

Racial Discrimination and Protection of Minorities in Peace and Security, including Prevention

Outcome Document Prepared following the Times of Crisis Pillar Summit of 7 December 2022

UPEACE, Costa Rica (Hybrid format)



University for Peace



1. Context

Throughout 2022, the Times of Crisis Pillar of the [United Nations Network on Racial Discrimination and Protection of Minorities](#) (“the Network”) has worked to strengthen global discussion of racial discrimination and protection of minorities in peace and security, including prevention.

On 7 December 2022, the Times of Crisis Pillar held a hybrid Summit at the [University for Peace](#) (UPEACE) in San José, Costa Rica. Participants to the Summit included primarily officials drawn from various parts of the United Nations system, as well as experts from civil society organizations and academia. The Summit was open to the public and was attended by a diverse global audience, including Senior United Nations officials, UN staff, independent experts, representatives of civil society, and students from UPEACE.

The Times of Crisis Pillar Summit was part of the [celebration activities of the Thirtieth Anniversary of the 1992 United Nations Declaration on the Rights of National or Ethnic, Religious and Linguistic Minorities](#). It also complemented the thematic attention done in the period 2021-2022 by the [Forum on Minority Issues](#) on **“Conflict Prevention and the Protection of the Human Rights of Minorities”** and efforts by the [Special Rapporteur on Minority Issues](#) who dedicated his 2022 annual thematic report to the theme of [Conflict Prevention through the Protection of Minorities](#). To stimulate discussion and inform the way forward, the Summit also marked the launch of a conceptual paper on racial discrimination and protection of minorities in conflict-affected settings by the international civil society organization [Minority Rights Group International](#) (“MRG”). The paper was prepared throughout 2022 in close consultation with a number of United Nations agencies and entities, via the UN Network on Racial Discrimination and Protection of Minorities Times of Crisis Pillar.

Prepared as a follow-up to the Summit, this Outcome Document provides a summary of the three thematic discussions which comprehensively mapped out the current situation of minority rights in relation with UN peace and security efforts, including prevention. In preparation for the first regular meeting of the Times of Crisis Pillar of the Network for 2023, the last section of this Outcome Document gathers recommendations that emerged during the Summit. These recommendations are intended to inform the drafting and adoption of the action plan for the 2023-2025 period by the Times of Crisis Pillar.

2. Summary of the Thematic Sessions of the Times of Crisis Pillar Summit

WELCOME & OPENING OF THE SUMMIT

The Summit opened with statements by high-level officials who all emphasized the relevance of advancing the inclusion of minority rights in the UN peace, security and prevention agenda, especially through renewed collective, inter-agency and system-wide efforts at the UN.

Dr. Juan Carlos Sainz-Borgo, Professor of International Law and Dean at UPEACE, stressed the necessity of innovating peacekeeping, peacebuilding and sustainable development agendas in order to adapt them to structural changes in societies and new challenges, such as climate change or pandemics.

UN Assistant Secretary-General for Human Rights **Ilze Brands Kehris** highlighted the importance of cooperation and collective efforts among all UN entities to strengthen the protection of minority rights, including in peace and security activities, and commended the work of the UN Network on Racial Discrimination and Protection of Minorities in that regard. Assistant Secretary General Brands Kehris stressed the need to intensify the analytical element in understanding minorities in conflict settings, with a view to improved UN response. Brands Kehris stressed the urgency of the need to revisit the minority agenda in particular as concerns peace, security, conflict-respond and prevention. Brands Kehris also highlighted opportunities to renew commitments to human rights protection, including minority rights, by referring to the UN Secretary-General's Call to Action for Human Rights, Our Common Agenda, the UN Agenda for Protection, and the upcoming Summit for the Future 2024.

H. E. Mr. Csaba Kőrösi, President of the United Nations General Assembly, emphasized that, in many parts of the world, peace is threatened by longstanding grievances around exclusion, discrimination, inequality and human rights violations against individuals belonging to minorities. Recalling the 30th Anniversary of the UN Declaration on Minorities, H.E. Mr. Kőrösi called for governments to resolve the root causes of exclusion, including by ensuring equal access to economic and social opportunities; effective participation in decision-making; and regular dialogue between minorities and majorities. H.E. Mr. Kőrösi called on the Summit participants and the Network to advance two objectives: strengthen the common grounds already agreed upon in relation with peace and security activities and mainstream the human rights of minorities in UN joint efforts to prevent conflicts.

UNHCR Assistant Secretary-General for Protection **Gillian Triggs** stressed that the alarming rise of conflicts has propelled the global displacement crisis, aggravated statelessness, and disproportionately affected minorities in multiple countries. Assistant Secretary-General Triggs recalled the need to strengthen protection efforts for the most vulnerable groups, by working with

governments on relevant policies and legislative reforms. Tools such as UNHCR's Age, Gender & Diversity Policy, Guidance on Racism and Xenophobia, the 2019 High-Level Segment on Statelessness, and the #IBelong Campaign to End Statelessness constitute important resources to further efforts in that direction.

THEMATIC SESSION (1): RACIAL DISCRIMINATION AND PROTECTION OF MINORITIES IN PEACE AND SECURITY, INCLUDING PREVENTION: SETTING THE CONTEXT

The first thematic session of the Summit offered a contextual overview of the current threats to peace and security propelled by disregard for, and violations of, minority rights. UN Special Rapporteur on Minority Issues **Prof. Fernand de Varennes** presented his 2022 annual report on "Conflict prevention through the protection of the human rights of minorities" (UN Doc. A/HRC/49/46). The report shows, in addition to the large increase of violent conflicts globally most of which are inside states and involve minorities and indigenous peoples, that the main drivers of instability and conflict include group-based exclusion and grievance, discrimination and inequalities linked to violations of the human rights of minorities. While the rise in xenophobia and hate speech aggravates risks of conflict, De Varennes expressed concern at what the UN Secretary General described recently as widespread inaction and negligence regarding the protection of minorities and called for renewed efforts by States and the UN system in advancing minority rights in times of crisis.

During the panel discussion, **Prof. Nazila Ghanea**, UN Special Rapporteur on Freedom of Religion or Belief, stressed the necessity of advancing multidimensional efforts by UN entities, governments, and relevant actors (faith actors, communities, etc.) to address intolerance and exclusion based on religion or belief, as they stand at the roots of insecurity and conflicts. **Ratna Jhaveri**, UNICEF NYHQ Global Lead on Human Rights, underscored the relevance of paying systematic attention to the rights of children in UN peace and security efforts, and of adopting an intersectionality perspective to better protect the rights of minority children. **Tara Susanna Khan**, acting Deputy Head of the UN Human Rights Monitoring Mission in Ukraine, provided an overview of the work deployed in Ukraine since 2014 in relation to minority rights, including the monitoring of hate speech incidents targeting members of LGBTI and Roma communities, the support provided to the government to eliminate discriminatory legislation and draft laws on minorities, and the work on derogations to human rights in the context of Ukraine's martial law. **Jim Fitzgerald**, Director of Equal Rights Trust, called on the adoption of an equality perspective into UN conflict prevention actions, in a context where discriminatory laws, policies, practices and attitudes foster conflicts in many States. Fitzgerald highlighted the following key actions: integrate an equality perspective into early warning mechanisms; strengthen equality impact assessments by UN entities and governments to identify, mitigate and eliminate risks of conflict caused by discrimination; and support the adoption and enforcement of comprehensive anti-discrimination laws by States to prevent risks of crisis and eliminate conflicts.

THEMATIC SESSION (2): RACIAL DISCRIMINATION AND PROTECTION OF MINORITIES, IN PEACE AND SECURITY, INCLUDING PREVENTION: UNITED NATIONS RESPONSES AND POSSIBLE TRAJECTORIES

The second thematic session of the Summit discussed examples of UN responses to conflicts and emphasized the relevance of advancing inter-agency cooperation in relation with UN peace and conflict efforts, including prevention. The discussion started with the presentation of the MRG paper entitled "Conflict, Structural Discrimination & Minorities: Towards a Road-Map for

Inter-Agency Cooperation”, which had been developed in close consultation and with inputs from the Network throughout 2022. **Joshua Castellino**, Executive Director of MRG, presented one of the paper’s main observations: past failures by the UN to address and protect minorities in conflict-affected settings such as Myanmar and Sri Lanka illustrate the urgent need to re-purpose and re-set up UN peace and security efforts, especially by systematically including minority rights. Referring to Article 9 of the [UN Declaration on Minorities](#), Castellino listed key recommendations to strengthen inter-agency coordination, including the inclusion and naming of minorities in UN peace and security efforts; the systematic attention to minority rights in prevention work, including the Regional Monthly Review process (RMRs); the collection of disaggregated data and reliable information on minorities; the improvement of the UN Security architecture through the adoption of a Security Council Resolution on minorities; the implementation of a subregional approach (with 17 subregions) in UN work; the systematic inclusion of an intersectionality perspective in UN peace and security efforts; and the creation of an independent accountability mechanism that would review UN’s responses to the situation of minorities.

During the panel discussion, **Dr. Sriprapha Petcharamesree**, Director of Pro Rights Foundation, insisted on the relevance of developing a contextual understanding of human rights violations facing minorities, including through the adoption of an intersectionality perspective. Petcharamesree expressed concern regarding the political sensitivity and politicization of minority rights both at the State and UN levels. **Anastasia Divinskaya**, UN Women Country Representative in Brazil, provided an overview of the work done and challenges faced since the adoption of Resolution 1325 (2000) on women, peace and security by the UN Security Council. Reflecting on the four pillars of the UN Women, Peace and Security Agenda, Divinskaya stressed the need for developing preventive responses informed by intersectionality; ensuring the full and equal participation of diverse women, including minority and indigenous women, in such efforts; protecting women and girls in conflict and post-conflict settings; as well as supporting relief, recovery and assistance to women affected by conflict, including through culturally- and linguistically-adapted strategies. **Awa Dabo**, Director and Deputy Head of the UN Peace-Building Support Office (PBSO, DPPA) presented PBSO’s activities at the country level, including peacebuilding efforts in Guatemala and Democratic Republic of the Congo, and thematic work to counter hate speech. Awa Dabo listed key areas to press on: ensure more representation of antiracism and equality advocates; be more forceful concerning communication on diversity; and advance stronger connections among UN entities in that area. **Edward Flynn**, Senior Human Rights Officer with the UN Counter-Terrorism Committee Executive Directorate (CTED), noted that the prevention of conflicts is often overlooked in counter-terrorism efforts. Although UN Security Council Resolution 2617 (2021) extending the mandate of CTED does not mention minorities, Flynn highlighted the relevance of paying more attention to the protection of human rights defenders, including minority rights advocates, who are increasingly labelled by governments as “terrorists”. **H.E. Dr. David Fernández Puyana**, Ambassador and Permanent Observer of UPEACE to the UN in Geneva, recommended that the UN advance a clear strategy regarding the protection of minorities, including developing binding standards in relation to minority rights such as a convention on the rights of minorities.

THEMATIC SESSION (3): RACIAL DISCRIMINATION AND PROTECTION OF MINORITIES, IN PEACE AND SECURITY, INCLUDING PREVENTION: UNITED NATIONS IN THE FIELD

The last thematic session focused on field cases where the UN has been involved in peace and security activities, including prevention. **Georgette Gagnon**, Assistant Secretary-General and DSRSG/Resident and Humanitarian Coordinator for Libya, presented the peace and conflict efforts of the country team in Libya, and expressed support for pragmatic approaches like in Mali. **Valerie Svobodova**, UNHCR Assistant Representative for Iraq, exposed efforts by UNHCR to ensure access to civil documentation for Internally Displaced Persons (IDPs) and IDP Returnees in Iraq. Svobodova referred to the importance of supporting the government of Iraq to enhance access to civil documents, including for those who are the most at risk of exclusion, such as minority groups. **Matthias Schmale**, Resident and Humanitarian Coordinator for Nigeria, noted the challenges and risks of conflicts surrounding the 300 ethnic groups living in Nigeria, including the refusal to collect data by the government, the exacerbation of conflicts due to competing claims over lands and resources among nomadic pastoralists and farmers, and the divisions along ethnic and religious lines. Schmale noted possible ways forward for conflict prevention at the country level, notably to collect clear and reliable data, including through the organization of a national census; advance efforts to address hate speech; clarify the legal status of indigenous communities vis-à-vis settlers; and strengthen the participation of minorities at the community level. **Abdoul Thioye**, Director of United Nations Joint Human Rights Office (UNJHRO) and Representative of the High Commissioner for Human Rights for Democratic Republic of the Congo (MONUSCO-HQ), outlined the country's long-standing conflict situation, with minorities, indigenous peoples, people with disability being particularly exposed to insecurity and deprivations. Thioye described how the UN approach at the country level attempts to address the issue of minority rights and conflict prevention, by leveraging UN sustainable development and cooperation framework. Thioye expressed concern regarding the recent eruption of an anti-UN sentiment in the country. Reflecting on the Colombian conflict, **Montserrat Solano Carboni**, Deputy Representative of OHCHR Office in Colombia, highlighted the crucial need to support the participation of indigenous peoples and minorities in the negotiation of peace agreements and in dialogues with the government.

3. Recommendations

During the Times of Crisis Pillar Summit, speakers identified several recommendations to enhance the protection of minority rights in the UN peace, security, and prevention agenda. The following recommendations are intended to inform the drafting and adoption of the Action Plan of the Times of Crisis Pillar for the period from 2023 to 2025.

Identification, naming and collection of reliable data on minorities

- i. Support efforts to collect reliable data on minorities at the country level, including by applying an intersectionality approach that pays specific attention to subcategories within minority groups (disaggregated data).
- ii. In conflict situations where data may not be available, advance work to fill the statistical data gap, including by combining reliable information from documents by UN human rights mechanisms; inputs, observations and expertise from UN Country Teams, Humanitarian Teams and other field presences; information by independent and reliable research centres or universities; and credible information from human rights defenders, competent civil society groups; and local communities and community leaders themselves.
- iii. Support the use of such data and information on minorities by United Nations processes and entities, including inter-state forums and mechanisms; secretariat-led prevention and response mechanisms, relevant United Nations agencies, Country Teams and Resident and Humanitarian Coordinators, to assess risks of conflicts in a country and to develop tailored prevention, early-warning and response policies and programming.
- iv. With particular reference to the Sahel, undertake a region-wide study of minority impact of the conflict, with a view to identifying steps to better recognition, acknowledgement and protection.

Strengthening of legal standards and policies regarding the protection of minority rights in times of crisis

- v. Support efforts to strengthen the international human rights framework relating to minority rights, including by advancing discussions on a legally-binding treaty on the rights of minorities with a new treaty-monitoring body of independent experts.
- vi. Strengthen the UN peace and security architecture in relation to minorities, including by advancing discussion and efforts toward a UN Security Council Resolution on minority protection and by undertaking work to systematically name minorities in country-specific or thematic resolutions by the UN Security Council.
- vii. Seek an EC/DC decision on racial discrimination and protection of minorities in peace and security, including prevention, in order to provide reinigorated and more coherent efforts in this area.

- viii. Address the perception that the UN system is insufficiently responsive to minority concerns by establishing an independent accountability mechanism that would review UN's responses to the situation of minorities and articulate recommendations for improvement in case of ineffectiveness.

Cooperation among UN entities regarding the inclusion of minorities in UN peace and security efforts, including prevention

- ix. In line with Article 9 of the UN Declaration on Minorities, strengthen inter-agency cooperation in relation with the mainstreaming of minority rights, including by advancing joint work to promote and protect minority rights in the framework of the UN Secretary-General's Call to Action for Human Rights, Our Common Agenda, the UN Agenda for Protection, the 2030 Agenda and the "Leave No One Behind" framework, and the upcoming Summit for the Future in 2024.
- x. Advance cooperation among UN agencies, funds and mechanisms to systematically include attention to minorities by using intersectionality as a key site of coordination and cooperation in UN responses to crisis and conflicts.
- xi. Support efforts to mainstream minority rights in UN entities involved in system-wide peace and security efforts. In particular, provide guidance and share inputs with the Regional Monthly Reviews (RMRs) regarding the situation of minorities in countries under consideration, including by relying on data collected by and views from field-based staff, especially OHCHR, Resident Coordinators and UN Country Teams.

Development of UN peace and conflict efforts based on the needs and experiences of minorities

- xii. Strengthen attention at the programmatic and country level to minority individuals and groups who are most at risk of being left behind through the development of tailored policies, programming and implementation based on the specific circumstances of minorities in local contexts.
- xiii. Develop and implement training of relevant UN staff on minority rights and peer-to-peer learning with communities using the [#Faith4Rights toolkit](#), to advance the comprehension of the specific needs, positive contributions and circumstances of minorities, especially in situations of conflict.
- xiv. Adopt a subregional approach (with 17 sub-regions) rather than the current 5 regions with the aim of advancing a more nuanced understanding and assessment of the situation of minorities that can guide UN decision-making and programming in relation with peace and security efforts.

Cooperation among various actors, including States, community leaders and civil society organizations, to address the root causes of conflicts and build peace

- xv. Develop actions to support governments in relation with the drafting and implementation of comprehensive anti-discrimination legislation.
- xvi. Support efforts to strengthen UN field presence in terms of engagement and outreach with communities at the country level, including individuals from local communities, community and faith leaders or local civil society organizations, as a way to raise early-warning alerts, implement preventive actions in deteriorating situations and mitigate conflicts based on such assessments.

Participation of minorities in UN peace and security efforts, including prevention

- xvii. Support the systematic inclusion and participation of minorities—including individuals from local communities, community leaders, faith-based actors and minority rights defenders—in UN efforts aimed at addressing root causes of conflicts, including at the country level.
- xviii. Support initiatives to ensure that minority views on topics relating to conflicts, peace and security are heard and taken into account by the UN, including by assessing the references to minority rights in such UN efforts or monitoring the participation of minorities in their implementation.
- xix. Encourage efforts by the UN to adopt an intersectionality perspective to ensure the equal and effective participation in cultural, religious, social, economic and public life of specific segments of minority or indigenous groups, including women, LGBTQI+ persons, older persons, persons with disabilities or children.
- xx. Advance discussion on the creation of the UN Voluntary Fund for Minorities and a Permanent Forum on Minorities to advance greater participation of minority representatives and individuals in UN bodies and mechanisms involved in the UN peace and security agenda.

Annex I. Agenda of the Times of Crisis Pillar Summit

8h00-8h15: Welcome coffee & registration

8h15-9h00: Opening & Introductory remarks

Welcome & opening remarks:

Prof. Francisco Rojas Aravena, Rector of UPEACE

Introductory remarks:

Ilze Brands Kehris, United Nations Assistant Secretary-General for Human Rights (OHCHR)

H. E. Mr. Csaba Kőrösi, President of the United Nations General Assembly (*video*)

Gillian Triggs, United Nations Assistant Secretary-General for Protection (UNHCR) (*video*)

9h00-10h45:

Thematic session (1): Racial Discrimination and Protection of Minorities, in Peace and Security, including Prevention: Setting the Context

Moderator: **Claude Cahn**, Indigenous Peoples and Minorities Section, OHCHR

Presenter: **Fernand de Varennes**, UN Special Rapporteur on Minority Issues (20')

- Report of the Special Rapporteur on minority issues, Fernand de Varennes, "Conflict prevention through the protection of the human rights of minorities" (2022)

Panelists (8' each):

- **Nazila Ghanea**, UN Special Rapporteur on Freedom of Religion or Belief
- **Ratna Jhaveri**, Global Lead on Human Rights, UNICEF
- **Tara Susanna Khan**, UN Human Rights Monitoring Mission in Ukraine
- **Jim Fitzgerald**, Director of Equal Rights Trust

Discussion (45')

10h45-11h15: Coffee break #1

11h15-13h00:

Thematic session (2): Racial Discrimination and Protection of Minorities, in Peace and Security, including Prevention: United Nations Responses and Possible Trajectories

Moderator: **Michael Wiener**, Indigenous Peoples and Minorities Section, OHCHR

Presenter: **Joshua Castellino**, Executive Director of Minority Rights Group International & Professor of Law (20')

- Paper "Conflict, Structural Discrimination & Minorities: Towards A Road-Map for Inter-Agency Cooperation?" (2022)

Panelists (8' each):

- **Dr. Sriprapha Petcharamesree**, Director of Pro Rights Foundation
- **Anastasia Divinskaya**, Country Representative, UN Women Brazil
- **Awa Dabo**, Director and Deputy Head of the UN Peacebuilding Support Office (PBSO), Department of Political and Peacebuilding Affairs
- **Edward Flynn**, Counter-Terrorism Committee Executive Directorate (CTED)
- **H.E. Dr. David Fernández Puyana**, Ambassador and Permanent Observer of the University for Peace to the United Nations in Geneva

Discussion (45')

13h00-14h30: Lunch Break

14h30-16h00:

Thematic session (3): Racial Discrimination and Protection of Minorities, in Peace and Security, including Prevention: United Nations in the Field

Moderator: **Dr Mihir Kanade**, Professor of international law, human rights and development at UPEACE & Member of the Expert Mechanism on the Right to Development

Panelists (8' each):

- **Georgette Gagnon**, Assistant Secretary-General and DSRSG/Resident and Humanitarian Coordinator for Libya
- **Valerie Svobodova**, Assistant Representative for Protection in Iraq, UNHCR
- **Matthias Schmale**, Resident and Humanitarian Coordinator for Nigeria
- **Abdoul Thiye**, Director of United Nations Joint Human Rights Office (UNJHRO) and Representative of the High Commissioner for Human Rights for Democratic Republic of the Congo, MONUSCO-HQ
- **Montserrat Solano Carboni**, Deputy Representative, OHCHR Office in Colombia

Q&A (50')

16h00-16h20: Coffee break

16h20-17h00: Conclusion and next steps (40')

Claude Cahn, Michael Wiener and Dr Mihir Kanade

Annex II. Pictures of the Times of Crisis Pillar Summit



Picture 1.
Introductory remarks.

From left to right: Ilze Brands Kehris, United Nations Assistant Secretary-General for Human Rights (OHCHR); Claude Cahn, Human Rights Officer, Indigenous Peoples and Minorities Section (OHCHR); Dr. Juan Carlos Sainz-Borgo, Professor of International Law and Dean at UPEACE; H.E. Mr. Csaba Kőrösi, President of the United Nations General Assembly (video).



Picture 2.
Concluding remarks.

From left to right: Claude Cahn, Human Rights Officer, Indigenous Peoples and Minorities Section (OHCHR); Dr. Mihir Kanade, Professor of international law, human rights and development at UPEACE & Member of the Expert Mechanism on the Right to Development; Michael Wiener, Human Rights Officer, Indigenous Peoples and Minorities



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