



GUIDANCE NOTE ON INTERSECTIONALITY, RACIAL DISCRIMINATION & PROTECTION OF MINORITIES

The United Nations Network on Racial Discrimination and Protection of Minorities was established in 2012 by a decision of the Secretary-General as a platform for addressing racial discrimination and the protection of national or ethnic, linguistic and religious minorities, including multiple and intersecting forms of discrimination, and enhancing dialogue and cooperation between United Nations departments, agencies, programmes and funds.

Members of the Network include the Department of Economic and Social Affairs (DESA), the Department of Global Communications (DGC), the Department of Peacekeeping Operations (DPO), the Department of Political and Peacebuilding Affairs (DPPA), the Development Operations Coordination Office (DOCO), the International Labour Organization (ILO), the Joint United Nations Programme on HIV/AIDS (UNAIDS), the Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the Special Advisor on the Prevention of Genocide (OSAPG), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Peacebuilding Support Office (PBSO), the United Nations Alliance of Civilizations (UNAOC), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Entity for Gender Empowerment and the Advancement of Women (UN Women), the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR), the United Nations Office on Drugs and Crime (UNODC), the United Nations Population Fund (UNFPA), the World Food Programme (WFP) and the World Health Organization (WHO).

OHCHR acts as permanent Network Co-Chair. UNESCO acts as 2022 rotating Co-Chair. The Network Intersectionality Pillar, under which this publication was produced, is coordinated by ILO.

For more information about the Network, see: <https://www.ohchr.org/EN/Issues/Minorities/Pages/UNNetworkRacialDiscriminationProtectionMinorities.aspx>.

Executive Summary

About the Guidance Note

This Guidance Note was prepared by the United Nations Network on Racial Discrimination and Protection of Minorities to support those involved in United Nations efforts to end discrimination, inequality and exclusion. The Note seeks to encourage an intersectionality perspective in the context of policy development, programming and project implementation as a means of strengthening the United Nations system's efforts to eliminate racial discrimination and strengthen the protection of minorities.

The Note provides a summary of the concept of intersectionality and its grounding in the principle of equality and non-discrimination and, more broadly, international human rights. It presents examples of the ways in which United Nations agencies have prioritized an intersectionality perspective in their work and makes a series of recommendations for practitioners.

What is intersectionality?

Intersectionality is a concept and theoretical framework that facilitate recognition of the complex ways in which social identities overlap and, in negative scenarios, can create compounding experiences of discrimination and concurrent forms of oppression. By contrast, in more positive contexts, these multiple sources of the self can be enabling and enriching. As an example of the negative aspects of these forces and of intersectional discrimination, in addition to racial discrimination and discrimination on grounds of language, religion and belief, members of minorities may also face discrimination related to their caste, descent or inherited status, health, disability, migratory status, socioeconomic status, age, sex, sexual orientation, gender identity, gender expression or sex characteristics. For example, the lived experience of discrimination of a Muslim woman of African or Middle Eastern descent in a European country will be different from that of a Muslim man of similar descent in the same country owing to discrimination based on the intersecting grounds of race, ethnicity, religion and sex.

Applying a perspective that takes intersectionality into account involves acknowledging and paying specific attention to:

- ✓ the fact that the available information and data indicate that **people affected by intersectional discrimination generally belong to the groups most at risk of being left behind**;
- ✓ the **socio-structural nature of the discrimination, marginalization and exclusion** that perpetuate inequality within a society or specific communities and the role that legal, economic and political frameworks, institutions and socio-cultural norms play in this context;
- ✓ the **diversity within groups or communities** and the need to recognize the non-homogeneous experiences and needs of individuals affected by intersectional discrimination and oppression; and
- ✓ the **experiences, narratives and agency of individuals and groups facing intersectional discrimination**, which are key to the development of effective policies and programmes that address, redress and prevent marginalization, discrimination and inequality.

Why is intersectionality relevant for the United Nations system?

Alignment with the **United Nations system's human-rights-based approach** and promotion and application of an intersectionality perspective **strengthen the reach, effectiveness and impact of United Nations interventions** in pursuit of inclusive and sustainable development for all and the realization of human rights and fundamental freedoms.

Ensuring non-discrimination and equality is essential for the realization of all human rights – both civil and political – and of economic, social and cultural rights as well. Indeed, the **principle of equality and non-discrimination is the cornerstone of international human rights law**. The right to non-discrimination is set out in all of the core human rights treaties. In addition, dedicated international instruments establish **specific human rights guarantees for particular groups**, such as women; children; persons with disabilities; indigenous peoples; persons belonging to national, ethnic, religious or linguistic minorities; migrants; and forcibly displaced people, including refugees, internally displaced persons and asylum-seekers.

The United Nations human rights mechanisms, including the treaty bodies, the Human Rights Council's Universal Periodic Review and Special Procedures, and the ILO supervisory bodies increasingly take intersectionality into account in the context of the principle of equality and non-discrimination. It provides a lens that can be used to ensure equality for all and address specific human rights violations affecting individuals and groups that are vulnerable to discrimination and exclusion on intersecting grounds

What do we gain from applying an intersectionality perspective?

An intersectionality perspective helps to advance a human-rights-based approach in policy development, programming and project implementation and in United Nations efforts to ensure that no one is left behind. More specifically, such a perspective assists in:

- ✓ **ensuring specific attention to and action for individuals who are insufficiently protected from human rights violations**, including individuals belonging to minorities and facing racial and intersecting discrimination;
- ✓ **increasing visibility, active participation and an equal voice for those who have long been marginalized**. An intersectionality perspective stresses that addressing discrimination is interrelated with the empowerment, participation and inclusion of individuals, including in the development, implementation and monitoring of policies and programmes affecting them;
- ✓ **recognizing that social categories are not homogenous**. Intersectionality facilitates the development of policies and programmes that recognize intra-group diversity and avoids homogenizing approaches while respecting, protecting and ensuring the exercise of human rights and responding to unaddressed needs;
- ✓ **enhancing the availability and analysis of disaggregated data** as the basis for effective policy development and programming; and
- ✓ **advancing transformative change by addressing the structural causes of inequality and disadvantage that are associated with intersecting forms of discrimination**, including the laws, policies and institutions, socio-cultural norms and harmful stereotypes that perpetuate and/or aggravate the exclusion of certain individuals, groups and communities.



From theory to practice: Recommendations

Application of an intersectionality perspective: getting started

- 1.** Identify the intersectional dimensions of discrimination and minority exclusion and document the experiences of those affected by it.
- 2.** Practice solidarity and build empathy to enable the inclusion and full participation of all, without stigmatizing individuals or communities.
- 3.** Advance a holistic and structural approach in efforts to eliminate racial discrimination and protect minorities.
- 4.** Adopt and apply a survivor-centred approach.

Participation of affected individuals and communities

- 5.** Create spaces in which the voices of individuals affected by intersectional discrimination can be heard and amplified.
- 6.** Take action to increase the participation of individuals affected by intersectional discrimination, oppression and marginalization.

Development and implementation of tailored and responsive policies and programmes in key strategic areas

- 7.** Collect, analyse and publish disaggregated data on who is left behind in order to clarify the inequalities experienced by people affected by racial and intersectional discrimination.
- 8.** Support the development of responsive and tailored policies and interventions in strategic areas such as education, employment, health and criminal justice based on the needs and concerns of those affected.
- 9.** Support efforts to enhance the availability, accessibility, acceptability and quality (AAAQ Framework) of basic infrastructure, goods and services.
- 10.** Apply an intersectionality perspective at all stages of programmes and projects (design, planning, implementation, monitoring, evaluation).

Development of appropriate legal and institutional frameworks

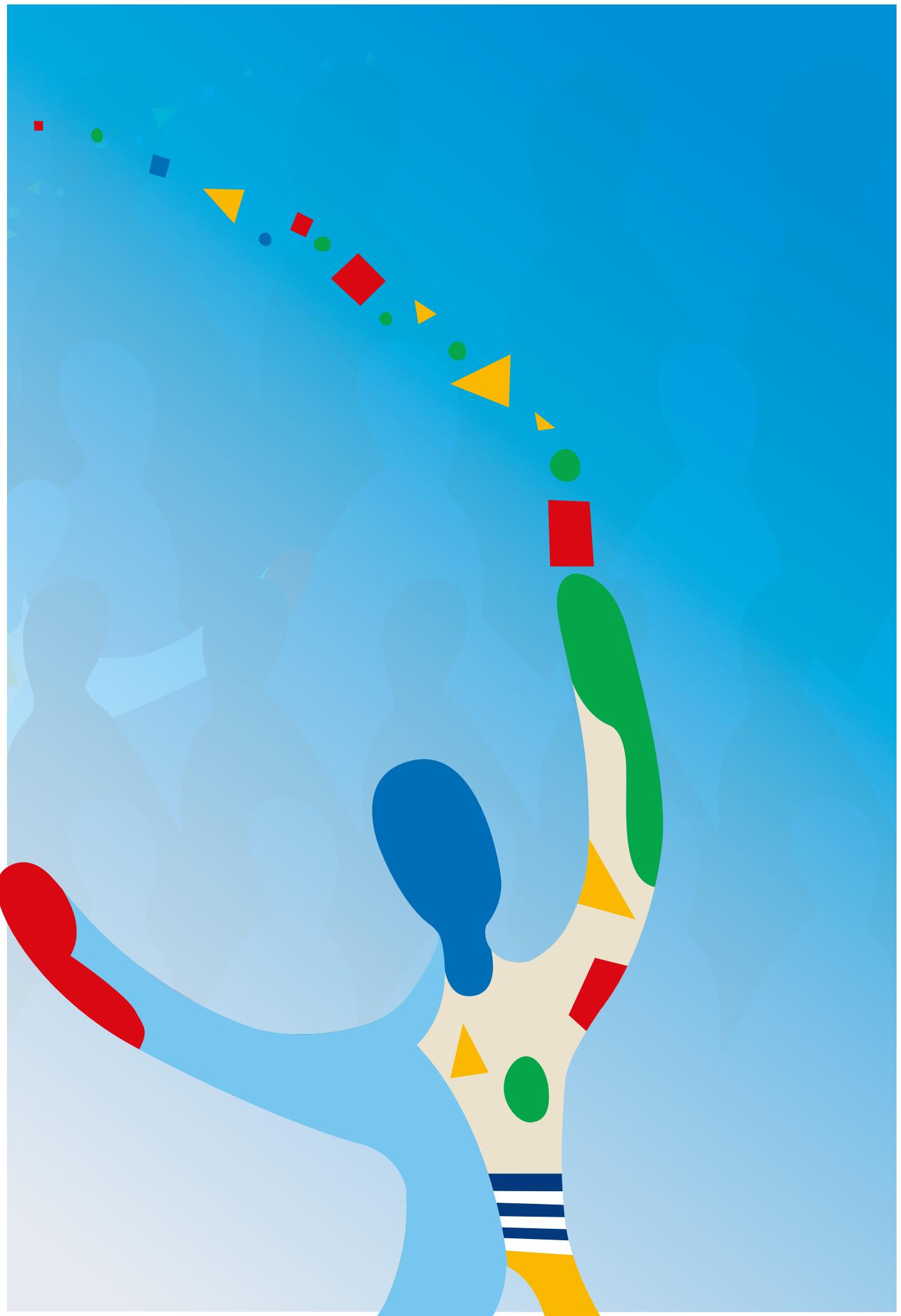
- 11.** Support legal and institutional reforms that address structural discrimination and inequality, including by challenging the underlying social norms.
- 12.** Advance accountability and ensure access to justice, remedy and recourses to all.
- 13.** Support efforts to prevent, punish and eliminate hate speech and harmful stereotypes.

**Collaboration
and engagement**

- 14.** Seize opportunities for cooperation across the United Nations system, and particularly with United Nations country teams, in the collaborative, coherent application of an intersectionality perspective.
- 15.** Seize opportunities for cooperation with regional human rights mechanisms in applying an intersectionality perspective.
- 16.** Build partnerships with national human rights institutions and other relevant national bodies.
- 17.** Engage and collaborate with representatives of communities and groups that face intersectional discrimination, violence and marginalization.
- 18.** Engage and collaborate with universities, research centres, civil society organizations and workers' and employers' organizations with experience and expertise in the areas of intersectionality and the promotion of equality, diversity and inclusion.

**Awareness-
raising, advocacy
and education**

- 19.** Participate in and support advocacy and awareness-raising on human rights issues, including racism, sexism, ableism, homophobia, transphobia and related forms of intolerance, stereotyping and harmful cultural norms and practices.
- 20.** Support efforts to educate and train the relevant stakeholders in non-discrimination, intersectional discrimination and strategies for equality and inclusion.



1. Purpose of this Guidance Note

The **United Nations Network on Racial Discrimination and Protection of Minorities**¹ has prepared this Guidance Note to support anyone involved in United Nations system efforts, particularly at the country level, to address racial discrimination and the protection of minorities with specific attention paid to the experiences, needs and rights of people facing intersectional discrimination. The Note seeks to make a specific contribution to United Nations programming from the point of view of tackling intersectional discrimination and increase the protection of minorities. An intersectionality perspective is timely and necessary in order to strengthen United Nations interventions, programmes and projects as it aligns with the goal of advancing equality, non-discrimination and development for all.

This Note is one response to the observation from stakeholders that the United Nations can and should do more to address racism, racial discrimination, xenophobia and related intolerance (United Nations Network on Racial Discrimination and Protection of Minorities, 2020, p. 3). It explains the concept of intersectionality and its grounding in international human rights law and offers **practical recommendations for the application of an intersectionality perspective in United Nations efforts to eliminate racial discrimination and protect minorities, particularly at the country level**. It provides a series of recommendations aimed at better meeting the specific needs of particular segments of ethnic, linguistic, religious and national minorities; people of African descent; caste- or descent-based communities, including women and girls; children and youth; older persons; persons with disabilities; lesbian, gay, bisexual, trans, intersex, queer and other (LGBTIQ+) persons; migrants; forcibly displaced persons, including refugees, internally displaced persons, and asylum-seekers.

The preparation of the Note benefitted from the insights of civil society organizations and human rights activists working on racial discrimination and minority rights protection.²

The Note is designed as a learning tool. It contains boxes providing more detailed information on selected issues, summaries capturing key elements, and examples of good practice. These boxes are marked as follows:



To learn more about specific topics



To focus on a summary of key elements and concepts



To read about good practices

2. Background

The relevance of an intersectionality perspective in United Nations efforts to leave no one behind

This Guidance Note aligns with and is complementary to the **efforts of the relevant United Nations entities to leave no one behind and promote a human-rights-based approach to development**, including through specific policies and programmes that have the potential to redress inequality and address the specific needs and concerns of individuals and groups facing intersectional discrimination. In 2013, the General Assembly proclaimed the International Decade for People of African Descent (2015–2024) with the theme “People of African Descent: Recognition, Justice and Development” (A/RES/68/237). In his 2013 report on how to make the International Decade for People of African Descent effective (A/67/879), Secretary-General Ban Ki-Moon recommended that due consideration should be given to the compounded discrimination faced by women and girls of African descent.

With the adoption of the **2030 Agenda for Sustainable Development** (General Assembly resolution 70/1), the international community further pledged to leave no one behind in the process of achieving the **Sustainable Development Goals** (“SDGs”).³ The 2030 Agenda offers a unique opportunity to strengthen global, regional and country-based efforts to reach those who are furthest behind, especially by tackling all forms of discrimination – including intersectional discrimination – against minorities throughout the world.⁴

In his report: Our Common Agenda, Secretary-General António Guterres recalled that “racism, intolerance and discrimination continue to exist in all societies”, stressing that “the adoption of comprehensive laws against discrimination, including based on race or ethnicity, age, gender, religion, disability, and sexual orientation or gender, is long overdue” and highlighting the importance of developing “a new approach to proactively support the participation in public affairs of those who have traditionally been marginalized” (United Nations, 2020, para. 34). This Guidance Note aligns with that objective.

The COVID-19 pandemic has highlighted the need to advance a shared vision and accelerate responses to the world’s most concerning challenges, including the elimination of racial discrimination and discrimination against minorities. Since its inception in March 2020, the pandemic has become one of the most severe and complex international crises of our lifetime with multi-faceted consequences that have exposed “alarming inequalities” within our societies.⁵ It has had a devastating and disproportionate impact on individuals and groups that already suffered from marginalization and discrimination. This is particularly true for women and girls, older persons and children, persons with disabilities, migrants and LGBTIQ+ people from minority groups, who have been over-exposed to compounded risks during the pandemic.⁶ This Note is thus part of broader efforts to **empower people and institutions and ensure inclusive United Nations efforts to support Member States in their efforts to meet human rights standards and achieve the SDGs**.

Challenges to leveraging an intersectionality perspective at the country level

The United Nations human rights mechanisms⁷ are increasingly engaging with the concept of intersectionality, highlighting its importance for addressing discrimination in all its manifestations. An intersectionality perspective is also used by various United Nations system entities and by the United Nations country teams. However, despite remarkable efforts, practitioners have reported challenges with the systematic, coherent operationalization of an intersectionality perspective. This Note therefore provides **individuals and teams involved in United Nations policy work, programming and project implementation with guidance and support for use of the concept of intersectionality in their efforts to address discrimination and exclusion.**

The Note pays specific attention to the **participation, empowerment and inclusion of members of minorities who face intersectional forms of discrimination** with a view to a better understanding of the specific needs and experiences of these individuals and groups and in order to ensure that those needs are effectively addressed in the work of the United Nations. It also stresses the importance of **combating racism, racial discrimination, xenophobia and related forms of intolerance and the stigmatization** of minority groups and communities.

3. What is intersectionality?

Intersectionality has its origins in the work of racial and social justice advocates involved in the civil rights movement of the 1950s-60s and beyond, including Black feminist activists and scholars such as Angela Davis, Patricia Hill Collins and bell hooks.⁸ Tensions amongst feminist perspectives regarding diversity within the category of "women", voiced by Black women and women belonging to minority groups, have been critical to the development of intersectionality (Sosa, 2017, p. 18). In the 1980s, Black feminist and legal scholar Kimberlé W. Crenshaw first coined the term "intersectionality" to describe the double bind of simultaneous racial and gender prejudice facing Black women in the United States and to highlight, based on the specific lived experiences of Black women, the ways in which the intersection of race and gender yields a qualitatively different form of discrimination and oppression (Crenshaw, 1989). Since the late 1980s, an increasing number of scholars have advanced the study of discrimination by viewing it through the prism of intersectionality and expanding its application to a wide range of areas, including (but not limited to) public services, employment, housing, education, healthcare and access to justice.

At the same time, these insights have informed an understanding of exclusion in additional areas such as the interface and interaction between age, disability, sexual orientation, gender identity and expression and migrant, minority or indigenous status. The Special Rapporteur on the rights of persons with disabilities, Gerard Quinn, has observed that:

[...] poverty is multidimensional in nature and is compounded across the lifespan. Intersectional factors such as gender, ethnic or minority origin, rural and peri-urban residence and old age lead to further, disproportionate poverty among persons with disabilities. These factors often function in a negative feedback loop: children and adolescents with disabilities are denied education or face limited educational and skills training opportunities; [and] adults with disabilities, lacking marketable education and skills, face disproportionately high rates of unemployment and underemployment, all the more so in difficult economic times. (A/HRC/46/27, para. 71)

The Special Rapporteur has further noted that:

[...] the ripple effect of poverty in the context of disability also affects many family members who provide informal and unpaid care, especially women, who often find themselves without pension entitlements in old age. It is notable how many social systems in both low- and high-income countries depend on families, usually on women, as a default. The result is that women often end up being the tangible victims of this intersectional impact. This feminization of poverty is an almost automatic effect of traditional policy approaches to disability and needs to be addressed and tackled. (*Ibid.*, para. 74)

Intersectionality is thus a **concept and a theoretical framework that facilitate comprehension of the ways in which social identities overlap and create compounding experiences of discrimination and concurrent forms of oppression based on two or more grounds**, such as those mentioned above. Intersectionality promotes the overarching notion that individuals and groups face multiple forms of discrimination and concurrent forms of oppression based on two or more grounds, rather than a single ground; far from representing a simple addition of social identities — for example, ethnicity in addition to gender — the intersectionality framework asserts that these two or more grounds are interdependent and mutually constitutive (Sosa, 2017, p. 16). It has been noted that “[t]here is something unique and synergistically different when discrimination involves multiple identity characteristics” (Fredman, 2011, p. 139).

An intersectionality perspective further exposes the complexities of structural domination and marginalization since it recognizes individual positionality as the result of many social structures (Collins, 2000 and hooks, 2002): “Social divisions are about macro axes of social power but also involve actual, concrete people” (Yuval-Davis, 2006, p. 198). In other words, an intersectional approach posits that two or more grounds (e.g., ethnicity, race, gender, caste, descent or inherited status, sexual orientation, indigenous origin, migration status, age or socioeconomic status) not only intersect at the micro level of individual experience but also reflect “multiple interlocking systems of privilege and oppression” (such as sexism, racism, xenophobia, descent-based exclusion, heterosexism, ableism, homophobia and transphobia) at the macro and structural levels (Bowleg, 2012).

Intersectionality is both contextual and relational as it exposes the socio-structural nature of discrimination and inequality and the role of exclusionary social and cultural norms in including or marginalizing certain categories based on specific grounds (Sosa, 2017, p. 16). Hence, a proper reading of intersectionality calls for the recognition not only of intra-group diversity, but also of the steps to be taken to mitigate disadvantages that may be intensified by intersecting aspects of identity (de Beco, 2017). An intersectionality perspective also pays specific attention to the context in which compounding experiences of discrimination and concurrent forms of oppression, such as situations of conflict, occur.



A brief definition of intersectionality

Intersectionality is a concept and theoretical framework that facilitate recognition of the complex ways in which social identities overlap and create compounding experiences of discrimination and concurrent forms of oppression based on two or more grounds, such as gender identity or expression, sex, sexual orientation, ethnicity, caste, descent or inherited status, age, class, disability or health status. Intersectionality pays specific attention to:

- ✓ the socio-structural nature of discrimination, marginalization and inequality;
- ✓ the diversity within each category, group or community (non-homogeneous experiences and needs); and
- ✓ the narratives, empowerment and agency of individuals and groups facing intersectional discrimination.

The importance of understanding and addressing intersectional forms of discrimination

Attention to intersectional discrimination in addressing racial discrimination and the protection of minorities is key. In particular, intersectionality establishes that:

- each category, such as “women” or “minorities”, embodies diversity and no group of individuals can be characterized as homogenous (Sosa, 2017);
- women and girls, children and youth, older persons, persons with disabilities, LGBTIQ+ people migrants or refugees, and forcibly displaced or stateless persons are affected differently by sexism, racism, xenophobia, caste- and descent-based exclusion, heterosexism, ableism, homophobia, transphobia and related forms of intolerance;
- existing structural frameworks, whether legal, policy, institutional, socioeconomic or cultural, can perpetuate inequality in society as a whole and within some communities;
- single-ground approaches can erode solidarity between groups, including by reinforcing and exacerbating hierarchies of discrimination or violence, and may heighten risk for vulnerable members of excluded groups. In that context, an intersectionality perspective has the potential to advance coalitions and alliances among groups that face intersectional discrimination, marginalization and oppression and to promote shared efforts in the areas of human rights, non-discrimination and equality;
- tailored efforts are necessary in order to ensure effective prevention, response, reform and redress; end intersectional forms of discrimination and violence; open pathways to justice for individuals and groups that experience such forms of discrimination and violence; and address the structures that perpetuate inequalities; and
- laws, policies and practices are only relevant, efficient and accessible to all if they are fully grounded in a comprehensive understanding and recognition of the lived experiences of intersectional discrimination, violence and marginalization.



Supporting the participation of Roma women in public and political life

In Moldova, Roma women face discrimination and inequality in social, economic and political life. In a context marked by anti-Gypsyism, these women have been virtually excluded from representation and participation in public life, particularly as a result of barriers based on both gender and ethnicity. Although no Roma women had run for local office since the Republic of Moldova gained independence in 1991, two such women — Ms. Laura Bosnea and Ms. Varvara Duminica — were elected to town councils in 2015 (United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), 2015).

UN Women worked with the Government of Moldova and civil society to promote women's enjoyment of their right to political participation and to increase the political representation of Roma and other categories of women facing intersectional discrimination, including women from other minority backgrounds, women with disabilities, women with HIV/AIDS and women sex workers. In partnership with the United Nations Development Programme (UNDP), UN Women implemented the Women in Politics (WIP) programme,⁹ which provided training to local and national women political candidates and supported their efforts to coordinate programmes, campaign for office and mobilize constituencies within and beyond their own communities.

Outcomes of the WIP programme include:

- ✓ **enhanced representation, participation and engagement of Roma communities, particularly women;** and
- ✓ **positive benefits and outcomes for Roma communities over the long term:** following their election, both Ms. Bosnea and Ms. Duminica planned to focus on educating youth and involving Roma women and men more actively in the community's social, cultural, economic and political life.

4 The normative foundations of intersectionality

Intersectionality has been commonly considered in the context of the **principle of non-discrimination and equality** that is the cornerstone of international human rights law. This principle is guaranteed under a wide range of international instruments, including the Charter of the United Nations,¹⁰ the Universal Declaration of Human Rights (Arts. 1 and 2), the International Covenant on Civil and Political Rights (Art. 2, para. 1), the International Covenant on Economic, Social and Cultural Rights (Art. 2, para. 2),¹¹ the International Convention on the Elimination of All Forms of Racial Discrimination, the International Labour Organization (ILO) Discrimination (Employment and Occupations) Convention, 1958 (No. 111) and its accompanying Recommendation No. 111.

These instruments guarantee the exercise of human rights and set out non-exhaustive lists of prohibited grounds of discrimination such as race, colour, gender, sex, language, religion, political or other opinion, national or social origin, descent, property, birth and other status.¹² The United Nations human rights mechanisms have identified a range of additional grounds and have stressed that non-discrimination and equality are essential to the full exercise and enjoyment of civil and political, as well as economic, social and cultural, rights by all individuals and groups.¹³



Grounds of discrimination referred to by United Nations treaty bodies (non-exhaustive)

Throughout their work and jurisprudence, the United Nations treaty bodies have identified and emphasized numerous grounds of discrimination, including, among other things, age; albinism; birth; civil, family or career status; colour; descent; disability; economic status; ethnicity; gender expression; gender identity; genetic or other predisposition towards illness; health status; indigenous origin; language; marital status; maternity or paternity status; migrant status; minority status; national origin; nationality; place of residence; political or other opinion; pregnancy; property; race; refugee or asylum status; religion or belief; sex; sex characteristics; sexual orientation; social origin; and social situation.¹⁴

The equality and non-discrimination provisions of international human rights instruments are an expression of, and intrinsically linked to, the equal dignity of all human beings that contemporary human rights law seeks to protect. In particular, the Universal Declaration of Human Rights represents a universal recognition that basic rights and fundamental freedoms are inherent to all human beings, inalienable and equally applicable to everyone and that every one of us is born free and equal in dignity and rights.

In addition to prohibiting discrimination on specific grounds, the international human rights framework focuses on specific groups such as women; children; persons with disabilities; members of national, ethnic, religious or linguistic minorities; and migrant workers. The existence of dedicated instruments for these groups is an acknowledgement of the distinct forms of discrimination, oppression and marginalization that they face. These instruments include:

- ✓ the 1965 International Convention on the Elimination of All Forms of Racial Discrimination;
- ✓ the 1979 Convention on the Elimination of All Forms of Discrimination Against Women;
- ✓ the 1989 Convention on the Rights of the Child;
- ✓ the 1989 Indigenous and Tribal Peoples Convention (ILO Convention No. 169);
- ✓ the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- ✓ the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;
- ✓ the 2006 Convention on the Rights of Persons with Disabilities;
- ✓ the 2007 United Nations Declaration on the Rights of Indigenous Peoples; and
- ✓ the 2010 HIV and AIDS Recommendation (ILO Recommendation No. 200).

The Durban Declaration and Programme of Action, adopted at the 2001 World Conference against Racism, recognized “that the intersection of discrimination on the grounds of race and gender makes women and girls particularly vulnerable to this type of violence, which is often related to racism, racial discrimination, xenophobia and related intolerance”.¹⁵

Although intersectionality is, generally speaking, not explicitly mentioned in international human rights instruments, the ILO Violence and Harassment Convention, 2019 (No. 190) is a recent example of the explicit incorporation of this perspective; its Preamble acknowledges the need to address intersectional discrimination as a root cause of gender-based violence and harassment.¹⁶ The ILO Resolution concerning inequalities and the world of work, adopted at the 110th Session of the International Labour Conference in 2021, recognizes that “discrimination, including systemic, multiple and intersectional forms of discrimination, remains a persistent and pervasive dimension and root cause of inequality” (para. 20).

In addition, some instruments contain provisions that recognize the existence of non-homogenous experiences among these groups. For instance, the Convention on the Rights of the Child provides specific protection for children who have been granted or are seeking refugee status (Art. 22) and children in situations of armed conflict (Art. 38); the Convention on the Elimination of All Forms of Discrimination Against Women addresses the specific marginalization of rural women (Art. 14); and the ILO Indigenous and Tribal Peoples Convention (No. 169) includes specific provisions on discrimination, including sexual harassment, against indigenous women (Arts. 3 and 20).

A number of ILO instruments include specific provisions on non-discrimination. For example, the Migration for Employment Convention (Revised), 1949 (No. 97) requires that equal treatment be applied to migrant workers and nationals, without discrimination based on nationality, race, religion or sex, in a number of areas. The ILO HIV and AIDS Recommendation, 2010 (No. 200) explicitly addresses discrimination on the grounds of real or perceived HIV status and recognizes that migrant workers may be specifically at risk of exclusion on those grounds (paras. 25–28).



Supporting intersectionality in order to include LGBTIQ+ individuals from minority communities in services

Lesbian, gay, bisexual, transexual, intersex, queer and other (LGBTIQ+) people do not form a homogenous category. In Europe, for example, stigmatization and exclusion are worsened for LGBTIQ+ members of the Roma community; they are exposed to multiple forms of discrimination, compounding the many challenges that Roma face in their daily lives as a result of anti-Gypsyism (Council of Europe, 2017). Policies and programmes should recognize and address the diversity of LGBTIQ+ persons, including as subject to intersectional forms of discrimination based on such factors as sex, descent, ethnicity, age, religion, poverty, migratory status, disability and health. In a 2016 report entitled "Including Intersectional Identities: guidance on including intersectional LGBTI people in services", the United-Kingdom-based civil society organization, Equality Network, provides seven tips for ensuring that LGBTIQ+ individuals facing intersectional discrimination are ensured access to inclusive services:

- 1. Use a person-centred approach:** "person-centred services avoid assumptions and ask questions without value judgements" and should be flexible.
- 2. Increase knowledge and understanding:** "Comprehensive diversity training on all the protected characteristics makes a huge difference to how [people facing intersectional forms of discrimination] can access services. By understanding how our needs can be complicated by our intersectionality and how differently we can experience discrimination, services can cater for us more quickly and smoothly." Diversity training should include "all protected characteristics" and "[pay] specific attention to intersectionality".
- 3. Consult and collaborate:** "This is particularly important for intersectional service users, who may need to be supported by service providers from multiple sectors. Our experiences of accessing services are greatly improved when our service providers are consistent in their support of intersectional inclusion within their own organisations and work productively with other sectors."
- 4. Increase accessibility:** "While most access issues are single strand, disability-focused concerns, some barriers to equal access can be intersectional, can affect intersectional service users disproportionately, or highlight ideological differences between different groups of service users. It is important to review all aspects of accessibility from an intersectional perspective."
- 5. Deal with discrimination:** "People with intersectional identities can be at higher risk of experiencing particularly high levels of discrimination." It is therefore important to implement policies to prevent and punish intersectional discrimination facing LGBTIQ+ people and to make bold and proactive statements about tackling all forms of discrimination.
- 6. Positive representations and messages:** "When deciding if and how to access a service, many people look for signs or signals as to how that organisation is inclusive. People with intersectional identities search for these signs on various aspects of our identities. Many use this research to inform our decisions about what information to share, how safe to feel, or even if we feel confident enough in a service to use it at all." It is important to "make your inclusive practice visible" and to "demonstrate your awareness and understanding of intersectionality identity, including by avoiding stereotypes (for example, pointing out that "not all gay people are male, white and middle class"). "
- 7. Integrate intersectionality into your systems:** To ensure that diverse people are represented in volunteer, staff, board and management recruitment, it is important to "attract and retain diverse people to work and volunteer for your organization" by creating a welcoming environment and actively recruiting people with intersectional identities, such as LGBTIQ+ members of minorities; to "publicize your respect for people's privacy"; and to "respect people's wishes and comfort levels regarding language and labelling". [Emphasis added.]

For more information, see:

- Equality Network (2016). [*Including Intersectional Identities: guidance on including intersectional LGBTI people in services*](#).
- United Nations (2016). [*Living Free and Equal: What States are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people*](#).



Community engagement intervention in order to empower the Muhamasheen communities in informal settlements (slums) in Yemen

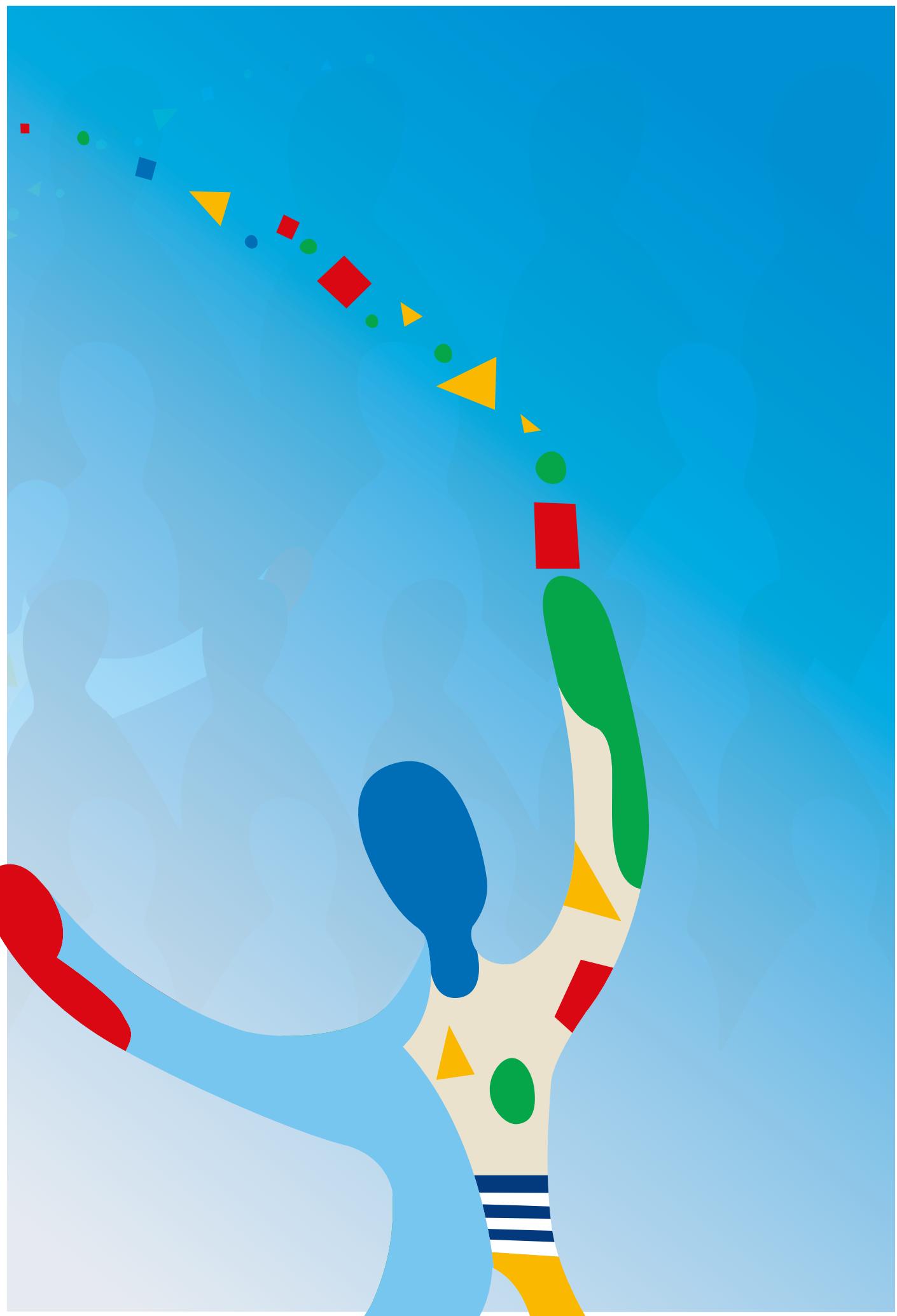
In Yemen, the Muhamasheen (“marginalized”) are a minority community that, prior to the current conflict, comprised at least 10 per cent of the country’s population (2.5–3 million people). Prevailing theories suggest that they are of African descent and have had a presence in Yemen since the sixth century A.D. Previously referred to as Al-Akhdam, meaning “the servant”, the Muhamasheen live in slum areas in dwellings such as ruined houses, wooden boxes or tents which often lack access to electricity, running water and latrines. Deep poverty fuels high rates of child labour, including searching for plastic water bottles in garbage bins and begging. Muhamasheen continue to work at the very lowest income levels, cleaning houses and serving the non-Muhamasheen population by taking on poorly-paid tasks that no one else is willing to do. Opportunities for Muhamasheen children and youth to enrol and stay in school and to access even basic health services are limited, perpetuating generational cycles of deep poverty and social marginalization. After centuries of discrimination and marginalization, self-stigma is also a significant issue. A 2020 household survey found that 68 per cent of household members aged 10 and above were unable to read or write and that 55 per cent of children aged 6–14 and 76 per cent of adolescents aged 15–17 had not enrolled in school during the year.

Since 2014, the protracted conflict in Yemen has heightened marginalization of the Muhamasheen through increased cost of living, destroyed housing and health infrastructures and forced internal displacement.¹⁷ A 2020 United Nations Children’s Fund (UNICEF) survey found that the conflict has led to increased numbers of Muhamasheen children with disabilities, who experience compounded discrimination owing to the stigma associated with disability (UNICEF, 2020). Parents often hide these children and young people so that they are not visible within the community, further preventing them from accessing their basic rights, and schools are not equipped to support them even where policies are in place. The conflict has also resulted in the denial of housing to numerous internally displaced persons, including Muhamasheen, and the extreme marginalization and poverty of their community makes Muhamasheen girls and boys vulnerable to recruitment to the conflict and to sexual and gender-based violence.

To support the comprehensive and complex needs of Muhamasheen families, the UNICEF Office in Yemen and its partners have introduced an Integrated Model of Social and Economic Assistance and Empowerment (IMSEA),¹⁸ which takes a multi-sectoral approach aimed at “joining up benefits, social services and other social and economic inputs/interventions to achieve improved outcomes for the poorest and most vulnerable, strengthen their resilience to shocks and stresses, and enhance greater collocation, collaboration and cooperation within and between [different] sectors” (p. 5).

Community engagement interventions conducted by UNICEF rely on approaches that aim to:

- ✓ **empower individuals from marginalized groups to become “Young Community Change Agents”** using the peer education approach through training in life skills, including, among other things, effective community communication; understanding the principles of humanitarian work and the concept of social protection; voluntary work; and formulation of initiatives. Specific attention was paid to the empowerment of young girls, who account for 70 per cent of Young Community Change Agents; and
- ✓ **empower community-based organizations and institutions by training their personnel** in the areas of social protection, budgeting, strategic planning, institutional strengthening and capacity-building, follow-up and evaluation, project formulation, report-writing and community mobilization in order to enhance their technical knowledge and improve their response to the priorities and needs of slums communities using innovative practices acceptable to these groups.



Guidance from United Nations treaty bodies and special procedures and the ILO Committee of Experts on the Application of Conventions and Recommendations

The United Nations human rights mechanisms have increasingly recognized that individuals may be subjected to discrimination on various grounds and have built on the concept of intersectionality when interpreting and monitoring international human rights instruments.

The Committee on the Elimination of Discrimination against Women has followed this approach in its more recent general recommendations¹⁹ and in its concluding observations on the reports of States parties to the Convention on the Elimination of All Forms of Discrimination against Women, for which it is the monitoring body. For example, in its 2016 concluding observations on the periodic report of Serbia (CEDAW/C/SRB/CO/4), the Committee said that it was “concerned about reports that Roma women, older women, poor women, women with disabilities, refugee and internally displaced women and women heads of household continue to experience multiple and intersecting forms of discrimination” (para. 43). The Committee called on the Serbian authorities “to vigorously pursue efforts to eliminate multiple and intersecting forms of discrimination experienced by women belonging to disadvantaged groups and to ensure their economic empowerment” and “encourage[d] the State party to conduct a comprehensive survey to assess the situation and the particular needs and aspirations of women belonging to disadvantaged groups (...) to inform its legislation and policies” (para. 44).

In its general recommendation No. 25 on gender-related dimensions of racial discrimination (HRI/GEN/1/Rev.8, pp. 258–259), the Committee on the Elimination of Racial Discrimination stated that it would henceforth “include in its sessional working methods an analysis of the relationship between gender and racial discrimination by giving particular consideration to: (a) The form and manifestation of racial discrimination; (b) the circumstances in which racial discrimination occurs; (c) The consequences of racial discrimination; and (d) The availability and accessibility of remedies and complaint mechanisms for racial discrimination” (para. 5).

The Committee on the Rights of the Child has issued several general comments addressing the specific situation of children with disabilities (general comment No. 9), juvenile justice (general comment No. 10) and indigenous children (general comment No. 11).²⁰ In general comment No. 10, for example, the Committee notes that that “street children, children belonging to racial, ethnic, religious or linguistic minorities, indigenous children, girl children, children with disabilities and children who are repeatedly in conflict with the law (recidivists)” face disproportionate discrimination in the juvenile justice system (CRC/C/GC/10, para. 6).

Other United Nations human rights mechanisms, including the Special Rapporteur on minority issues,²¹ the Special Rapporteur on freedom of religion or belief²² and the Working Group on People of African Descent,²³ have engaged with intersectionality. Governments have also urged other governments to address intersectional discrimination in the context of the United Nations Human Rights Council’s Universal Periodic Review.²⁴

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has stressed, with regard to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), that “inequalities disproportionately affect certain groups and members of those groups because of their race, colour or national extraction, which often intersects with other prohibited grounds of discrimination [...], such as social origin and religion, with compounding effects on women and girls” (ILO, CEACR, 2019, p. 2) and that “the intersection of factors such as race, religion, gender or disability increases the risk of harassment, particularly in respect of young women from an ethnic or racial minority” (Ibid., p. 3). In analysing the impact of COVID-19 on employment and decent work, the Committee emphasized that “where individuals belong to more than one disadvantaged group, multiple and intersectional discrimination compound and exacerbate existing inequalities, affecting both health and economic outcomes. Intersections occur not only between different groups, such as women with disabilities, but also with other characteristics, such as sex, age, race, cultural background and socio-economic status. Policy responses to the crisis need to take into account both multiple and intersecting forms of discrimination and inequalities, including pervasive gender inequality” (ILO, 2021a, para. 225).



Disability and age

In her 2019 report (A/HRC/43/41), the Special Rapporteur on the rights of persons with disabilities, Catalina Devandas-Aguilar, highlighted intersectional risks on the grounds of age and disability as increasing numbers of countries adopt rules allowing for assisted suicide:

Assisted dying, whether through euthanasia or assisted suicide, is a contentious issue within the disability community. Euthanasia generally entails the consented administration of a lethal substance by a third person, usually a physician, to end a person's life; assisted suicide refers to the prescription of a lethal substance for self-administration by the individual. To date, assisted dying is legal in only eight countries, but many others are considering its implementation. The practice and requirements for assisted dying vary across jurisdictions; in some, euthanasia performed by physicians is predominant, whereas in others only assisted suicide is permitted. Additionally, while in some jurisdictions assisted dying is restricted to adults who are terminally ill, some countries offer assisted dying for anyone with a medical condition who experiences severe physical or mental pain and suffering. Countries where assisted dying is performed by physicians and that have broad access criteria have higher percentages of assisted dying and have experienced a significant expansion of the practice over the last decade.

From a disability rights perspective, there is a grave concern that legalizing euthanasia and assisted suicide could put at risk the lives of persons with disabilities. If assisted dying is made available for all persons with a health condition or impairment, regardless of whether they are terminally ill or not, a social assumption might follow that it is better to be dead than to live with a disability. Therefore, a first concern is that persons with a newly acquired impairment may opt for assisted dying based on prejudices, fears and low expectations of living with a disability, before even having the chance of coming to terms with and adapting to their new disability status. Second, persons with disabilities may decide to end their lives because of social factors, including loneliness, social isolation and lack of access to quality support services. A third problem is that persons with disabilities, particularly older persons with disabilities, may be vulnerable to explicit or implicit pressures arising from their context, including expectations from family members, financial pressures, cultural messages and even coercion.

Generally, when life-ending interventions are normalized outside the end stage of terminal illness, persons with disabilities and older people may increasingly feel the need to end their lives. For example, the available data from two countries show an increase in the demand for euthanasia among people who are not terminally ill, particularly persons with psychosocial disabilities and dementia. Nevertheless, many disability rights advocates also oppose assisted dying in terminally ill contexts, as they fear it will put at risk persons with new or progressive disabilities or diseases, who may be mistakenly diagnosed as terminally ill but who have many years of life ahead of them (paras. 36–38).

5. Intersectional discrimination facing specific categories

Minority communities are extremely diverse and include individuals and groups with differentiated positions, experiences and needs. Intersectionality highlights contrasting characteristics between the members of a given group or category based on other grounds. United Nations system entities and human rights mechanisms report that certain segments of racial, ethnic, national, linguistic and religious minorities, Afro-descendant or indigenous communities face exacerbated and intersectional discrimination. These categories, which are not exhaustive, fixed or homogenous, include:

Women and girls from ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities. Minority, Afro-descendant and indigenous women and girls are particularly vulnerable to the effects of discrimination, social and political exclusion, marginalization and poverty and may face barriers in accessing education, healthcare and employment. They may be unable to speak the language of the dominant majority owing to their community's preference for educating men and are often at increased risk of violence, trafficking, abuse and exploitation. The Special Rapporteur on minority issues, Rita Izsák-Ndiaye, has noted that their situation merits particular and focused attention (A/HRC/34/53/Add.3, para. 80).

Stateless persons belonging to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities. An estimated 75 per cent of the 4.2 million stateless people living in 94 countries as at the end of 2020 belong to minority groups.²⁵ Stateless persons belonging to racial, ethnic, linguistic, religious or national minorities and indigenous communities face disproportionate discrimination and compounded obstacles in accessing their right to a nationality.²⁶

Migrants, forcibly displaced persons, refugees belonging to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities. Migrants, forcibly displaced persons and refugees belonging to minorities have shared stories of ethnic profiling, excessive stop-and-search checks, harassment, exclusion and even violence from security forces and officials, discrimination in employment, precarious socioeconomic situations, lack of access to the most basic services, and poor or unequal access to justice.²⁷ The United Nations human rights mechanisms have reported a rise in hate speech, racism, anti-immigrant political discourse and xenophobia that specifically target migrants, forcibly displaced persons and refugees belonging to minorities and have drawn attention to the way in which these factors aggravate the denial of their human rights.²⁸

Lesbian, gay, bisexual, trans, intersex, queer and other (LGBTIQ+) persons belonging to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities.

In many countries, members of LGBTIQ+ communities who belong to minorities and indigenous communities face disproportionate obstacles and discrimination in all spheres of society, in addition to social stigmatization and homophobic or transphobic hate speech. Members of LGBTIQ+ communities have described the ways in which certain social or religious rules, norms, practices or teaching promote patriarchal and heterosexual values and/or foster a permissive environment for homophobic or transphobic hate crimes.²⁹ The United Nations human rights mechanisms have noted that such norms aggravate the marginalization of these communities and may lead to deep personal struggles for those who attempt to reconcile their religious identity with their sexual orientation, gender expression or gender identity.³⁰ Racial discrimination within LGBTIQ+ spaces has also been raised as an issue.

Persons with disabilities who belong to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities. Various United Nations human rights mechanisms, including the treaty bodies and special procedures, have raised concerns about the specific forms of discrimination that persons with disabilities face in all aspects of their lives, including in access to public services, employment, adequate housing, education and healthcare. For instance, the Special Rapporteur on minority issues, Fernand de Varennes, has reported that bilingual educational facilities may lack resources for deaf members of linguistic minorities (A/HRC/43/47/Add.1, para. 84).

People deprived of their liberty/detainees who belong to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities. In many countries, minorities and indigenous persons are over-represented among detainees and other people deprived of their liberty, often owing to stigmatization, criminalization and/or repressive policies that specifically target certain categories of the population, such as people of African descent.³¹

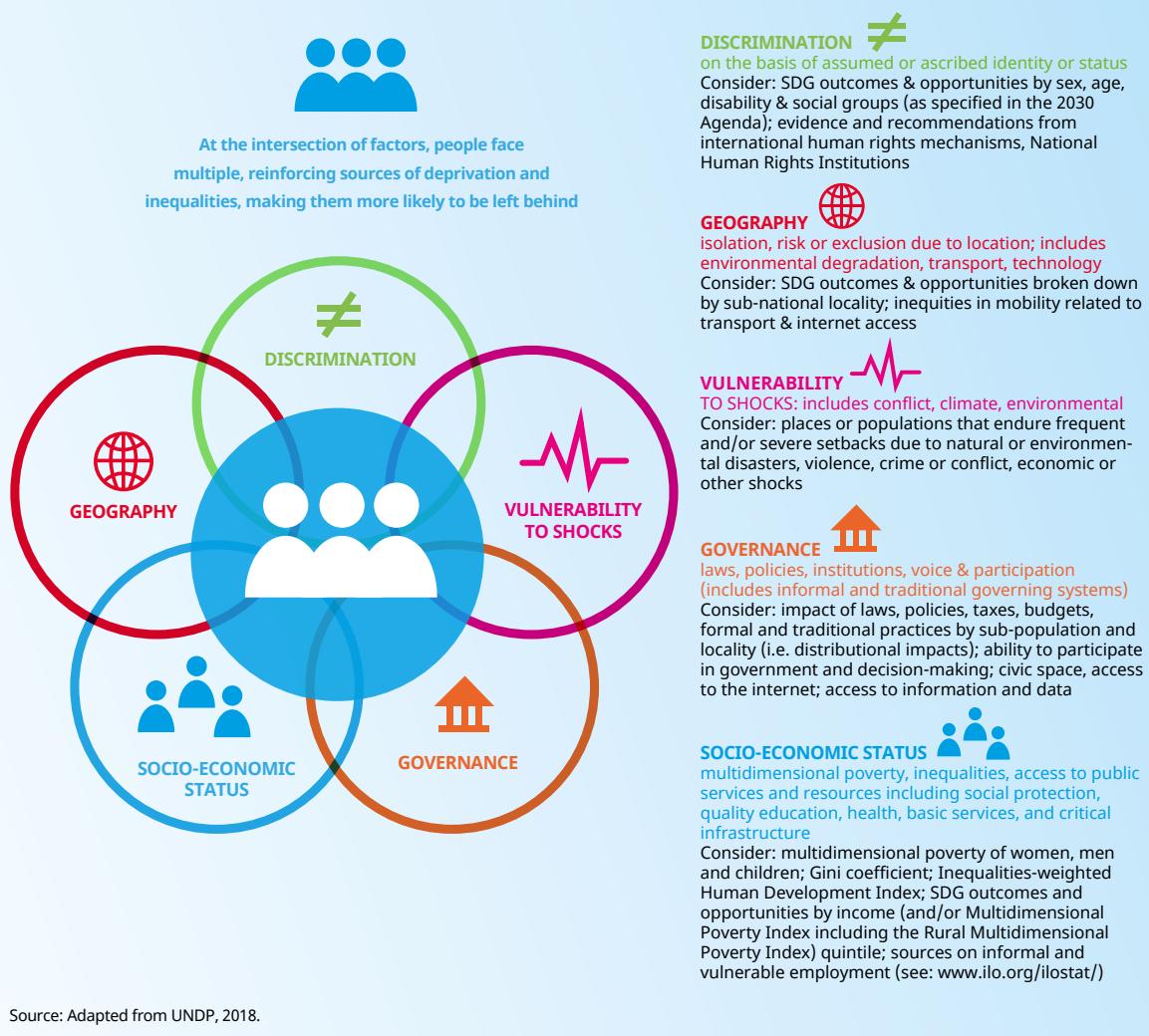
Persons belonging to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities who live in rural areas. Various United Nations human rights mechanisms, including treaty bodies, have raised concerns about the high rates of poverty and social exclusion among minorities, indigenous people, people of African descent and members of caste- or descent-based communities living in remote and rural areas.³² By comparison with urban-dwellers, these individuals are more likely to lack access to, among other things, justice, basic services and infrastructures such as education, healthcare, support services for victims of violence and adequate water, sanitation and electricity, as well as economic and employment opportunities.

Persons belonging to ethnic, linguistic, religious or national minorities, indigenous peoples, people of African descent and caste- or descent-based communities who live in situations of conflict. The intersectionality approach pays specific attention to the context in which intersectional forms of discrimination occur, including situations of internal or international conflict and wars. Members of ethnic, linguistic, religious or national minorities, indigenous people, people of African descent and caste- or descent-based communities may be disproportionately affected by ongoing conflict or insecurity.³³ The Special Rapporteur on minority issues, Fernand de Varennes, has noted that "[c]onflicts globally are increasingly intrastate and most involve minorities with grievances of exclusion and discrimination".³⁴



A holistic assessment of “who is left behind” through five factors

The United Nations Sustainable Development Group (UNSDG) guide, *Operationalizing Leaving No One Behind: Good Practice Note for UN Country Teams* (UNSDG, 2022, pp. 13–14) identifies five factors that constitute central driving forces behind exclusionary processes. The Note develops a framework that stakeholders can use to gather and analyse information within and across these five factors to identify those who are the furthest, or the most at risk of being left behind, including individuals who face intersectional forms of discrimination, oppression and marginalization:



Source: Adapted from UNDP, 2018.



Indigenous women and intersectional discrimination

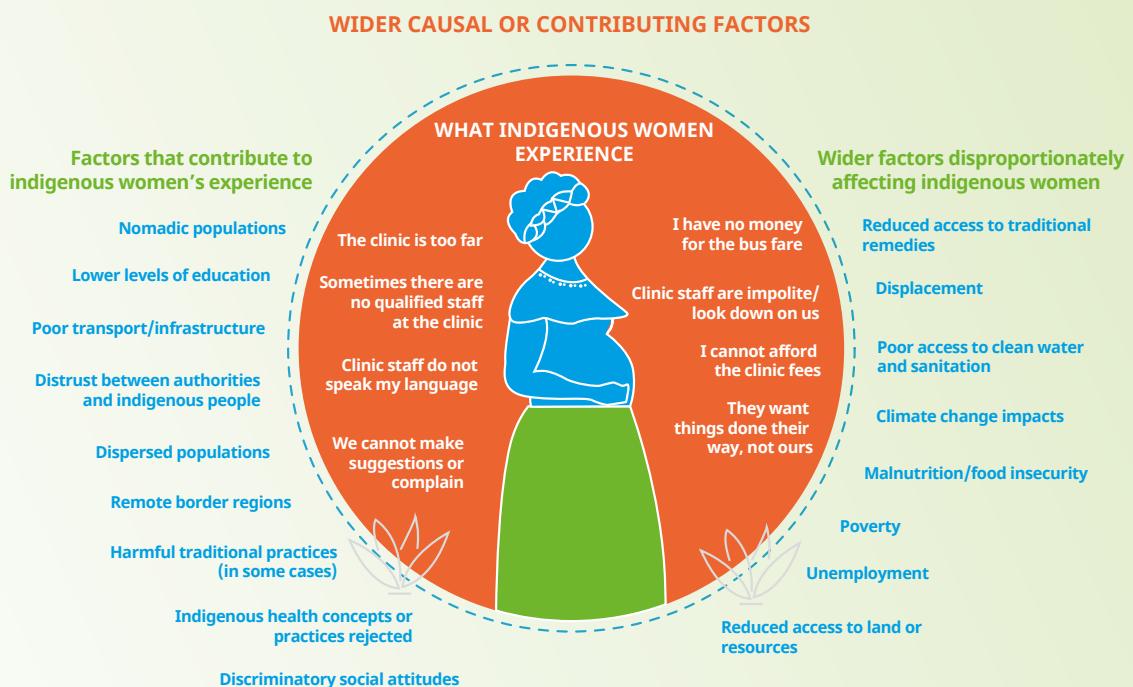
Based on a qualitative methodology and participatory, community-led data-gathering, ILO has published various studies and reports with a view to a better understanding of the situation of indigenous women worldwide and has made recommendations in response to their specific experiences and needs. These reports show that indigenous women across all regions “[...] face multiple discrimination, unequal pay, violence and harassment, both within and outside their communities, limited access to health services, lack of recognition of their land rights and limited participation in decision-making affecting their lives” (ILO, 2020f, p. 7). In the context of the COVID-19 pandemic, indigenous women have been placed in particularly vulnerable situations owing to the exacerbation of pre-existing inequalities and marginalization (Ibid.).

Despite the many obstacles and forms of discrimination that indigenous women face in all aspects of society, the ILO reports emphasize their resilience, the importance of their contributions and the leading role that they play in their communities. Sustained efforts to ensure that these women are not left behind in achievement of the SDGs include enhancement of their participation and leadership in the public and private sectors; better recognition and protection of their individual and collective rights, including the right to land and natural resources; and the prevention and elimination of discriminatory behaviours, laws, policies and practices that specifically affect them.

Intersectional discrimination in the field of maternal health

Throughout the world, indigenous women and adolescent girls experience significantly worse maternal health outcomes than majority populations. For instance, they are six times more likely to die in childbirth than the non-indigenous populations of Panama and Russia. Although access to healthcare is a fundamental right, indigenous women continue to face disproportionate obstacles in their efforts to access maternal healthcare services.

Why do indigenous women have worse maternal health outcomes?



Source: UNFPA, UNICEF and UN Women, 2018, p.5

In their 2018 *Factsheet: Indigenous Women's Maternal Health and Maternal Mortality*, UNFPA, UNICEF and UN Women note that in order to improve the health of indigenous women and adolescent girls, States need to fulfil their commitment to disaggregate data by sex, ethnicity and age, tackle discrimination and make health centres physically, financially and culturally accessible.

For more information, see:

- ILO (2017). [Working Paper No. 2 on Working conditions of indigenous women and men in Central Africa: An analysis based on available evidence](#) (an analytical overview of key issues faced by indigenous peoples in the world of work in the Central African region);
- ILO (2020e). [Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future](#) (examining the implementation of ILO Convention No. 169 and the current social and economic situation of indigenous peoples across the world);
- ILO (2020f). [Indigenous Women's Realities: Insights from the Indigenous Navigator](#) (identifying and discussing the experiences, needs, concerns and aspirations of indigenous women in 11 countries in Africa, Asia and Latin America based on the outcome of a collective and community-led data-gathering exercise relying on the Indigenous Navigator framework and tool);
- ILO (2021b). [Exploring and Tackling Barriers to Indigenous Women's Participation and Organization](#) (a study based on qualitative research in Bangladesh, the Plurinational State of Bolivia, Cameroon and Guatemala);
- United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF) and United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) (2018). [Factsheet: Indigenous Women's Maternal Health and Maternal Mortality](#).



Caste- and descent-based discrimination

Throughout the world, over 250 million people suffer descent-based discrimination, defined as “segregation, exploitation, and physical and psychological abuse because of their caste or other inherited status into which they are born” (United Nations Network on Racial Discrimination and Protection of Minorities, 2017, p. 1). The majority of the communities affected by this form of discrimination are in South Asian countries, particularly India and Nepal, where they are known as “Dalits” and constitute the largest affected group.³⁵ Similarly affected groups include the Burakumin of Japan and the Muhamasheen of Yemen; the issue is also common in, among other places, West Africa, the Horn of Africa and the South Asian diaspora communities in Africa, Europe, the Americas, Malaysia, Australia and the Pacific.³⁶

In its *Guidance Tool on Descent-Based Discrimination: Key Challenges and Strategic Approaches to Combat Caste-Based and Analogous Forms of Discrimination* (2017), the United Nations Network on Racial Discrimination and Protection of Minorities notes that

[d]escent-based discrimination undermines, fundamentally, the dignity of the persons concerned, affecting a full spectrum of civil, political, economic, social and cultural rights. Descent-based discrimination fuels violations of the right to education and employment, undermines access to justice and, all too often, catalyses sexual violence and other crimes targeted at women and girls. It is a large-scale human rights problem that requires decisive attention and action (p. 11).

The Special Rapporteur on Minority Issues points out that “the term ‘caste’ refers to a strict hierarchical social system that is often based on the notions of purity and pollution, in which individuals placed at the bottom of the system may face exclusion and discrimination in a wide range of areas”.³⁷

Although there is no explicit reference to caste-based or analogous forms of discrimination in the United Nations human rights instruments, that Organization’s human rights mechanisms have made it clear that the standards established therein also cover descent-based, caste-based and analogous forms of discrimination. They have also recalled that States have an obligation under international law to address such forms of discrimination.³⁸ In its general recommendation No. 29 on article 1, paragraph 1, of the Convention (Descent) (HRI/GEN/1/Rev.8), the Committee on the Elimination of Racial Discrimination confirms that the term “descent” in Article 1, paragraph 1 of the Convention on the Elimination of All Forms of Racial Discrimination refers not solely to race but has “a meaning and application which complement the other prohibited grounds of discrimination” and states unequivocally that “discrimination based on “descent” includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights” (p. 267).

The Committee identifies several factors that indicate the existence of “communities who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status”, including “inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces, places of worship and public sources of food and water; subjection to dehumanizing discourses referring to pollution or untouchability; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; and generalized lack of respect for their human dignity and equality” (*Ibid.*, p. 268).

Descent-based discrimination particularly affects women and girls from these communities, who are often targets of violence and are denied the exercise of their rights in all aspects of life.³⁹ Moreover, the intergenerational nature of such discrimination often condemns women to a lifetime of exclusion, marginalization and disadvantage. In its general recommendation, the Committee mentions specific forms of discrimination facing women members of descent-based communities in the areas of personal security, employment and education, sexual exploitation and forced prostitution (p. 269). For instance, under the Devadasi and Jogini systems practiced in India, “the Devadasi dedication of girls to temples has turned into a systematic abuse of young Dalit girls being forced to prostitute themselves for dominant caste community members. Girls who become Devadasi and Jogini are prohibited from marrying and are stigmatised by the community. Their children suffer from discrimination because they do not have a recognized father” (International Dalit Solidarity Network, 2017).

For more information about caste- and descent-based discrimination, see:

- United Nations Network on Racial Discrimination and Protection of Minorities (2017). *Guidance Tool on Descent-based Discrimination: Key Challenges and Strategic Approaches to Combat Caste-Based and Analogous Forms of Discrimination* (with 19 recommendations for the United Nations system on ways of addressing caste-based and analogous forms of discrimination);
- 2016 report of the Special Rapporteur on minority issues, Rita Izsák ([A/HRC/31/56](#)); and
- International Dalit Solidarity Network (2017). *IDSN Roadmap to the UNOHCHR Guidance Tool on Descent-based Discrimination: Key challenges and strategic approaches to combat caste-based discrimination and analogous forms of discrimination*.

6. Applying an intersectionality perspective: Recommendations

The final section of this Note provides **recommendations for the application of an intersectionality perspective in the context of policy development, programming and project implementation in order to eliminate racial discrimination and protect minorities.**

Application of an intersectionality perspective in country-based efforts: Getting started

1. Identify intersectional dimensions of discrimination and minority exclusion and document the experiences of those affected by it by:

- considering the historical, socioeconomic, cultural, institutional and political contexts in all efforts to promote human rights and development;
- recognizing, documenting and publicizing, with their participation, the experiences of people exposed to intersectional discrimination; and
- systematically approaching efforts to ensure the enjoyment of all human rights from an intersectionality perspective using the eight “intersectionality enablers” for practitioners developed by UN Women and the United Nations Partnership on the Rights of Persons with Disabilities (UNPRD).



Eight “intersectionality enablers” for practitioners, developed by UN Women and the United Nations Partnership on the Rights of Persons with Disabilities

UN Women and the United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) have developed the *Intersectionality Resource Guide and Toolkit* (2022), which includes the following eight core intersectionality enablers and key questions for use in applying an intersectionality perspective (pp. 13–14):

1. Reflexivity:

Examine your own unconscious biases, beliefs, judgments and practices, as well as those of your organisation and how these may influence how you work and engage with others. Don’t take your assumptions for granted.

Do I critically reflect on how my biases, attitudes and beliefs influence my opinions and actions? How does my privilege directly or indirectly disadvantage others? What can I do to address this?

2. Dignity, choice and autonomy:

Respect and uphold the dignity, choice and autonomy of all people. This cannot be assumed on behalf of others and decision-making cannot be substituted.

Who has independence and who doesn't? Who shares their perspectives and who doesn't? Who has full control over how they live their life and who doesn't?

3. Accessibility and universal design:

Take a universal design approach, ensuring accessibility and reasonable accommodation.

Have you asked people what they need to participate? Have you removed physical, transportation, information and communication barriers or provided reasonable alternatives? Have you addressed attitudinal, environmental and institutional barriers?

4. Diverse knowledges:

Prioritise and learn from people with diverse forms of knowledge who are typically excluded from ‘expert’ roles. There is a relationship between power and knowledge production and design.

How do we know what we think we know? Who told us? Who has not been consulted?

5. Intersecting identities:

Consider how diverse identities interact to create unique social effects that vary according to time and place. Identities are not singular and distinct, nor are they additive.

What are the intersecting identities of the people we engage with? Who is missing?

6. Relational power:

Be aware of and challenge relational power, including our own. People may experience power in one context/ time and oppression in another.

Who holds power and in what circumstances? Who makes decisions? How are they accountable?

7. Time and space:

Recognise the influence of time and space. Nothing is static, privilege and disadvantage are fluid and influenced by our social positioning and location.

Does privilege look different in this location? Across different generations? Does discrimination look different in this location? Across different generations?

8. Transformative and rights-based:

Promote human rights and address inequalities by transforming social structures and changing the way resources and relationships are produced and allocated.

Are we changing the way that resources are produced and/or distributed? Are we changing the way relationships are produced and/or distributed?

For more information, see:

- United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) (2022). *Intersectionality Resource Guide and Toolkit: An Intersectional Approach to Leave No One Behind*. For specific examples of how to apply intersectional enablers, see p. 25; and
- United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) (2020). *Addressing Exclusion through Intersectionality in Rule of Law, Peace, and Security Context*.

2. Practice solidarity and build empathy to enable the inclusion and full participation of all, without stigmatizing individuals and communities by:

- > in all efforts to advance human-rights-based development and inclusion, practising solidarity with individuals who face intersectional discrimination, marginalization and violence;
- > building empathy, including among practitioners and programme beneficiaries, in order to better understand the complexities of intersectional discrimination without stigmatizing communities;
- > reaching those who are the most at risk of being left behind without stigmatizing the minority communities to which they may also belong;
- > building inclusive dialogue with all relevant stakeholders, including local leaders, representatives of communities, grass-roots organizations and religious leaders, in an effort to find tailored and acceptable solutions that do not damage inter-ethnic relations and culture; and
- > educating the members of majorities on intersectionality perspectives through various means (such as training for professionals, webinars and the exchange of good practices) in order to ensure awareness-raising and sensitivity to the issues facing individuals and communities affected by intersectional discrimination, marginalization and violence.



Harmful practices

The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child have identified legally binding obligations under their respective Conventions with regard to the elimination of harmful practices based on gender stereotypes and prejudices grounded in social norms and structures, including patriarchy, that affect girls. In a joint general recommendation and general comment on harmful practices (CEDAW/C/GC/31-CRC/C/GC/18), the two Committees address the issue of traditional, re-emerging and emerging harmful practices which are prescribed by social norms and are often embedded in culture, such as female genital mutilation, early marriage and forced marriage.

They note that “harmful practices are deeply rooted in social attitudes according to which women and girls are regarded as inferior to men and boys based on stereotyped roles” (para. 6) and “sometimes reflect negative perceptions of or discriminatory beliefs regarding certain disadvantaged groups of women and children, including individuals with disabilities or albinism” (para. 9). They recognize “the fact that sex- and gender-based discrimination intersects with other factors that affect women and girls, in particular those who belong to, or are perceived as belonging to, disadvantaged groups and who are therefore at a higher risk of becoming victims of harmful practices” (para. 6). The two Committees conclude that harmful practices constitute human rights violations and recognize the obligation of States parties to their respective Conventions to ensure that these practices are prevented and eliminated.

In their recommendations, the Committees pay specific attention to the importance of involving women and girls affected by such practices, as well as relevant members of their communities and other stakeholders, and of preventing the stigmatization of minority communities. The Committees recommend that States:

- (a) Develop and adopt comprehensive awareness-raising programmes to challenge and change cultural and social attitudes, traditions and customs that underlie forms of behaviour that perpetuate harmful practices;
 - [...]
- (c) Take all appropriate measures to ensure that stigma and discrimination are not perpetuated against the victims and/or practising immigrant or minority communities;
 - [...]
- (f) Initiate public discussions to prevent and promote the elimination of harmful practices, by engaging all relevant stakeholders in the preparation and implementation of the measures, including local leaders, practitioners, grassroots organizations and religious communities. The activities should affirm the positive cultural principles of a community that are consistent with human rights and include information on experiences of successful elimination by formerly practising communities with similar backgrounds;
 - [...] (para. 81 (a)).

3. Advance a holistic and structural approach in efforts to eliminate racial discrimination and protect minorities by:

- > during efforts to address issues relating to racial discrimination and the protection of minorities, identifying, focusing on and examining the various structures of disadvantage and inequality (such as racism and sexism) that underlie intersectional discrimination, violence and marginalization faced by certain groups;
- > working with the relevant national authorities, civil society organizations and employers' and workers' organizations to promote understanding and awareness of how intersectional discrimination reinforces forms of racism that particularly affect specific groups of people (such as xenophobia, Afrophobia, Islamophobia and anti-Gypsyism) and the underlying factors that perpetuate them. These may include denial of past abuses or colonial structures that led to the exclusion and dehumanization of these individuals or groups;
- > using local and thematic studies on the structural causes of intersectional discrimination to support and advance measures that seek to eliminate institutional racism (for example, in education, health or criminal justice institutions) and systemic discrimination (such as anti-minority practices by law enforcement and discrimination in laws, policies, social norms and practices); and
- > taking into account the fact that intersectional discrimination is a factor in poverty and socioeconomic exclusion. Economic empowerment through equal access to quality education, decent work and productive employment is therefore essential to ending all forms of discrimination, including racial and intersectional discrimination.

4. Adopt and apply a survivor-centred approach by:

- > placing the rights, needs and concerns of victims of discrimination and other human rights violations at the centre of interventions to protect minorities and prevent all forms of discrimination;
- > protecting victims of intersectional discrimination from further harm and ensuring that they are not subject to revictimization in any efforts; and
- > ensuring that victims of discrimination are treated in a respectful, sensitive, professional, non-discriminatory and empathetic manner.

Participation of affected individuals and communities**5. Create spaces in which the voices of individuals affected by intersectional discrimination can be heard and amplified by:**

- being aware of and addressing the risk that individuals and groups facing intersectional discrimination may be subjected to threats or reprisals as a consequence of their participation;
- encouraging the participation of individuals and groups facing intersectional discrimination, including through financial or linguistic support; and
- addressing participation barriers by choosing meeting locations close to the community, including in remote or rural areas; choosing a meeting time that does not overlap with family or community responsibilities or cultural or religious events; providing interpretation services, especially when meetings involve linguistic minorities or indigenous peoples; providing accessible and culturally sensitive materials in order to ensure the participation of all members of the community, including those with low levels of literacy; and considering holding women-only meetings where women may feel uncomfortable expressing themselves in front of men.

6. Take action to increase the participation of individuals affected by intersectional discrimination, oppression and marginalization by:

- supporting the meaningful engagement and increased participation of all members of minority communities in policy development and programming related to racism, racial discrimination, xenophobia and related intolerance;
- supporting the engagement of civil society organizations representing individuals facing intersectional discrimination, including at the local and national levels;
- advancing specific efforts to dismantle practices that result in the social, political and financial exclusion of individuals from marginalized groups at all levels of public life, including positions of authority;
- creating space for individuals who face intersectional discrimination and the civil society organizations that represent them to participate in the planning, implementation and review processes of United Nations efforts at country level; and
- supporting efforts to ensure that public institutions and the civil service are reflective of diversity and inclusive of those who are the most at risk of being left behind, paying particular attention to those who face multiple and intersectional forms of discrimination. These efforts may include, among other things, voluntary targets, mandatory quota systems, affirmative action in training or recruitment programmes, and the establishment of dedicated units within the public institutions responsible for addressing the situation of groups facing intersectional discrimination, staffed with persons belonging to such groups.⁴⁰

Development and implementation of tailored and responsive policies and programmes in key strategic areas

7. Collect, analyse and publish disaggregated data on who is left behind in order to clarify the inequalities facing people affected by racial and intersectional discrimination by:

- > ensuring the implementation of a human-rights-based approach to data collection and analysis (see box below);
- > collecting, analysing, promoting and ensuring the availability of data disaggregated by, among other things, race, ethnicity, age, gender identity or expression, disability, language, minority status, religion or belief, sex, sex characteristics and sexual orientation;
- > using disaggregated data strategically in the development, implementation, monitoring and evaluation of policies and programmes tailored to the needs of the most vulnerable, including members of minorities who face intersectional discrimination. For example, data indicating that specific groups of people and/or communities are underrepresented in certain sectors, institutions, or organizations can provide a framework for development of a plan to create more inclusive structures, spaces and processes;
- > where possible and aligned with a rights-based approach (including consent), ensuring that disaggregated data is available to and accessible by stakeholders within and outside the United Nations system by, among other things, including accurate data or sources thereof in United Nations publications and reports, creating data inventories and making them available to the relevant stakeholders, and sharing data submitted by States, national human rights institutions and civil society organizations with United Nations agencies and country teams.



Advancing a human-rights-based approach to data (OHCHR)

The Office of the United Nations High Commissioner for Human Rights (OHCHR) set out the following core principles for data collection in its 2018 publication, "A Human Rights-Based Approach to Data: Leaving No One Behind in the 2030 Agenda for Sustainable Development":

- **participation:** Participation of relevant population groups in data collection exercises, including planning, data collection, dissemination and analysis of data;
- **data disaggregation:** Disaggregation of data allows data users to compare population groups, and to understand the situations of specific groups. Disaggregation requires that data on relevant characteristics are collected;
- **self-identification:** For the purposes of data collection, populations of interest should be self-defining. Individuals should have the option to disclose, or withhold, information about their personal characteristics;
- **transparency:** Data collectors should provide clear, openly accessible information about their operations, including research design and data collection methodology. Data collected by State agencies should be openly accessible to the public;
- **privacy:** Data disclosed to data collectors should be protected and kept private and confidentiality of individuals' responses and personal information should be maintained;
- **accountability:** Data collectors are accountable for upholding human rights in their operations and data should be used to hold States and other actors to account on human rights issues (pp. 3, 7, 11, 14, 16 and 18).

For more information on how to advance a human-rights-based approach to data, see: United Nations Office of the High Commissioner for Human Rights (2018). [A Human Rights-Based Approach to Data: Leaving No One Behind in the 2030 Agenda for Sustainable Development](#).

8. Support the development of responsive and tailored policies and interventions in strategic areas such as education, employment health and criminal justice based on the needs and concerns of those affected by:

- advancing and supporting efforts to reach those who are most at risk of being left behind, including individuals and groups facing intersectional discrimination, in areas such as health, education, employment, the media, criminal justice and local community empowerment. An intersectional approach can inform the development of tailored tools such as laws, policies and guidelines in order to address patterns of exclusion, structural constraints and unequal power relations that produce and reproduce discrimination and inequalities over generations and to advance both formal and substantive equality for all groups in society; and
- ensuring the effective participation of individuals belonging to minorities and affected by intersectional discrimination at all stages of these efforts, especially in the identification of relevant issues



Joint project to advance access to justice for women facing intersectional discrimination in Liberia, Senegal and Sierra Leone

Discrimination based on gender stereotypes, stigma, harmful and patriarchal cultural norms and gender-based violence has an adverse impact on women's ability to gain access to justice on an equal basis with men. When discrimination against women is compounded by intersecting factors such as ethnicity or race, indigenous or minority status, socioeconomic status, caste or descent, and urban or rural location, access to justice may be even more difficult. For example, women involved in prostitution, migrant women and women who identify as LGBTIQ+ are disproportionately criminalized and their access to justice becomes increasingly difficult.

Recognizing the intersectional factors that hinder access to justice in Liberia, Senegal and Sierra Leone, UNODC and UN Women, in collaboration with OHCHR, implemented a joint project in order to strengthen the capacities of local stakeholders to provide legal aid services to survivors of sexual or gender-based violence and to alleged or convicted offenders in detention facilities and prisons.

The project included the implementation of campaigns around legal rights awareness and women's empowerment and developed practitioners' skills, including through use of a practical training tool and eLearning module. These tools are intended for legal aid providers and service providers, including public defenders, legal practitioners, paralegals, non-governmental organizations (NGOs) and community-based organization staff, legal aid clinic staff, community leaders and community members providing legal aid in the three target countries.

The eLearning module, which takes a global perspective, covers the following categories:

- Module 1: Introducing a gender perspective in the provision of legal aid;
- Module 2: Delivering gender-sensitive legal aid; and
- Module 3: Legal aid for victims/survivors of gender-based violence against women.

Results of the project:

- > the independent project evaluation concluded that the project enabled legal aid providers to deliver significantly more and better gender-sensitive legal aid to women, particularly in remote communities, including by adapting to increased demand during the COVID-19 pandemic; and
- > the project also invested in direct, practical implementation of the key aspects of the legal aid system promoted through advocacy, preparing the ground and creating locally owned, bottom-up incentives for future adoption of the relevant legal framework.

To learn more about the project, see:

- eLearning module: Access to Legal Aid for Women in Criminal Justice Systems (Interactive version in English available at [UNODC E-Learning Platform](#). There is also a [mobile-friendly version](#) of the module and both the mobile-friendly and the interactive versions are also available in French);
- UNODC and UN Women (no date). [Training Tool on Legal Aid for Women in Criminal Justice Systems in Liberia, Senegal and Sierra Leone](#); and
- UNODC and UN Women (2021). [Final Independent Project Evaluation: Improving Access to Legal Aid for Women in Western Africa](#).



Recommendations for ensuring that no one is left behind during COVID-19 response and recovery in the world of work

The COVID-19 pandemic has exacerbated inequalities and aggravated the marginalization of specific groups, including (but not limited to) people with disabilities, indigenous and tribal peoples, people living with HIV/AIDS and migrant workers. As part of a series on leaving no one behind in the context of COVID-19 and the world of work, ILO has set out areas of action to be addressed so that these groups are effectively included in the response and recovery measures through both mainstreamed and targeted approaches, especially in the world of work.

The ILO notes that “without inclusive policies and targeted measures to deal with the immediate health crisis and its on-going social and economic consequences, there is a risk that particular groups already facing discrimination and exclusion will be disproportionately affected and left even further behind when the economy starts recovering” (ILO 2020c).

For detailed ILO guidance and specific examples of measures taken, see:

- ILO (2020a). [*COVID-19 and the world of work: A focus on indigenous and tribal peoples.*](#)
- ILO (2020b). [*COVID-19 and the world of work: A focus on people living with HIV.*](#)
- ILO (2020c). [*COVID-19 and the world of work: Ensuring no one is left behind in the response and recovery.*](#)
- ILO (2020d). [*COVID-19 and the world of work: Ensuring the inclusion of persons with disabilities at all stages of the response.*](#)
- ILO (2020g). [*Protecting the rights at work of refugees and other forcibly displaced persons during the COVID-19 pandemic.*](#)

9. Support efforts to enhance the availability, accessibility, acceptability and quality (AAAQ Framework) of basic infrastructure, goods and services by:

- > participating in and supporting efforts to improve the availability, accessibility, acceptability and quality (AAAQ) of basic infrastructures, goods and services for disadvantaged populations – including those facing intersectional discrimination – such as persons with disabilities, individuals living in remote, isolated rural areas, migrants, refugees, asylum-seekers, forcibly displaced persons and stateless persons.

10. Apply an intersectionality perspective at all stages of programmes and projects (design, planning, implementation, monitoring, evaluation) by:

- > applying an intersectionality perspective, at country level, during all stages of programmes and projects from design and planning to implementation, monitoring and evaluation. This may include:
 - (1) development of dedicated tools to evaluate the impact of policies and programmes for groups exposed to intersecting discrimination;
 - (2) performance of assessments to identify the specific needs and concerns of victims of human rights violations, including discrimination based on intersectional grounds;
 - (3) development of action plans based on such assessments; and
 - (4) evaluation of action plans' and policies' efficiency and responsiveness to these needs and concerns.

Development of appropriate legal and institutional frameworks

11. Support legal and institutional reforms that address structural discrimination and inequality, including by challenging the underlying social norms, by:

- > identifying discriminatory laws and policies at the country level from an intersectionality perspective and assessing how specific laws and policies may have a disproportionate impact on specific segments of the population in practice;
- > identifying and leveraging good practices, such as national laws, public policies, institutions and judicial decisions, that have produced tangible positive outcomes for those who face intersectional discrimination;
- > supporting reforms of legislative and institutional frameworks in order to enhance their ability to prevent, prohibit, punish and redress intersectional discrimination and oppression and promote substantive equality; and
- > supporting laws and programmes that seek to curtail social norms, harmful stereotypes and practices perpetuating discrimination.



Identification by the Inter-American Commission on Human Rights of national laws and decisions that incorporate an intersectionality perspective on violence against women

In 2020, the Inter-American Commission on Human Rights (IACtHR) published a ground-breaking thematic report entitled *Violence and Discrimination against Women and Girls: Best Practices and Challenges in Latin America and the Caribbean*. In that report, the Commission identifies good national practices for addressing violence and discrimination against women and girls, including laws and policies that incorporate an intersectionality perspective. Examples include:

- **Judgment concerning the murder of trans activist Diana Sacayán, issued by Criminal and Correctional Court No. 4 of the Federal Capital, City of Buenos Aires, Argentina (2018):** This case concerned the October 2015 murder of Diana Sacayán, a transgender woman and activist for the human rights of trans people. In its judgment, the Court recognized gender-based violence and gender-identity hatred as aggravating factors when determining the criminal responsibility of the accused in accordance with, among other things, article 80(4) and (11) of the Argentine Criminal Code. The Commission notes that “the content of the judgment includes an analysis of the context and facts of the case on the basis of which the judicial authority acknowledged that the murder of Diana Sacayán had been motivated by her triple condition: her gender status as a woman, her status as a trans person and her status as a trans rights activist” (para. 54); and
- **Judgment of Guatemala's High-Risk Court A in the Sepur Zarco case (2016):** The judgment convicted military officials of the crimes of sexual slavery, murder, forced disappearance, rape and domestic servitude, committed against women of the Maya Q'eqchi indigenous group and their relatives in the community of Sepur Zarco during the armed conflict in Guatemala. The IACtHR highlights “the momentous achievement of this judgment in the search for justice for indigenous women victims of sexual violence in armed conflict and in [the] rooting out of impunity”. The Commission also notes that the opinions of a cultural expert and a gender expert were considered in determining the criminal responsibility of the accused and the relevant reparation measures (paras. 57–58).

For more examples of good practices, see: IACtHR, *Violence and Discrimination against Women and Girls: Best Practices and Challenges in Latin America and the Caribbean* (2020).

12. Advance accountability and ensure access to justice, remedy and recourses to all by:

- supporting and strengthening governments’ capacity to implement and enforce existing international, regional and national standards that address racism, racial discrimination, xenophobia and related intolerance from an intersectionality perspective; and
- ensuring non-discriminatory access to justice both in law and in practice through efforts to remove specific – including linguistic, economic and administrative – obstacles.

13. Support efforts to prevent, punish and eliminate hate speech and harmful stereotypes by:

- preventing and addressing xenophobic, racist and other forms of exclusionary discourse and hate speech (such as transphobic or homophobic speech) as they may be used to justify discriminatory laws, policies and practices that specifically target minorities, migrants, refugees or asylum-seekers, LGBTIQ+ people and other vulnerable individuals and groups and deprive them of their human rights.

Collaboration and engagement

14. Seize opportunities for cooperation across the United Nations system, and particularly with United Nations country teams, in the collaborative, coherent application of an intersectionality perspective by:

- supporting and advancing cooperation in the systematic incorporation of an intersectionality perspective into United Nations system operations and interventions at the country level, targeting the most vulnerable; and
- promoting the active engagement of United Nations country teams with the United Nations human rights mechanisms in order to better report, monitor and address the intersectional discrimination facing specific individuals and groups based on concrete cases.

15. Seize opportunities for cooperation with regional human rights mechanisms in applying an intersectionality perspective by:

- strategically engaging with regional human rights mechanisms to advance cooperation in efforts to address racism, racial discrimination, xenophobia and related intolerance, including by providing data, information and analyses that reveal the human rights situation facing individuals belonging to minorities, with a specific focus on intersectional discrimination, violence and marginalization.

16. Build partnerships with national human rights institutions and other relevant national bodies by:

- whenever possible, engaging proactively with national bodies and mechanisms, including human rights and equality institutions, in order to address racism, racial discrimination, xenophobia and related intolerance and support government-sponsored projects that incorporate an intersectionality perspective.

17. Engage and collaborate with representatives of communities and groups that face intersectional discrimination, violence and marginalization by:

- advancing consultation with civil society organizations and representatives of groups facing intersectional discrimination in order to better understand and recognize the lived experiences and specific needs of individuals and groups affected by intersectional discrimination (for example, by organizing workshops and consultation meetings); and
- ensuring that the identification of people and organizations for purposes of consultation is guided by the principles of inclusivity, representation and facilitation of an equal voice.

18. Engage and collaborate with universities, research centres, civil society organizations and workers' and employers' organizations with experience and expertise in the areas of intersectionality and the promotion of equality, diversity and inclusion by:

- > bearing in mind that the practical application of an intersectionality perspective requires learning and, to that end, considering collaboration and engagement with civil society organizations, workers' and employers' organizations, universities and research centres, practitioners in the relevant disciplines and other stakeholders in order to share their expertise on promoting equality, diversity and inclusion from an intersectionality perspective; and
- > considering the possibility of collaboration with these stakeholders in order to develop contextualized knowledge and tools for addressing racial and intersectional discrimination in the development, implementation and evaluation of country-based interventions.

Awareness-raising, advocacy and education**19. Participate in and support advocacy and awareness-raising efforts on human rights issues, including racism, sexism, ableism, homophobia, transphobia and related forms of intolerance, stereotyping and harmful cultural norms and practices by:**

- > supporting awareness-raising and other relevant public campaigns by groups experiencing discrimination and their advocates with a view to bringing about structural change and shifting public narratives, societal perceptions, attitudes and behaviours, including in public discourse, the mainstream media, social media and pop culture;⁴¹ and
- > relying on the findings and recommendations of the United Nations system's human rights mechanisms, including the treaty bodies, the Universal Periodic Review, the special procedures and the ILO supervisory bodies, to raise awareness and advance solutions for addressing national laws, policies and practices that contribute to intersectional discrimination.

20. Support efforts to educate and train the relevant stakeholders in non-discrimination, intersectional discrimination and strategies for equality and inclusion by:

- > providing training in the intersectionality perspective (including specific cases of intersectional discrimination and their impact on the human rights of individuals and groups) to relevant stakeholders, including the staff of United Nations country programmes, civil servants, the staff of public institutions, community leaders and the social partners. Individuals, including United Nations and other professionals, who have received this training have a better understanding of how to develop and implement tailored policies and programmes to address the specific rights, needs and concerns of the most marginalized groups and individuals; and
- > considering the development of online training on the intersectionality perspective in country-based work relating to racial discrimination and the protection of minorities.



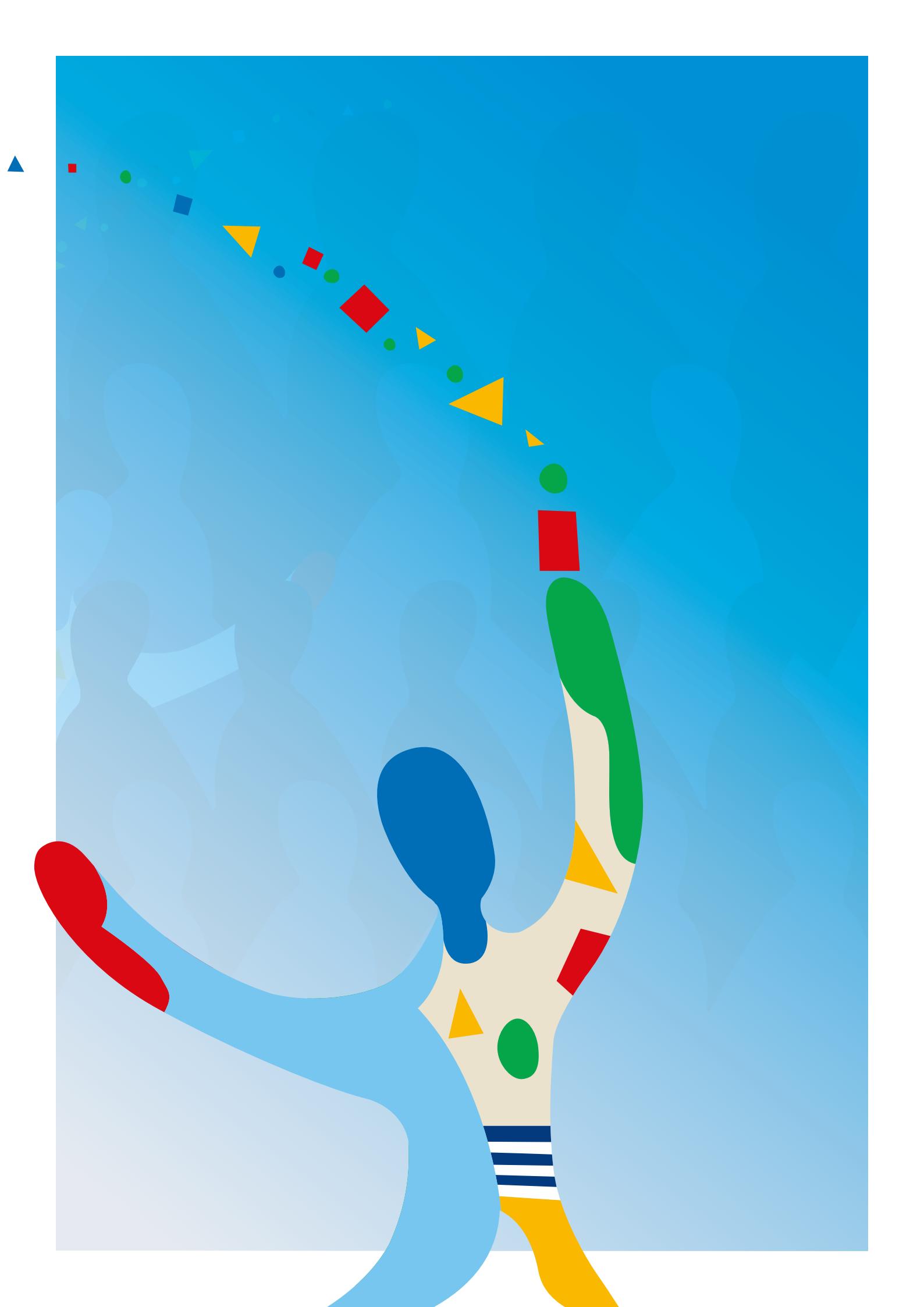
Training on multilingual education in Kyrgyzstan

Although Kyrgyz is recognized as the State language by the Constitution, Russian also has official status and is widely spoken in Kyrgyzstan. After the inter-ethnic conflict of 2010, the Kyrgyz language policy became contentious and non-Kyrgyz-speaking minorities expressed concern about potential discrimination against minority languages in public life. Therefore, the Ministry of Education and Science and UNICEF, together with other partners such as the Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities, established several programmes to serve as a catalyst for social cohesion by bringing various stakeholders together.

Implemented from 2014 to 2016, the Multilingual Education (MLE) Programme sought to eliminate language barriers in the education of children from ethnic minorities and foster a broader inclusive environment while promoting the children's rights. The Programme developed, introduced and piloted multilingual education at preschools, schools and universities based on the content-language integrated learning (CLIL) methodology.

Outcomes of the project include:

- ✓ **training in multilingual education with a focus on specific segments of the population:** Some 9,000 children of 56 schools, 20 per cent of them from ethnic minorities, benefited from 306 multilingual pilot classes. The MLE Programme targeted all age groups and genders with a special focus on youth and women. Over 1,000 teachers from 11 preschools, 56 schools and 2 universities were trained in all aspects of multilingual education; and
- ✓ **improvement of the community's attitudes towards the use of several languages in school learning processes:** The end-line assessment of the Programme in 2016 showed that the level of ethnic stereotypes in the pilot schools and communities had fallen from 16 per cent to 1 per cent among parents, from 11 per cent to 0 per cent among teachers and from 10 per cent to 4 per cent among students.



Endnotes

¹ For more information about the Network, see: <https://www.ohchr.org/EN/Issues/Minorities/Pages/UNNetworkRacialDiscriminationProtectionMinorities.aspx>.

² On 26 May 2022, a Consultation Meeting on the Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities was organized with civil society organizations and human rights groups working on racial discrimination and minority rights protection. The Consultation Meeting sought to gather data, information and specific examples from different regions and countries; collect feedback and recommendations on pressing issues relating to intersectionality from participants; ensure incorporation of the voices of civil society organizations and experts into the Guidance Note; and, eventually, introduce the Note to civil society actors.

³ For more information on the 17 Sustainable Developments Goals ("SDGs"), see: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>.

⁴ On 24 February 2020, in his document entitled "The Highest Aspiration: A Call to Action for Human Rights", Secretary-General António Guterres emphasized the need to "continue our efforts to help design policies that support the most vulnerable and/or excluded groups, recognizing and responding to multiple and intersecting deprivations and sources of discrimination that limit opportunities and make it harder to escape poverty, live with dignity and enjoy human rights on a healthy planet" (United Nations, 2020, p. 5).

⁵ See, for example, the press releases issued by the Office of the United Nations High Commissioner for Human Rights, "Addressing the disproportionate impact of COVID-19 on minority ethnic communities" and "Disproportionate impact of COVID-19 on racial and ethnic minorities needs to be urgently addressed" (United Nations, Office of the High Commissioner for Human Rights, 2020(a) and (b), respectively).

⁶ See, for example, International Labour Organization (ILO), 2020c.

⁷ These include the United Nations treaty bodies and special procedures, as well as the supervisory bodies of the specialized agencies.

⁸ See, for example, hooks, 1981 and 1984.

⁹ For more information on the WIP program, see: <https://eca.unwomen.org/en/where-we-are/moldova/leadership-and-political-participation/women-in-politics>.

¹⁰ Article 1, paragraph 3 of the Charter lists, among the Purposes of the United Nations, "[t]o achieve international co-operation in (...) promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

¹¹ See also Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (1966); Article 30 of the Convention on the Rights of the Child; Article 2, paragraph 1, of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; and Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.

¹² Article 1, paragraph 1 (a) of ILO Convention No. 111 lists a series of grounds of discrimination while paragraph 1 (b) enables ratifying countries to include additional grounds.

¹³ See, for example, Committee on Economic, Social and Cultural Rights, general comment No. 20 on Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights) (E/C.12/GC/20), para. 2.

¹⁴ Ibid.; see also Human Rights Committee (1989), general comment 18 on Non-Discrimination (HRI/GEN/1/Rev.8), pp. 185–188) and Committee on the Rights of Persons with Disabilities, general comment No. 6 on equality and non-discrimination (CRPD/C/GC/6). For a comprehensive summary of international anti-discrimination law requirements, see Office of the United Nations High Commissioner for Human Rights and Equal Rights Trust, *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation*, forthcoming in 2022.

¹⁵ Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (31 August–8 September 2001), para. 54 (a).

¹⁶ See also ILO, 2021c.

¹⁷ See also Minority Rights Group International, 2016.

¹⁸ Available at <https://www.unicef.org/yemen/reports/integrated-model-social-and-economic-assistance-and-empowerment-imsea>.

¹⁹ See, for example, the Committee’s general recommendation No. 25: Article 4, paragraph 1, of the Convention (temporary special measures) (2004), (HRI/GEN/1/Rev.8), pp. 337–345; general recommendation No. 27 on older women and protection of their human rights (CEDAW/C/GC/27); general recommendation No. 28 on the core obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/GC/28); and general recommendation No. 37 on Gender-related dimensions of disaster risk reduction in the context of climate change (CEDAW/C/GC/37).

²⁰ RC/C/GC/9; CRC/C/GC/10; and CRC/C/GC/11, respectively.

²¹ In her 2010 report (A/HRC/13/23), the independent expert on minority issues, Gay McDougall, noted that “[w]omen belonging to minorities experience unique challenges and multiple or intersectional discrimination emanating from their status as members of minorities and as women or girls” (para. 9) and stressed the need for greater participation of minorities through an inclusive dialogue that “must take into account the specific needs of minority women, as well as other marginalized segments of minority communities exposed to intersectional discrimination” (para. 52).

²² See, for example, the report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, on his 2015 mission to Bangladesh (A/HRC/31/18/Add.2), in which he recommended that the Government should “consider introducing reforms within the existing system of personal status laws in order to overcome discriminatory implications and effects, often at the intersection of religious minority status and gender” (para. 104 (m)).

²³ In the report on its 2016 mission to the United States of America (A/HRC/33/61/Add.2, para. 110), the Working Group on People of African Descent recommended that “the prison reform processes and policies include specific policies to address the increasing rate of incarceration of African American women”; see also the report of the Working Group on its 2014 mission to the Netherlands (A/HRC/30/56/Add.1, para. 111), recommending that the Government adopt “specific policies directly targeting people of African descent and tailored to their specific situation. Such policies should encompass all people of African descent, whether nationals or immigrants, and mainstream a gender perspective, taking into account the specific needs and realities of women and girls of African descent”.

²⁴ See, for example, “Human Rights Council Adopts Outcomes of Universal Periodic Review of Saint Vincent and the Grenadines, Papua New Guinea, Tajikistan and Tanzania” (23 March 2022). Available at <https://www.ungeneva.org/en/news-media/meeting-summary/2022/03/midday-human-rights-council-adopts-outcomes-universal-periodic>.

²⁵ UNHCR, 2021, p. 4 (noting that the exact number of persons without a nationality is unknown and that the actual figure is believed to be substantially higher). See also UNHCR, 2017, p. 1.

²⁶ See, for example, the 2018 report of the Special Rapporteur on minority issues, Fernand de Varennes (A/HRC/37/66), paras. 36–40; and OHCHR and UNHCR, 2021.

²⁷ See, for example, the report of the Special Rapporteur on minority issues, Fernand de Varennes, on his 2019 visit to Spain (A/HRC/43/47/Add.1), para. 33.

²⁸ See, for example, the report of the Working Group of Experts on People of African Descent on its 2015 mission to Italy, (A/HRC/33/61/Add.1), para. 74.

²⁹ See, for example, the report of the Special Rapporteur on Freedom of religion or belief, Ahmed Shaheed, on his 2018 visit to Tunisia (A/HRC/40/58/Add.1), para. 72.

³⁰ See, for example, the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, on his 2019 visit to Sri Lanka (A/HRC/43/48/Add.2), para. 52. .

³¹ Report of the Working Group of Experts on People of African Descent on its mission to the United States of America, (A/HRC/33/61/Add.2), para. 76.

³² See, for example, Committee on the Elimination of Racial Discrimination (2019), Concluding observations on the combined sixth to eighth periodic reports of Honduras (CERD/C/HND/CO/6-8), para. 16.

³³ See, for example, the 2022 report of the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, on the rights of persons belonging to religious or belief minorities in situations of conflict or insecurity (A/HRC/49/44), para. 2, in which he noted that "State and non-state actors may target minorities because they are in a strategic area, with actors attempting to drive them out or eliminate them. In some cases, armed groups may be recruited from a minority community to push a particular agenda where they feel disenfranchised, disadvantaged or vulnerable and might, therefore, be a party to a conflict"; see also Minority Rights Group International, 2016.

³⁴ Available at <https://www.ohchr.org/en/press-releases/2022/03/minorities-and-their-rights-matter-conflict-prevention-un-expert>. See also the report of the independent expert on minority issues, Gay McDougall (A/HRC/16/45), on the role of the protection of minority rights in promoting stability and conflict prevention.

³⁵ See the 2016 report of the Special Rapporteur on minority issues, Rita Izsák (A/HRC/31/56), para. 31.

³⁶ Ibid., para. 32.

³⁷ Ibid., para. 26.

³⁸ United Nations Network on Racial Discrimination and Protection of Minorities, 2017, p. 1.

³⁹ 2016 report of the Special Rapporteur on minority issues, paras. 95–103.

⁴⁰ See, for example, the report of the Special Rapporteur on minority issues, Rita Izsák-Ndiaye, on her mission to Sri Lanka (A/HRC/34/53/Add.3), para. 68.

⁴¹ Artistic mediums can be powerful tools for raising awareness of intersectional forms of discrimination. For example, an international art contest highlighting minority artists' work on statelessness, organized by OHCHR, UNHCR and Minority Rights Group International in 2022, is expected to increase awareness of the human rights challenges facing stateless minorities, bearing in mind that over 75 per cent of the world's stateless populations belong to minority groups. For more information, see <https://previous.ohchr.org/EN/NewsEvents/Pages/minority-art-contest.aspx>.



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