during the Forum to the work of the Human Rights Council, in particular that protecting vulnerable communities, combating discrimination and promoting equality in any field of life are among the primary objectives of the work of the Council and its mechanisms, including the work of the Council’s Universal Periodic Review (UPR). He welcomed and congratulated the work of the Special Procedures mandate holders, including the Special Rapporteur on minority issues by recalling that their substantive reports frequently address specific minority concerns and offer a timely and reliable source of information for the Human Rights Council as well as a solid basis for protecting minorities worldwide. He indicated that the Human Rights Council was looking forward to the recommendations of this session to be presented by the Special rapporteur on minority issues at its 28th session in March 2015.

Video statement by the Deputy Secretary-General of the United Nations, Mr. Jan Eliasson

² See A/HRC/FMI/2014/2 and A/HRC/FMI/2014/3 available on the Forum’s website.

Mr. Eliasson acknowledged that the theme of this year's Forum was particularly timely and appropriate. He recalled the duty of the international community to prevent violence and atrocity crimes directed against minorities all over the world, and called upon Member States' moral and political responsibility to take early action when confronted with evidence or known risk factors for atrocity crimes. He welcomed the work of the Forum, including its important role to understand the nature of these crimes, their root causes and inherent dynamics as a necessary step to improve relevant prevention strategies. He invited the United Nations as a whole to renew its commitments and intensify its efforts to promote and protect minority rights worldwide as an important mean to achieve peace and security, reduce conflict levels and support post-conflict reconciliation. He pointed to minority rights as a vital component of all three pillars of the United Nations: peace, development and human rights, requiring the systematic and coordinated engagement of every part of the UN system, in line with the Human Rights Up Front initiative, which calls for a system-wide effort to prevent and respond to serious violations of international human rights and humanitarian law.

Statement by the United Nations High Commissioner for Human Rights, Mr. Zeid Ra'ad Al Hussein

The High Commissioner welcomed all participants and acknowledged the high relevance of this year's thematic. He recalled that none of the past and present atrocities have occurred without warning signs but they have built up over years of human rights deficiencies and violation, including discrimination and exclusion of minorities, sexual violence, exploitation and denial of civil, economic, social, cultural and political rights. He invited participants to recognize that divisions and hatred are the result of socially constructed dynamics, nourished by a fixed and short-sighted approach that insists on seeing people in terms of only one dimension. He encouraged participants to look at diversity as a source of enrichment for all societies and to consider minority rights, including the 1992 Declaration essential to achieving sustainable human development, democratic governance and peace in the long-term. Referring to the work conducted within the UN system to prevent violence against minorities, he gave some positive examples of OHCHR's action and its impact, including in the field of training for governmental officials, police and security forces and civil society groups. He stressed the importance of the need to improve measures for early warning and prevention and identified the Secretary General's "Human Rights Up Front" Initiative as a unique opportunity to integrate minority rights protection more systematically into the UN strategies, policies and programmes.

Video statement by the Special Rapporteur on minority issues, Ms Rita Izsák

Ms. Izsák welcomed all participants and expressed regret for not being able to attend the Forum this year. She reminded all participants that persons belonging to minorities are frequently victims of violence in all regions of the world with tremendous long-lasting consequences on society as a whole. She stressed the importance of improving understanding of the root causes of violence, including gross inequalities vis-à-vis fundamental civil, political, economic, social and cultural rights and persistent poverty,

as a necessary step to design and implement effective violence preventive measures. She explained why deficits in democracy and lack of good and inclusive governance create the conditions under which violence may take place. She warned about the lack of minorities represented in government positions, law enforcement and justice bodies as factors leading to ignoring minority voices, concerns and early warning signs of violence. She expressed particular concern regarding hate speech and incitement to ethnic or religious hatred, including in the media and social media, as a factor contributing to start and/or fuel violence against minorities. She then suggested key measures necessary to adequately prevent violence, including full compliance with international standards for equality, non-discrimination and minority rights, as well as good and inclusive governance and dedicated institutional attention to minority issues. She further focused on required protective measures and immediate security responses when violence has broken-out, including the role of adequate, well equipped and trained law enforcement personnel. She recalled Member States' commitment to the "Responsibility to Protect" principle, recalling that the State carries the primary responsibility for protecting populations from atrocity crimes and that the international and regional organizations have a significant role to play in assisting States to prevent and respond to violence. In this context, she stated that the United Nations must do better in its preventive role and response when violence breaks out. She emphasized the vital role of civil society and minorities themselves in any initiative aimed at countering violence and/or its recurrence, including in post-conflict scenarios. Lastly, she called on all relevant stakeholders to intensify their efforts to adequately prevent and stop violence against minorities wherever it exists and invited all participants to elaborate further on the draft recommendations so that they can make a real contribution to this purpose.

Statement by the Chair of the seventh session of the Forum on Minority Issues, Mr Patrick Thornberry

Mr Thornberry extended a warm welcome to all participants and recalled that the essence of the Forum resides in the opportunity to engage the widest range of stakeholders capable of making constructive contributions to the topical issues at hand. He gave an historical overview of how minorities and questions regarding their treatment have entered the human rights language and how minority rights have continued to function within the larger human rights framework to become a specific major concern of the United Nations, nowadays expressed through dedicated instruments connected to the multitude of human rights standards, instruments and procedures. He underlined that the reasons for attention on minorities are not simply conceptual or abstract, but eminently practical: because of their non-dominant situation, minorities are exposed to human rights violations and different forms of oppression ranging from hate speech up to genocide. He stressed that minorities evidence the diversity of the world's cultures and languages and invited to recognise the richness of experience that comes along diversity. The Chair explained the rationale that informed the agenda of the Forum and invited participants to develop and improve the content of the draft recommendations. He described the format of the discussions and encouraged all participants to show respect for others' views while inviting them to exercise decorum.

Item II. Legal framework and key concepts

This session considered the situations, environments, processes and factors leading to violence and atrocity crimes, including deficits in good governance, rule of law and/or in the respect for human rights. Participants discussed what factors and rights violations, such as exclusion, discrimination and inequality make minorities vulnerable. The session discussed further how patterns of discrimination against a particular minority in the political, social, economic and cultural spheres can translate into abuse and systematic violation of basic human rights, can escalate into violence and ultimately atrocity crimes

High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe (OSCE), Ms. Astrid Thors

Ms. Thors stressed that power can have two manifestations: that which is misused and abused, and that which is shared and used wisely. She stressed that minority rights can be a check and balance within the power dynamics of society. Moreover, she highlighted that disruptions caused by political upheaval or resource shortages can quickly transform into conflicts between different groups in the absence of healthy governance systems, channels of communication and a culture of respect for diversity. She discussed how there can be a temptation for those in power, when faced with adversity, to take the easy way out by blaming those who are in a weaker position. She discussed how in extreme cases, power over vulnerable groups is wielded in its worst form leading to human rights violations and atrocity crimes. She then highlighted the work of OSCE tackling the structural causes of conflict and called upon OSCE participating States, civil society and other actors to help make diverse societies more resilient and responsive to the needs of all communities. She highlighted the importance of Government responses, such as relevant legislation and quality education. She discussed challenges faced within the OSCE region where the process of nation building is still an ongoing and dynamic process. Moreover, she emphasised the importance of States taking responsibility to protect human rights including minority rights, through democratic governance, the avoidance of discrimination and social integration. Finally, she stressed that the international community has the responsibility to use its available measures to stop abuses and atrocities before they occur.

UN Network on Racial Discrimination and Protection of Minorities, on behalf, Mr. Antti Korkeakivi

Mr. Korkeakivi began by providing a short description of the UN Network and its work, including the Guidance Note on Racial Discrimination and Minorities, which highlights key principles and suggests ways to combat racial discrimination and advance minority rights. He highlighted the applicable legal standards and principles, including those set forth in the Declaration, relevant to the protection of minority rights and emphasised on

the importance of the Forum and this year's thematic. He stressed that combating violence and atrocity crimes is a prime example of where UN entities cannot work in isolation and joint efforts throughout the system are required to have an impact. He stressed that systemic discrimination is often at the root of identity-related tensions and that such tensions can develop into crises that can lead to conflict, forced displacement and, in the worst cases, to atrocity crimes, including genocide. He articulated how racial discrimination undermines human rights protection, efforts to secure peace, security and sustainable development. He underlined the need for coordinated efforts to prevent and address violence and atrocity crimes targeted against minorities. Furthermore he stressed that it is very important to take into account the fact that minority women and girls are often targeted, including for sexual violence in detention or in armed conflicts. He concluded by emphasising the need to focus on those minorities who are the most politically, economically and/or socially marginalised and to further develop national and international dialogue.

UN Committee on the Elimination of Racial Discrimination (CERD), Ms. Anastasia Crickley

Ms. Crickley started by giving an overview of legal standards, including the Declaration, relevant to the protection of minorities and stressed that issues pertaining to minority protection are of central importance to the work of CERD. She discussed CERD's long established Early Warning and Urgent Action Procedure, which seeks to find possible measures to prevent and respond more effectively to violations of the Convention. She discussed how this tool can be important for alerting the international community, to prevent existing problems from escalating into conflicts and to prevent, or limit, the scale of serious violations of the Convention. She stressed that in February 2005 the Committee adopted the Declaration on the Prevention of Genocide and later that year developed a set of indicators to assess components of situations leading to conflict and genocide. She highlighted the importance of monitoring State parties' compliance with their treaty obligations and the inclusion of analysis relating to the above-mentioned indicators within Concluding Observations. She noted that systematic discrimination, disregard for minority rights and exclusion are often among the root causes of conflict and stressed the importance of effective implementation of these recommendations within Member States. She also emphasised that responding effectively to violence and atrocity causes also requires initiatives by Treaty Bodies Committees, in line with their Conventions.

United Nations Secretary-General's Special Adviser on the Responsibility to Protect. Ms. Simona Cruciani on behalf of Ms. Jennifer Welsh

Ms. Cruciani began by reminding the Forum of commitments made by States in 2005 to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Following a short overview of the Declaration, she stressed the critical situation

of minorities around the world. She discussed how they face marginalization and stigmatization, and are enmeshed in conditions of structural vulnerability that can lead to discrimination, persecution, insecurity and, ultimately, violence. She highlighted the devastating consequences of these situations. She discussed how in 2009, the UN Secretary-General produced a comprehensive strategy for implementing the responsibility to protect principle based on three equal, mutually-reinforcing, and non-sequential pillars. She discussed how Pillar I focuses on the responsibility of States to protect their population, including minorities, and how it can be upheld in a number of different ways, including through ensuring inclusive and fair governance, protective legislation, equal access to justice, education, and participation in public life. Moreover, she recalled that States, international and regional organisations as well as other actors should play an important role by offering assistance to national authorities. She highlighted how under Pillar II there are three main forms of support, including: States should encourage each other to address the threats minority community face; international actors should build national capacities to inhibit atrocity crimes; and measures such as temporary military, civilian, and humanitarian assistance should be provided by the international community. Finally, she emphasised that the international community's commitment to uphold the Responsibility to Protect is more important than ever in our globalised world, where populations are constantly changing and migratory flows are contributing to making States more and more heterogeneous, including in terms of ethnic and religious representation.

Discussion

The following issues were raised during the discussion under Item II:

- States bear the primary responsibility for setting up national legal frameworks on the protection of minority rights in compliance with international human rights instruments, in particular the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and with equality and non-discrimination standards.
- The importance of national legal framework, including Constitutions, prohibiting and punishing discrimination on any ground and protecting the fundamental human rights and freedoms of all individuals and groups, including minorities.
- The need to strengthen communication and cooperation among different regional mechanisms specifically addressing issues pertaining to minorities and protecting minority rights.
- The importance of cooperation between States and sharing of good practices on effective measures to implement legal standards protecting and promoting minority rights.
- The need to integrate minority rights more effectively in the work of the United Nations, including the Human Rights Council and its mechanisms.
- The importance of respecting the principle of self-identification of persons belonging to national or ethnic, religious and linguistic minorities.
- The importance to guarantee the right to acquire citizenship.

- The importance of adopting and implementing legislation prohibiting and punishing incitement to hatred and incitement to violence.
- How the rule of law and democracy frameworks provide a conducive space for the promotion and protection of the rights of minorities.
- The relevance of the principle of the Responsibility to Protect to issues pertaining minorities and their protection from violence and atrocity crimes.
- The need to further clarify and establish clear rules regarding the application of the 3rd pillar of the Responsibility to Protect principle (i.e. the possibility of a collective intervention when a State is manifestly failing to protect its population from atrocity crimes).

Item III. Understanding the root causes of violence and atrocity crimes

This session considered the situations, environments, processes and factors leading to violence and atrocity crimes, including deficits in good governance, rule of law and/or in the respect for human rights. Participants discussed what factors and rights violations, such as exclusion, discrimination and inequality make minorities vulnerable. The session discussed further how patterns of discrimination against a particular minority in the political, social, economic and cultural spheres can translate into abuse and systematic violation of basic human rights, can escalate into violence and ultimately atrocity crimes

Former Director of the Human Rights Council and Special Procedures Division at the Office of the High Commissioner for Human Rights and former United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr. Bacre Ndiaye

Mr. Ndiaye began by recalling that often the immediate causes of atrocity crimes are exclusion, poverty, systematic violation of human rights, reinterpretation of history and the misleading conception of ethnic superiority. He recalled that building the rule of law, the independence of justice, and saving media from hatred are tools to guarantee that minorities enjoy the same rights as anyone else. He drew attention to the fact that there is always the need to free someone from something, for example from fear, but above all from ignorance. He stressed the need to draw experience from history in order to ensure to future generations a future without prejudice, and mentioned the Truth and Reconciliation Commissions as possible tools contributing to the prevention of atrocity crimes. He affirmed that the Convention on the Prevention and Punishment of the Crime of Genocide does not have a committee of experts to monitor the implementation of its provisions and called for the establishment of such a committee for this convention. He analysed how the UPR has allowed the Human Rights Council to review the situation (progress and lack of) in the area of minorities in all Member States and to what extent the UN system, especially through the Human Rights Up Front Initiative, is in a good position to ensure that recommendations arising from monitoring mechanisms are implemented in the countries

through regional and national structures. In his view the international justice system, including the ICC, must do more to combat all forms of impunity and work to strengthen national justice systems. Moreover, he called on the whole UN system to pay more attention to the notion of public and verifiable statistics and to their potential manipulation for a number of motives. He drew the attention on how migration as a phenomenon driving millions of people seeking security abroad is challenging the principles of local cooperation and integration. He recalled that the Burundi example in 1994 shows that the cycle of revenge can be broken and called on the international community to look at minority rights protection as being an issue for all, an issue of solidarity.

Director of the Budapest Centre for the International Prevention of Genocide and Mass Atrocities, Dr. György Tatar.

Mr. Tatar began by thanking the UN Special Rapporteur on minority issues for her efforts and activities and focused on mass atrocities within this year's Forum. He highlighted that economic distress and poverty may exacerbate latent rigidities and push the "majority" to identify a scapegoat in the minority groups. He called for the need to apply a mass atrocity lens when designing and implementing development policies. He also stressed that the dialogue is a relevant tool for prevention of mass atrocities. He described dialogues as inclusive processes enabling participants to act without distinction, as well as to listen and be heard by others. He stressed that minorities need to take an active role in the dialogue process not only to protect their interests but also to enrich the knowledge and experience of the majority. He also focused on the importance of education as the best investment for effectively preventing mass atrocities. Finally, he underlined that special attention should be devoted by international actors to develop capacities at national level.

Representative to the United Nations for the Baha'I International Community, Ms. Diane Ala'I

Ms. Ala'I began by highlighting that the root causes of violence and atrocity crimes should be analysed in light of the concept of "otherness". She explained how "otherness" very often stems from ignorance, is accompanied by suspicion and contributes to spread lies and create myths. She noted that the lies that are spread are generally very well thought through and culturally designed to tap into primordial fears. She stressed that hate speech is the ultimate form of abuse related to conceptions of "otherness", but there are many shades of such acts that erode and strive to eliminate the most basic of our common humanity. She recalled that atrocity crimes are not the exclusivity of conflicts and yet they get far less attention when they are regularly and relentlessly perpetrated.

Moreover, she emphasised that the "otherness" takes a special dimension when it is promoted by a government, although often governments claim that misconceptions around the concept of otherness and resulting violent acts are not in their hands.

She brought some examples to show how a government can use different means to ostracize a minority. She concluded by stressing the importance of using the response of a

State towards acts of violence and incitement to hatred as an indicator of its fulfilment of responsibility to protect.

Ambassador of Citizenship, PAXs initiative/ Harilar, Iraq, Mr. Zuher Lazgeen

Mr. Lazgeen began by stressing the situation of minorities in Iraq. He discussed how because of the war, persons belonging to minorities have been kidnapped, killed and trafficked. Furthermore, he elaborated on the causes and roots of this situation. He described how minorities are misunderstood and people hold incorrect views about their beliefs, ideology and ways of living. He discussed how these misconceptions and resulting hatred towards certain minorities, combined with hate speech directed against them, have reached a critical level and have led to tangible violence. He highlighted how education curricula do not include teaching of the history, culture and traditions of different minorities and that ignorance and lack of knowledge about minorities is widespread in the country. He described how minorities are discriminated against on a daily basis in schools, universities, and in many aspects of public life and are not able to counter this discrimination. He highlighted how this has created an environment where minorities accepted their own discrimination. He discussed how discrimination was not tackled at an early stage because there was no mechanism to counter it, which gradually led to atrocity crimes against minorities. He stressed that the lack of participation of minorities in public life also contributed to violence and atrocities. He also highlighted how clan-based and religious belief systems also contribute to discrimination. He concluded by stressing that civil society is playing a strong role by challenging violations of the rights of minorities but formal instruments, which are essential for addressing discrimination at an early stage, such as anti-discrimination laws are non-existent.

Discussion

The following issues were raised during the discussion under Item III:

- The link between discrimination on ethnicity, religion and/or language grounds and extreme poverty and the consequences of such discrimination on fundamental human rights such as land ownership for minorities.
- The urgency to identify and act upon those situations where systematic discrimination, exclusion, marginalization and inequality expose minorities to the risk of violence and atrocity crimes and build appropriate legal and policy frameworks upon human rights universal principles.
- The importance of genuinely recognizing that the effective participation of persons belonging to minorities in their society contribute towards eradicating discrimination against them and ensuring stable and less prone to violence societies.
- The importance of recognizing and addressing multiple forms of discrimination faced by certain persons belonging to minority groups, including women and girls and the importance of paying particular attention to their situation.

- The importance for countries to conduct census and collect data to objectively determine the status of their population, including a comprehensive picture of the social and living conditions of all groups.
- The importance that State ensures good and inclusive governance and that guarantees participation of minorities at all levels of its institutions, politics and decision making bodies, as an essential violence preventive measure.
- The importance of guaranteeing access to justice and fighting against impunity, including for all cases of harassment, intimidation, persecution of minorities and violence against them as measures to prevent exposure to further violence and intimidations.
- The need to ensure the active participation and meaningful consultation of minorities in all decisions, programs and policies affecting them as a prerequisite for effective violence preventive measures.
- The necessity to take all necessary steps to uphold the rule of law and adopt an holistic approach to the respect, protection and promotion of civil, political, economic, cultural and social rights of all citizens.
- The central role played by formal and informal education systems in preventing violence, including through the positive contribution of inter-cultural and multi-lingual learning systems and teaching of history to fostering mutual understanding among communities.
- The crucial role of the judiciary in countering biased application of the law against minorities.
- The need to do more to counter incitement to hatred and violence including by adopting specific legislations prohibiting hatred and its incitement and by ensuring appropriate penalties.

Item IV. Improving prevention of violence and atrocity crimes

This session was devoted to existing gaps and possible steps to be taken to improve existing approaches and methodologies to act effectively to prevent violence at an early stage at national, regional and international levels. This session also discussed the importance of ensuring the effective participation of minorities in legislative, administrative and decision-making bodies, including the role of inclusive governance. It considered the role of media in preventing violence against minorities, as well as challenges and possibilities relating to policing and security sector as factors directly linked to the exposure of minorities to violence and atrocity crimes.

Chief of Human Rights Section United Nations Assistance Mission for Iraq (UNAMI), Mr. Francesco Motta

Mr. Motta started by explaining how the situation in Iraq is particularly dire in relation to the protection of civilians because of ongoing armed violence and terrorism. In this context, he underlined that the Iraqi population is extremely diverse in terms of ethnicity and religion and minorities are found all throughout Iraqi territory. He stated that currently, the so-called “Islamic State of Iraq and the Levant” or “ISIL” with its extremist *takfiri* doctrine has perpetrated gross and systematic violations of human rights against all Iraq’s

people, which have amounted to crimes against humanity, war crimes, and possibly genocide. In this humanitarian situation, minorities are targeted by the ISIL movement risking the permanent destruction of diverse ethnic and religious communities, within both Iraq and large areas of the Middle East. Following an overview of the origins of the current conflict, he went on to discuss how ethnic and religious communities have suffered from violence. He stressed that state institutions currently remain weak and there is a lack of basic services, which may indicate a potential deterioration of the situation. He discussed how the Human Rights Office of United Nations Assistance Mission for Iraq has been closely monitoring the human rights situation in Iraq for many years but that unfortunately, an effective security response has not been seen. He expressed the hope of better coordination of mechanisms, including UN agencies, the Government and broader international community. He focused on the importance on the prevention of crimes, as well of transitional justice in cases where crimes have occurred. He stressed the importance of addressing the relationships between the various ethnic and religious communities in the Iraq context and ensuring the implementation of programmes and policies that promote their full and equal participation in the political, social and economic life of the country. Furthermore, he elaborated on the importance of ensuring minority representation at all levels of political and policy decision-making, access to basic services, reforming the education curricula to promote tolerance and understanding between communities, ensuring balanced representation in the media and improving access to justice.

Central Bureau of Investigation Government of India, Ms. Nina Singh, Joint Director

Following an overview of framework in India to prevent and protect the rights of minorities, Ms. Singh focused on her experience as a police officer in India. She highlighted long and short term measures in the field of policing and security to protect minorities against violence and atrocity crimes. Firstly, she suggested more efforts on recruitment to ensure adequate representation of minorities in the police force. Moreover, she focused on the fact that consistent efforts should be made during the training both at induction stage and in service to build capacities of security forces to minority related issues. She discussed how social media poses a huge challenge in aggravating tensions because unconfirmed rumours can propagate at a lightening pace. She recommended that cyber security teams pay special attention on this type of media. Finally, she emphasised that in the short term constant dialogue and engagement with the stakeholders are vital.

Senior Lecturer in Media Cultures, School of Humanities, University of Hertfordshire, Dr. Brilliant Mhlanga

Doctor Mhlanga began by focussing on the importance of considering the enormity of the challenges faced by ethnic minorities and the restrictive conditions within which they have been forced to subsist. He gave an historical overview of the dynamics that informed the liberation struggles in Africa and explained how the mantra “divided we fall, united we stand”, which has accompanied African nation building projects, has contributed to form

centralised system of governance based on ideological frameworks designed by those in the majority, at the detriment of ethnic minorities.

As an example he highlighted how hate speech and hate crime in Southern Africa straddled along identification processes of boundary making and was often fraught with unmarked social forms of violence. He suggested measures to prevent atrocities against minorities including pluralistic engagement of cultural particularities and a clear acknowledgement of the different ethnicities, including their languages. He emphasised that recent studies continue to show that radio plays a key role in development processes in Africa because of its popularity owing to low literacy levels. He also highlighted how radio can be abused to fan and stock tensions including ethnic violence but also how it can be a tool for minorities to speak out and protect their rights in a democracy. Finally, he concluded by supporting the strengthening of civil society organisations designed to fight for the rights of ethnic minorities, the creation of regional and international structures for ethnic minorities to lobby the international community and the adoption of clear structured media policies.

Discussion

The following issues were raised during the discussion under Item IV:

- The importance of taking appropriate measures to prohibit hate speech and incitement to violence, including in the media and social media, and provide for appropriate penalties for perpetrators.
- The need for firmly countering the perpetration of biased and/or stereotyped representations of specific minority groups and putting more efforts in measures aimed at countering prejudices. To this end the crucial role of education has been recognised.
- The need for more attention to the situation and perspectives of young people as they are key actors to promote understanding, tolerance and mutual respect across communities.
- The necessity to ensure institutional attention to minority issues in all social, political, economic, measures based on the principles of inclusion and consultation in order to guarantee their participation at all levels of politics and in decision-making bodies.
- The importance to recognize that all conflict prevention measures are bound to fail if minorities and their concerns are not included in and represented from the outset.
- The need for the UN to take the lead on initiatives aimed at preventing violence and atrocity crimes and to act as the focal point for early warning mechanisms and initiatives. The tasks of the Office of the Special Advisor on the Prevention of Genocide have been described as crucial in this respect.
- The UN Human Rights Up Front initiative has been identified as a potential mechanism to enhance collaboration and strengthen communication among all actors involved in detecting early signs of violence and as a guide to develop specific prevention measures.

- The relevance of the recommendations of UPR to the work of the Forum as it provides a powerful venue to identify issues of concern related to violence and atrocity targeting minorities.
- Protecting freedom of religion and belief as another critical component of preventing atrocities, in particular to avoid that religion is misused to promote intolerance and justify atrocities.
- The importance that minority and majority groups work united to counter extremism and isolate terrorists groups.
- The need to take steps towards practical implementation of pillar II of the responsibility to protect in order to increase the capacity of regional and international organisations to provide appropriate technical assistance to States.
- The need to strengthen cooperation, information and good practices exchange between neighbouring States and regional organisations to proactively addressing risk factors associated with atrocity crimes as they are more familiar to early signs of potential violence.
- The necessity of improving existing early warning mechanisms and developing more effective strategies at international, regional and national level to translate early signs into early action.
- The need to send the message of zero tolerance for human rights violations perpetrated against minorities including by guaranteeing accountability for violence and atrocity crimes as a deterrent against any further violations.
- The importance of building the capacity of minority communities and individuals to act as crucial violence prevention actors on the ground.
- The need to invest more on training and technical capacity of police and security sector actors to reduce unfair treatment and abuse against minorities and to enhance the integration of gender issues in all aspects of the security and policing sectors.

Item V. After violence breaks out – essential measures for resolution, protection and security

This session considered the particular challenges of responding to violence that has broken out and specific measures for immediate operational security responses in order to quickly halt violence at national level. Participants discussed the role of all stakeholders in designing and implementing rapid, tailored response measures to protect minorities under attack. Participants also discussed the role of States, regional and international organisations under the principle of the responsibility to protect and its legal corollary obligations vis-à-vis situation of on-going violence targeted against minority groups.

President of Hammurabi Human Rights Organisation and former Minister of Migration and displacement in Iraq, Ms. Pascale Warda

Ms. Warda explained that the word “protection” entails illuminating any danger for the physical and psychological integrity of individuals, the protection of places where they

live, but also the moral protection (protection of traditions and/or culture). She explained that often institutions which goal is to protect may be used to attain contrary goals, for example when political parties exploit religious tensions to attain political goals, or uphold the law to the benefit of certain categories. She explained how this affects political and democratic processes, undermines state institutions and fosters the spreading of corruption at political and institutional levels. She recalled that those regimes in developing countries that have no proper oversight or monitoring mechanisms to counter this phenomenon have violated human rights and ignored people's interest with total impunity, putting at risk the country as a whole. She explained how religious legacy can lead to double standards in some areas, resulting in a threat for all communities, and that when security forces can act without any form of control, human rights violations are likely to take place. She expressed the need to protect, prevent and stop crimes before they are perpetrated and said that when institutions at both national and international levels are not fulfilling their mandates they are putting citizens in danger. She finally called for the respect of the four Geneva Conventions in Iraq, more attention to most marginalised communities and for urgent solutions, especially for those who are internally displaced.

Executive Director, Minority Rights Group International (MRG), Mr. Mark Lattimer

Mr. Lattimer began with an overview of the situation of minorities in the world. Following this, he focused on the importance of the Minority Rights Group International's Peoples under Threat Index, which measures violence and discrimination impacting minorities around the world. He discussed how when atrocities occur, prevention cannot be allowed to wait for future peace-building or democratization phase. He recommended that prevention measures accompany conflict resolution and stabilization efforts from the beginning. He stressed that ensuring minorities' participation in the formulation of strategies for conflict resolution is essential. He also stressed the need to focus also on the foreign military interventions deployed under the auspices of international organizations and argued that such military interventions may prolong or intensify killings or even initiate general conflict. He commented that Pillar III of the Responsibility to Protect seems simplistic and out of step with the reality of multiple and continuous interventions in situations where minorities face recurrent violence from multiples actors. He specifically discussed the situation in the Crimea region, and more specifically the numerous cases of violence suffered by the Crimean Tatar, including intimidation and enforced disappearances. He stressed that the Russian Federation must make efforts to investigate and resolve those cases and respect human rights.

Deputy Director of the Center for the Prevention of Genocide at the US Holocaust Memorial Museum, Ms. Naomi Kikoler

Ms. Kikoler began by underlining that the situation in the Central African Republic is a reminder that the protection of targeted minorities in the midst of unfolding violence and atrocities is one of the most pressing challenges the UN system and international community is facing. She stressed how in this context, Governments have a responsibility to protect populations from mass atrocities. She underlined that the UN system, regional organisations and Member States must begin by examining the specific risk factors of atrocities in a more systematic way. She pointed out that the failure to act early dramatically narrows the policy options available to governments, regional and international actors to avert and halt violence and atrocities. She then emphasised that when crafting policy responses for situations where violence and atrocities are unfolding, it is critical to recognise the unique dynamics of each situation. She recommended that responses be informed by the experiences and desires of local communities and recognised how our understanding of ‘protection’ must extend beyond the physical protection of individuals to the preservation of communities, cultural institutions and livelihoods. She then recommended a three pronged policy response to atrocity crimes. Finally, she stressed the importance of non-state actors including community, religious and political leaders to this process and their potential to de-escalate emerging situations of violence and atrocity crimes.

Director, Women Peace Network Arakam, Myanmar, Ms. Wai Wai Nu

Ms. Nu began by stressing that States must ensure the protection of minority rights in their Constitutions. She then went on to highlight how States should develop their legislative protections, including provisions to stop and take action against hate speech and hate crimes and to urgently act to protect the rights of minorities after violence breaks out. Then, she gave an overview of the situation of the Rohingya minority, a national ethnic group not recognised in Myanmar, who reportedly suffer from persecution. She reported that their basic rights and dignity as human beings are not respected and that the Rohingya suffer from discrimination. She asked the Government of Myanmar to take effective measures to stop violence and incitement to violence against specific groups and to find durable and peaceful solutions to ensuring protection. She also urged the Government to take measures such recognising citizenship rights and all civil and political rights of minorities. Moreover, she encouraged non-state actors to stop using violence, to end hatred and discrimination, as well as to promote interactive dialogue and mediation among communities and with the government. She concluded by encouraging the media to end perpetrating biased images and to enhance impartiality and to encourage a reduction of ongoing violence against minorities. She also stressed that the international community should take prompt responsibility and all means necessary to the protection of minorities worldwide.

Discussion

The following issues were raised during the discussion under Item V:

- The importance that all actors taking part to the conflict, including non-state armed groups comply with fundamental human rights principles and international humanitarian law.
- That the State has the legal obligation under international law to protect its population from violence and atrocity crimes irrespective of national, ethnic, religious, linguistic or other identity and the political will is essential to meet this obligation.
- The urgency to provide humanitarian assistance to minorities affected by violence, with special attention to the most marginalized groups.
- The need to stop using specific forms of violence targeted against minority women, including rape and other forms of sexual violence, as a weapon in conflict situations or inter-ethnic violence.
- The need for more collective efforts to implement international human rights standards relevant to the protection of children who have experienced or are currently experiencing violence and to stop programmes of forced recruitment and use of child soldiers by extremist or terrorist groups.
- The necessity to improve communication and information sharing across the UN system about situations of ongoing serious violations of minority rights.
- The necessity to address the specific situation of minority communities who are forcibly displaced and recognise that this may expose minorities to additional security risks.
- The importance that the international community further discuss on how to operationalize the responsibility to protect principle in order to stop ongoing atrocities targeted against specific minority groups.
- The importance that media does not aggravate tensions or incite further violence.
- The crucial role played by community and religious leaders in order to stop violence before it escalates into atrocity crimes, including by maintaining inter-ethnic and interreligious dialogue and by opening channel of communications with local authorities.
- The need that humanitarian actors ensure that minorities, including women, participate in the formulation of all humanitarian strategies.
- The urgency to stop the flow of money to fund extremist and terrorist groups.
- The importance to guarantee that minority individuals and groups continue to have access to international protection mechanisms in times of armed conflict.

Item VI. Avoiding renewed violence-building the peace and managing diversity

This session discussed the role of implementing minority rights in post-violence and post-conflict situations as a precondition for building and ensuring a stable and lasting peace. Participants considered specific post-violence reconciliation measures and key elements to rebuild confidence and trust in post-violence societies, including ensuring accountability for violent crimes against minorities, the role of transitional justice mechanisms and the importance of empowering of victims.

Executive Director Foundation for Human Rights, South Africa, Ms. Yasmin Sooka

Ms. Sooka gave an overview of the context of her work dealing with violations amounting to crimes against humanity, and focused on the fact that in all contexts women and girls have had to bear the brunt of the violence and crimes, particularly those of a sexual nature. She then discussed how historical patterns of exclusion, racism and nationalist violence can create divisions so deep that reconciliation seems impossible. She stressed that transitional justice can contribute to national reconciliation and sustainable peace for minority communities. She emphasised the four pillars underpinning transitional justice including the right to truth at both an individual and societal level, the right to justice, the right to reparations and the guarantee of non-recurrence. Moreover, she focused on the importance of truth commissions in providing minority communities with the opportunity to uncover the facts about the violence and crimes committed and to identify those who bear responsibility at both an individual and structural level. She then focused on the fact that dealing with the root causes of the conflict includes tackling the underlying structural questions, including examining the conduct of State institutions, particularly the security forces and the judiciary. She stressed that reconciliation is a necessary process through which a society moves from a divided past to a shared future. She discussed how reconciliation encompasses the search for truth and justice and requires former enemies to find ways of co-existing side by side. She concluded by highlighting that reconciliation is both a process and a goal but it should never be an excuse for impunity.

Program Director of Evidence/ International Dalit Solidarity Network, India, Ms. Thilagam Ramalingam

Ms. Ramalingam focused on the situation of Dalit women in India and discussed how they face extreme violence and multiple forms of discrimination due to being considered at the bottom of the caste system. She underlined that the caste system is inherently violent in nature and victimises Dalit women because of a combination of caste, class and gender. She discussed how violence against Dalit women is most commonly used as a means of punishment and demonstration of power towards both women and their community. She described how this violence often takes the form of trafficking and forced labour. She stressed that violence is perpetuated against Dalit women in public and private spheres by the family, community and State actors. She described how Dalit women and girls who challenge caste hierarchies or stand up for their rights are frequently targeted with violent retaliation despite constitutional safeguards and protection mechanisms. She outlined that caste discrimination continues to be a social evil experienced by women every day that has several covert and violent forms. She called for the effective implementation of laws to prevent these atrocities and to challenge the deep-rooted discriminatory attitudes that underpin the caste system and subordination of women. She concluded by stressing that every actor should take immediate measures to ensure security and justice of Dalit women.

Co-founder and trustee of the Liberation War Museum, Bangladesh, Mr. Mofidul Hoque

Mr. Hoque emphasised that violence and atrocity crimes against minority, which often turn into genocidal attacks, have deep rooted historical, social, economic and cultural causes and stressed the importance that all stakeholders take them in due account. He stressed the importance of culture, education, and memory in managing diversity and preventing atrocities. He emphasised that the protection of minorities' rights often creates situations where communities live together but separately. He stressed that this is a problem which needs to be addressed in order to protect diversity. Moreover, he focused on the fact that communities have multiple identities and many aspects bind and bring them together. To demonstrate this point he used the example of India. He underlined that in post-conflict societies, memory has played an important role in upholding truth and human suffering, which has strengthened the call for justice. He stressed the importance of documentation of abuses and how preservation and presentation of the memory can strengthen the process of healing broken societies. He stressed that it is vital we give collective memory-builders a role to play in ensuring transitional justice and overcoming the legacy of past violence.

Religious leader and Co-founder and President of the “Women Without Walls Initiative”, Nigeria, Ms. Pastor Esther Ibanga

Pastor Ibanga started by comparing two definitions of the term “minority group”. She then focused on an overview of the situation in Nigeria. She discussed the violence and atrocity crimes targeted against minorities, especially in the Middle Belt region of Nigeria. She argued that this has continued largely because of a weak and faulty judicial system and has resulted in a failure to hold perpetrators of atrocity crimes accountable, thus encouraging impunity. She emphasised the work of her non-governmental organisation. The organisation's activities during the past few years include advocacy, organising peace rallies, developmental projects, training mothers to detect signs of radicalization in their sons, community policing, and mediation and reconciliation measures. She concluded by asking the UN to intervene in preventing and addressing atrocity crimes and human rights violations against minorities in Nigeria.

Aman Biradari Campaign, India, Mr Sajjad Hassan, Senior Fellow

Following an overview of the challenges faced in India, Mr. Hassan stressed the importance of constructive engagement between state actors and civil society, including those working for minority rights. He recommended three measures: enabling civil society to monitor, track and document the effectiveness of relevant laws and programmes for minorities; promoting networks and alliances of minorities; and building the capacity of minority community groups. He discussed socio-economic deprivation and discrimination and recommended measures to address them, including the adoption of laws guaranteeing equal treatment and equal life chances to all citizens and the creation of greater awareness about relevant laws among minority group. Finally, he recommended States to set targets

and timeframes to achieve better representation of minorities in security forces personnel and policies; and to enhance civil society's capacity to monitor the work of law enforcement bodies and the criminal justice system.

Discussion

The following issues were raised during the discussion under Item VI:

- The importance to ensure the comprehensive implementation of minority rights, non-discrimination and equality standards and to swiftly restore and strengthen the rule of law in post-violence situations as they constitute the foundation for the prevention of further violence against minorities and help to establish the conditions for a stable peace.
- The necessity to build and strengthen frameworks and mechanisms for stability involving actors at national, regional and international level in order to avoid recurrence of violence.
- The importance to understand and address the root causes of violence in order to avoid renewed episodes of violence.
- The importance to ensure that any post-conflict and post-violence programme is designed and implemented in full consultation with affected minorities, gives priority to local context and promotes a bottom-up approaches.
- The importance of empowering minority victims in order to allow them to restore their dignity, claim their rights and access to justice and reparations.
- The importance to accept, when appropriate, the jurisdiction of international tribunals.
- The need for transitional justice processes and mechanisms to address violations of all rights, including economic, social and cultural rights.
- The need to secure an enabling environment for minorities to access formal justice, including by guaranteeing their personal safety and security, identifying and overcoming legislative, administrative, social or cultural barriers that some groups, especially women, may face in exercising their right to access to justice.
- The necessity to prove strong will on enforcement of existing protecting frameworks for minorities by all relevant stakeholders, including political and community leaders and the minority community itself.
- The need to invest more on training, education and public awareness programmes in order to build peaceful societies that promote and respect diversity.

The Chairperson, Mr Patrick Thornberry provided some concluding remarks

Mr. Thornberry thanked all participants for sharing their personal narratives, information, ideas, plans, analysis and positive experiences in a mixed of optimism and realism and for the overall good sense and cooperation of participants through the complex and challenging agenda. He further thanked for the contributions made to the draft recommendations, which will certainly improve the document. He recalled the limited participation of States and civil society at the time of the drafting of the 1992 Declaration and compared it to the today greater visibility of minority issues. He recalled that the importance of minority rights has been recognised and understood also through the work

of this Forum. He indicated that the key fundamental principles of equality, non-discrimination, human dignity are the foundation on which we can build our intellectual and practical endeavours. He highlighted that equality is not antagonistic to diversity, rather it embraces diversity through our common humanity and that this reminds us the fundamental principles entrenched in the Declaration: the protection of existence and identity, equality, non-discrimination and participation of minorities which are, among others, the normative foundations of this Forum. He stressed the importance for all to hold firm on this intellectual normative substratum in order to address challenges and ultimately overcome them. He acknowledged that there are no easy answers to the issues at stake, that much of the work on conflict prevention and building peace is slow and detailed, thus the importance of stressing the relevance of accurate data, of constitution and laws prohibiting discrimination and a legal framework in favour of equality, the importance of affirmative actions, law against hate speech, remedies for discrimination, education and appropriate inclusive institutions. He said that the measures suggested during the session are all essential if we want to have a chance of sustaining this diversity that we enjoy globally. He expressed the hope that the recommendations, which gather the voices of the Forum, will facilitate the achievement of these goals. He recalled that the UN is not indifferent to the faith of minorities; it never was and never can be and that ultimately the voice of the UN is the voice of compassion, hope and the antithesis of hatred and despair. He thanked all participants to the Forum, the Special Rapporteur on minority issues, the Secretariat and the work of the interns, conference service and interpreters. He finally expressed great appreciation for the experience of chairing the Forum and for the possibility he had to listen to the variety of voices and narratives coming from the Forum.