



GLOBAL MINORITY RIGHTS NEWSLETTER

October-December 2020



TOM
LANTOS
INSTITUTE

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SPECIAL RAPPOREUR

ON MINORITY ISSUES

Special Rapporteur on Minority Issues Clarifies Concept of Minorities to Ensure Their Protection in International Law

On 23 October, UN Special Rapporteur on minority issues, Fernand de Varennes, presented his annual report to the UN General Assembly. In addition to discussing his activities over the past year, the Special Rapporteur also reported on his study on the significance and scope of the four categories of national or ethnic, religious and linguistic minorities in the United Nations, which builds on his 2019 study on the need for a working definition of the term “minority”.

The Special Rapporteur notes that “the absence of clarity as to who are the beneficiaries under the categories of national or ethnic, religious and linguistic has been used to try to restrict those who can claim human rights protection as members of a minority.” To avoid such situations, the Special Rapporteur proposes a conceptual framework that can be used to clarify the scope and significance of the four categories of minorities based on the wording and interpretation of relevant UN instruments. Under this framework, the Special Rapporteur clarifies three preliminary and overarching issues: the overlapping and non-exclusive nature of these categories, the principle of free self-identification, and the issue of non-recognition. In relation to the first issue, the Special Rapporteur notes

that “none of the categories is necessarily exclusive. It should be obvious that individuals can at the same time belong to a linguistic, religious and ethnic minority—and even “belong to” more than one within the same category.” The issue of self-identity refers to the principle by which “individuals can freely choose to belong to an ethnic, religious or linguistic minority. In addition to an individual belonging at the same time to more than one ethnic, linguistic or even religious group, a person may also choose to change or set aside one or more forms of identification.” Finally, in relation to the issue of recognition, the Special Rapporteur asserts “the denial of any official recognition or status of a culture, religion or language cannot be such that it impairs a person’s ability to belong. According to the Human Rights Committee, if a distinct culture, religion or language is objectively demonstrable, then a person can assert a claim to “belong” to it, even in the absence of official sanction.”

The full press release can be found on the [OHCHR website](#). For more detailed reading on the Special Rapporteur’s framework for the significance and scope of the four categories of minorities, see his [2020 Report to the UN General Assembly](#).

13th Session of UN Forum on Minority Issues Focuses on Hate Speech and Social Media

Convened by the UN Special Rapporteur on minority issues, Fernand de Varennes, and chaired by hate speech expert, Natalie Alkiviadou, the 2020 UN Forum on Minority Issues addressed the issue of “hate speech”, social media and minorities. The Forum was held online on 19-20 November. Participants discussed important challenges related to tackling online hate speech, xenophobic rhetoric and incitement to hatred against minorities. The forum was attended by officials from governments, the UN,

intergovernmental, national and regional organizations, and civil society, and included speakers such as the President of the UN Human Rights Council, Elisabeth Tichy-Fisslberger, the UN High Commissioner for Human Rights, Michelle Bachelet, and Pramilla Patten, Acting Special Adviser to the UN Secretary General on the Prevention of Genocide.

More information and documentation from the Forum can be found on the [Forum website](#).

Special Rapporteur on Minority Issues Publishes Statement on Facebook Oversight Board’s Review of Hate Speech Cases

The UN Special Rapporteur on minority issues, Fernand de Varennes, published a statement in connection with the Facebook Oversight Board’s review of its first six cases. He notes that three of the six cases relate in some way to hate speech and minorities. The Special Rapporteur welcomes the establishment of the Oversight Board as a mechanism to establish a proper balance between the freedom of expression and hate speech online. In his statement, the Special Rapporteur also underscores the need to employ a minority rights approach when regulating online hate speech, and to maintain a focus on the protection of

vulnerable and marginalized groups, who are in many cases minorities.

The Special Rapporteur also recognizes the engagement and contributions of Thomas Hughes, the Director of the Oversight Board. In his capacity as Director of the Oversight Board, Hughes participated in both the [European Regional and UN Forum on Hate Speech, Social Media, and Minorities](#).

The full statement is available on the official [Facebook page of the Special Rapporteur](#).

UN Experts Call for the Rights of Girls to Be Upheld

On the occasion of the International Day of the Girl Child, UN experts, including the Special Rapporteur on minority issues, addressed the promises made 25 years ago in Beijing to safeguard the equal rights of girls and ensure that they achieve their full potential. Referencing a joint statement made in July 2020, the experts noted the disproportionate impact the COVID-19 pandemic has had on women and girls, and highlighted existing inequalities and deep-rooted gender-based discrimination and violence.

“On today’s International Day of the Girl Child, States must reflect on whether the promises made to girls 25 years ago have been realised. We owe this to the young generation of girls that are facing this pandemic. We owe this to the young girls full of hope who believed that this world could

be a more equal place with the adoption of a visionary Platform for Action for gender equality. On International Day of the Girl Child, we must accelerate our commitment to ensure that the future we committed to 25 years ago for every girl, everywhere, becomes her lived reality,” the UN experts stated.

In addition, the experts noted in their statement that: “girls who are already victims of intersecting forms of discrimination, including but not limited to indigenous girls and minority girls, girls with disabilities, migrant girls and rural girls, are at the risk of being further marginalized” due to the COVID-19 pandemic.

Their full statement is available on the [OHCHR website](#).

UN Human Rights Experts Urge Denmark to Halt Contentious Sale of “Ghetto” Buildings

Three UN Special Rapporteurs, Fernand de Varennes (minority issues), E. Tendayi Achiume (racism), and Balakrishnan Rajagopal (adequate housing) issued a joint statement on 23 October, affirming that Denmark should suspend the sale of apartment houses in a Copenhagen “ghetto” until “courts have had a chance to rule on it, taking applicable rules of international human rights law in full account.”

The vast majority of the residents of the Mjølnerparken housing project in Copenhagen are either immigrants or born to immigrants, many from Africa and the Middle East. According to the “Ghetto Package” laws, the government can designate certain neighborhoods as “ghettos” or “tough ghettos” based on the percentage of “non-Western” immigrants and descendants. This term then enables the government to demolish buildings in order to change the character of the low-income, predominantly Muslim neighborhoods. Furthermore, the experts say “the use of such language also stigmatizes individuals belonging to or perceived to belong to Denmark’s racial, ethnic, and religious minorities.” Experts warn that the residents are “at a high risk of forced eviction in violation of their right to an adequate housing,” adding that “the application of

these laws targeting racial, ethnic, and religious minorities is a clear violation of the right of equality before the law and equal treatment before tribunals.”

Discrimination based on race, ethnicity, and national origin are of a serious concern in this matter, given that the designations of “ghettos” and “tough ghettos” are made on the basis of the percentage of residents that are “non-Western” immigrants and their descendants. This stigmatizes residents who belong to various racial, ethnic, and religious minorities, and increases the xenophobia and racial discrimination that “non-Western” minorities face in Denmark.

The statement can be found on the [OHCHR website](#).



“The application of these laws targeting racial, ethnic and religious minorities is a clear violation of the right of equality before the law and equal treatment before tribunals.”



UN Experts Say Governments Must Do More to Prevent Slavery and Exploitation during COVID-19 Pandemic

Several UN experts, including the Special Rapporteur on minority issues, issued a statement on 30 November, on the International Day for the Abolition of Slavery, underscoring that vulnerable segments of society will be pushed into slavery, trafficking and/or sexual exploitation due to the increased risk they face in light of the COVID-19 pandemic.

According to the statement, “the most affected groups often subjected to discrimination should be at the centre of States’ and businesses’ policy responses. These groups include women, children, young people, migrants and their families, indigenous peoples, persons with disabilities, LGBT persons, older workers, members of racial, ethnic and religious minorities, persons deprived of liberty, workers in

informal economies as well as refugees, internally displaced persons and stateless persons fleeing from conflict and post-conflict zones.”

Without sufficient support from governments, these vulnerable groups face the risk of exploitation, ill-treatment, torture, or even disappearance. The experts urged states to combat existing inequalities based on sex, gender, age, race and other factors, in order to address the structural causes that contribute to slavery and exploitation, and to foster international cooperation that will be necessary to address these global challenges.

The full statement can be found on the [OHCHR website](#).

OTHER

UNITED NATIONS

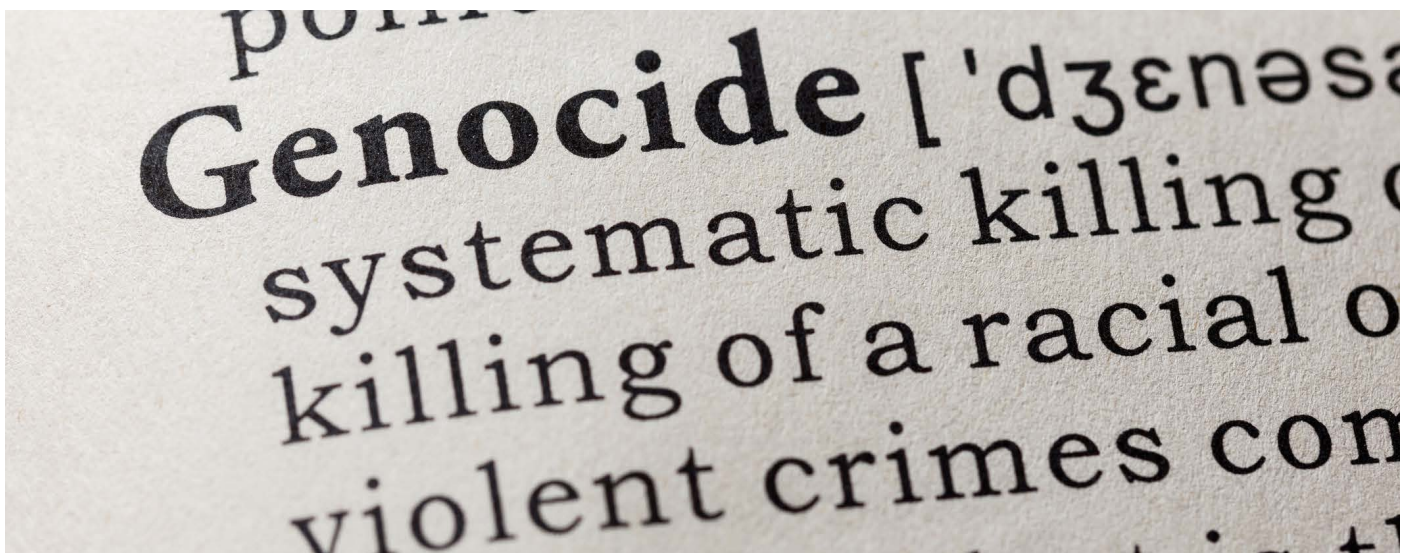
NEWS

UN Secretary-General Makes Statement on the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide

On 9 December, the UN Secretary-General, António Guterres, gave a speech to commemorate the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide. Guterres underscored that the prevention of genocide forms the basis of the United Nations' purpose. Indeed, the first human rights convention adopted by the General Assembly was the Genocide Convention drafted in 1948 following the horrors of World War II.

In his speech, Guterres noted that “genocide never fails to shock the world when it occurs. But it is never committed without clear, multiple warning signs. The victims are often early targets of hate speech, discrimination and violence. One of our remaining challenges, 72 years after the Genocide Convention’s adoption, is to promptly recognize and act on these warning signs.”

The full text of the Secretary-General’s speech is available on the [website of the UN](#).



UN Secretary-General Makes Remarks on International Day of Solidarity with the Palestinian People

The UN Secretary-General, António Guterres, addressed the participants of a virtual meeting on the International Day of Solidarity with the Palestinian People, speaking about the grim realities in the occupied Palestinian Territories and the diminished prospects of resolving the conflict. He noted that the COVID-19 pandemic has worsened the already dire humanitarian and socio-economic situation, while acknowledging that Israel's suspension of its plans to annex parts of the West Bank represent a temporary removal of a critical threat to peace and regional stability.

“On the ground, the expansion of settlement planning and construction continues, while demolitions and seizures of Palestinian-owned structures by Israeli authorities across the occupied West Bank, including East Jerusalem, reached the highest documented rate in four years. Such actions are contrary to international law and undermine the prospects for the establishment of a viable, contiguous Palestinian state,” the Secretary-General stated.

“I hope that recent developments will encourage Palestinian and Israeli leaders to re-engage in meaningful negotiations, with the support of the international community, toward a two-State solution and will create opportunities for regional cooperation. Only a two-State solution that realizes the

legitimate national aspirations of Palestinians and Israelis can lead to sustainable peace.”

He reiterated that the United Nations' commitment to support Palestinians and Israelis in resolving the conflict while stressing the important work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and calling on member states to provide necessary resources for UNRWA to continue to support its vital service to millions of Palestinian refugees.

The full statement is available on the [UN website](#).



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UN Secretary-General and Human Rights Officials Urge Respect for the Human Rights of Minorities on Human Rights Day

10 December 2020 marks the 72nd anniversary of the Universal Declaration of Human Rights, as well as Human Rights Day. On this occasion, the UN Secretary-General, António Guterres, the UN High Commissioner for Human Rights, Michele Bachelet, and human rights experts of the Special Procedures of the UN Human Rights Council issued statements taking stock of the state of human rights in 2020.

Secretary-General António Guterres issued a video statement, in which he asserts that the COVID-19 pandemic has reinforced two fundamental truths about human rights: human rights violations harm us all and human rights are universal and protect us all. Guterres separately notes that the pandemic has had a disproportionate effect on persons belonging to minorities.

In her statement, the High Commissioner for Human Rights, Michele Bachelet, focuses on COVID-19 and related public health and human rights issues. She notes that at least 1.6 million people have died from the virus, and that the pandemic has devastated economies, employment, education, health, and food supplies around the world. She offers hope that recent progress with vaccines will help us return to normal life, but underlines the need for equitable access to vaccines, including for the most vulnerable. Bachelet also states that we have “a vaccine to hunger, poverty, inequality, and possibly – if it is taken seriously – to climate change, as well as to many of the other ills that face humanity. The name of that vaccine is human rights.” On the occasion of Human Rights Day, she urges respect for human rights as a means of tackling these many problems.

The High Commissioner also highlights the disproportionate impact that the virus has had on minority communities: “it has been shocking, but sadly not at all surprising, to see the disproportionate toll of COVID-19 on individuals and groups who are marginalized and suffer discrimination – in particular people of African descent, those from ethnic, national or religious minorities, and indigenous peoples. This has been the case in some of the world’s richest countries, where the mortality rate of some racial and ethnic minorities has been up to three times that of the overall population.

When COVID-19 hit, members of discriminated groups and

indigenous peoples were over-exposed to contagion because of their low-paid and precarious work in specific industries. Many of the people we suddenly started to recognize and refer to as essential – health care workers, cleaners, transport workers, shop employees – come from such minorities.”

Bachelet also calls for an end to discrimination, support for civil society, as well as greater cooperation between all stakeholders in order to ensure respect for human rights, including the rights of people belonging to minorities.

In their statement, the human rights experts of the Special Procedures of the UN Human Rights Council highlighted key human rights issues of 2020 including the human rights consequences of the COVID-19 pandemic, legacies of colonialism, systematic racism, and discrimination, and the impacts of climate change. Like Guterres and Bachelet, the UN human rights experts also expressed specific concerns about violations of the rights of minorities:

“We have called attention to the structural, institutional and societal dimensions of racism that continue to result in police brutality and discrimination against minorities, indigenous peoples, migrants, refugees and stateless persons; and the fuelling of conflict, ethnic and religious hatred, and all forms of intolerance that destroy lives. We have expressed concern at the violation of the rights of minorities, including national, ethnic, religious and linguistic, who remain vulnerable but are further targeted and victimised during times of crises. Gender-based violence against women and girls and violence based on sexual orientation or gender identity have been exacerbated during the pandemic. Conflict and poverty have impacted the ability of persons, communities and populations historically subjected to discrimination to face the consequences of pandemic response and recovery measures.”

The experts call for multilateralism, cooperation, and solidarity to respond to the particular challenges that 2020 has presented.

The video statement of the Secretary-General is [available here](#). The full statement of the High Commissioner for Human Rights is [available here](#) and the full statement of the UN experts is [available here](#).



26th and 27th Sessions of the Working Group of Experts on People of African Descent

Between 23 November and 3 December, a series of virtual meetings were held as part of the 26th and 27th sessions of the Working Group of Experts on People of African Descent (WGEPAD). The meetings were held online due to COVID-19 restrictions. During the 26th session, a series of public regional meetings were organized allowing people of African descent and representatives of civil society to discuss possible strategies for the second half of the International Decade for People of African Descent. Through these meetings, the Working Group gained a better understanding of the situation on the ground, and could better define further steps to prevent racial discrimination faced by people of African descent. The recording of the five regional sessions is available on the [OHCHR website](#).

The 27th public session of WGEPAD entitled “The Urgency of Now: Systemic Racism and the Lessons of 2020” took place between 30 November and 3 December. The meeting focused on COVID-19, systemic racism and global protests. The discussions highlighted “the key themes and priorities for the protection of the human rights of people of African descent, positive developments, good practices and how to address systemic racism based on international human rights law.” The conclusions and recommendations adopted here will be presented in a report to the UN Human Rights Council. The recording of the four sessions can be found on the [OHCHR website](#).

Call for Urgent Action to Save Indigenous Cultures, Cultural Heritage and Cultural Rights from Climate Change

“With the climate emergency threatening all of humanity and human cultures, specific people and places are affected disproportionately,” says Karima Bennoune, UN Special Rapporteur in the field of cultural rights. Destruction of cultural heritage is especially significant in relation to indigenous people, for whom connection to land and ecosystems play an important role in their culture.

“We must be committed to climate culture justice, as those most affected by climate change – who have often done the least to contribute to it – have fewer resources to protect their cultures from its effects. This could result in many of the cultural traces of the biggest victims of climate change being allowed to disappear while the histories of those most responsible are more protected. This is unacceptable. We cannot be passive observers of cultural extinction,” stated the Special Rapporteur.

The full statement is available on the [OHCHR’s website](#).

Efforts to Achieve Sustainable Development Goals Must Include Religious and Belief Minorities

On 20 October, the UN Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, presented his [annual report](#) to the UN General Assembly. He stated that the global commitment made five years ago by 193 countries to “leave no one behind” can only be fulfilled when sustainable development efforts also improve the social and economic inclusion of religious and belief minorities.

In his speech before delegates at the General Assembly, Shaheed noted that “left unchecked, disparities and inequalities will continue to undermine future progress towards achieving sustainable development and threaten to reverse gains made towards realizing the SDGs.”

Shaheed also presented a [set of indicators](#) that can be used to assess progress made in the protection and promotion of the right to freedom of religion and belief, and underlined the need for states to work with civil society and other stakeholders to collect disaggregated data on freedom of religion or belief.

The full statement is available on the [OHCHR’s website](#).



Demolition of Palestinian Bedouin Houses by Israel Condemned by UN Experts

Following the demolition of homes in the northern Jordan Valley of the West Bank, the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk and Balakrishnan Rajagopal, UN Special Rapporteur on adequate housing condemned the displacement of 73 inhabitants of Khirbet Humsa, including 41 children, and the destruction of more than 75 structures, including homes, animal sheds and solar panels.

They noted that Israel routinely demolishes Palestinian homes and structures in the West Bank and East Jerusalem under the premise that they were built without a permit.

“The Israeli planning regime in the occupied territory is discriminatory and restrictive, and rarely grants Palestinian applications for building permits,” said the experts. “This results in a coercive atmosphere, where property demolitions, or the threat of demolitions, drives Palestinians away from their homes, lands and livelihoods,” the experts stated.

“We call on Israel to immediately halt its property demolitions in the occupied territory, to ensure that its actions are strictly compliant with its international humanitarian and human rights obligations and to provide protection for, rather than displacement of, the protected population.”

Their full statement is available on the [website of the OHCHR](#).

“The global commitment made five years ago by 193 countries to “leave no one behind” can only be fulfilled when sustainable development efforts also improve the social and economic inclusion of religious and belief minorities.”

OTHER

GLOBAL

NEWS

International Holocaust Remembrance Alliance Adopts Non-Legally Binding Working Definition of Antigypsyism/Anti-Roma Discrimination

Experts of the International Holocaust Remembrance Alliance (IHRA) Committee on the Genocide of the Roma, in consultation with representatives of civil society, drafted a working definition of antigypsyism/anti-Roma discrimination, which was then adopted by the IHRA on 8 October. The non-legally binding definition reads:

“Antigypsyism/anti-Roma discrimination is a manifestation of individual expressions and acts as well as institutional policies and practices of marginalization, exclusion, physical violence, devaluation of Roma cultures and lifestyles, and hate speech directed at Roma as well as other individuals and groups perceived, stigmatized, or persecuted during the Nazi era, and still today, as “Gypsies.” This leads to the treatment of Roma as an alleged alien group and associates them with a series of pejorative stereotypes and distorted images that represent a specific form of racism.”

The Committee also provided examples to illustrate antigypsyism/anti-Roma discrimination, such as distorting or denying persecution of Roma or the genocide of the Roma, glorifying the genocide of the Roma, inciting, justifying, and perpetrating violence against Roma communities, perpetuating and affirming discriminatory stereotypes of and against Roma, using hate speech, for real or perceived social, political, cultural, economic and

public health problems, or stereotyping Roma as persons who engage in criminal behavior, using the term “Gypsy” as a slur, holding Roma collectively responsible for the real or perceived actions of individual members of Roma communities, or spreading hate speech against Roma communities in whatever form, for example in media, including on the internet and on social networks.

The full working definition can be found on IHRA’s website.

Facebook Bans Holocaust Denial Content

In October, Facebook announced that it will ban posts about Holocaust denial. According to this new policy, “any content that denies or distorts the Holocaust” will be prohibited. Mark Zuckerberg, CEO of Facebook wrote in a statement that he had “struggled with the tension” between free speech and banning such posts, but that “this is the right balance”. He added, “My own thinking has evolved as I’ve seen data showing an increase in anti-Semitic violence, as have our wider policies on hate speech,” he wrote in a public Facebook post.

The World Jewish Congress, which had consulted with Facebook on antisemitism, welcomed this development. Similarly, Yad Vashem issued a statement welcoming the announcement of the new policy. In a letter to Mr. Zuckerberg, Yad Vashem Chairman Avner Shalev cautioned that human understanding and sensitivities are also needed to recognize antisemitic content as algorithms and key words do not show the full picture.

REGIONAL

NEWS

EUROPE

Backsliding on Minority Rights Weakens Democracy, says FCNM Advisory Committee

The Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM) published its [biennial report](#) in November, focusing on 2018 to 2020. According to the report, “where divisions are constructed between different ethnic, cultural, linguistic or religious groups, democracy is weakened. The backsliding on minority rights is a cause for real concern as it may threaten the inclusive nature of European societies.”

The advisory body noted the rising nationalist, populist and xenophobic movements over the past two years. Political actors either play a part in this, or fail to condemn intolerant statements or hate speech targeting minorities. Because such a behavior is tolerated, minorities are discouraged from taking an active role in public debates or from participating in public affairs. Thus, they cannot contribute to or participate fully in the cultural, economic and public life of their societies. While formal structures for participation are in place, there are also barriers that prevent minorities from engaging. To enable these

communities to have an effective role in the democratic process, states must address obstacles such as poverty, illiteracy, lack of education or identification documents, social exclusion and special segregation.

As highlighted in the Committee’s press release, “Islamophobia, antisemitism and anti-Gypsyism are spreading further in European societies. The Advisory Committee also observed how historical narratives and bilateral relations with so-called “kin states” can be used to justify the exclusion of minority groups and create distrust towards them. Greater efforts must be made to achieve effective inclusion and social cohesion, including through education. The Council of Europe’s body recommends that appreciation of diversity, multiple perspectives on history, and knowledge about national minorities should be included in school curricula, textbooks and teacher training.”

The full press release can be found on the [Council of Europe’s website](#).

FCNM Advisory Committee's Opinion on the Protection of National Minorities in Spain

The Advisory Committee on the Framework Convention for the Protection of National Minorities published its Opinion in which Spain's compliance with its commitments under the treaty was evaluated.

The Committee noted the progress made in promoting the equality of Roma through targeted policies and programs, and also acknowledged that "the climate of tolerance in society and in the political discourse towards [the Roma] are generally satisfactory." However, recommendations were issued about combating discrimination and stereotypes that still persist at local and regional levels in areas such as education, housing rentals, and employment. According to the Committee's recommendations, enforcing compulsory school attendance until the age of 16, and programs to eradicate slums are still essential. There is still a lack of comprehensive antidiscrimination legislation, although anti-Gypsyism is

recognized as a form of racism by the authorities and civil society. The Committee urged Spain to amend the Criminal Code to include anti-Gypsyism as one of the aggravating circumstances for criminal actions.

Additionally, the Advisory Committee remarked that it "regrets that the Spanish authorities persist in their restrictive interpretation of the scope of application, whereas they could consider using its provisions to manage the challenges posed by the rich linguistic and cultural diversity across the different regions of Spain." The Committee also reiterated the "importance of the enjoyment of minority rights in practice, whether or not the persons concerned are officially recognised in the Spanish legal system as belonging to national minorities."

The Opinion can be accessed on the [website of the Council of Europe](#), where the full press release is also available.

Representation of Roma in Major European Museum Collections: Volume 2 - the Prado

The Council of Europe publication "Representation of Roma in major European museum collections: Volume 2 - the Prado" highlights Roma contributions to European history, as well as the perception of Roma among the general public. This pedagogical guide helps explain the mechanisms that construct stereotypes underlying discrimination.

The previous publication "[Representation of Roma in major European museum collections. Volume 1 - The Louvre](#)" focused on what we can learn about the place and perception of Roma in Europe from the 15th to the 19th century, while "[Volume 2 - The Prado](#)" depicts their perception from the 16th

to the 19th century.

Detailed worksheets on 15 paintings representing Roma and Travellers, as well as an explanatory booklet, are available at the Prado, which help visitors reflect on their history and the contemporary perception of the Roma. Understanding the customs, professions, and culture of the Roma are necessary for understanding their situation today, and the discrimination they face in today's society.

More information is available on the [Council of Europe's website](#).

New EU Roma Strategic Framework for Equality, Inclusion and Participation

In October, the European Commission published the EU Roma Strategic Framework for Equality, Inclusion and Participation. It is the first direct contribution to implementing the EU Action Plan against Racism 2020-2025. The framework sets out a three-pillar approach: "equality with all other members of society, social and economic inclusion, and participation in political, social, economic and cultural life."

The full package, including the proposal for a draft council recommendation, the guidelines for planning and implementing national Roma strategic frameworks, as well as the portfolio of indicators can be accessed on the [website of the European Commission](#).



MINORITY SAFEPACK INITIATIVE

**YOU ARE NOT ALONE. ONE MILLION
SIGNATURES FOR DIVERSITY IN EUROPE**

New Developments in relation to the “Minority SafePack Initiative - One million signatures for diversity in Europe”

The “Minority SafePack” Initiative (MSPI), coordinated by the Federal Union of European Nationalities (FUEN), is a comprehensive set of measures to protect and promote the cultural and linguistic diversity of autochthonous national minorities in a sustainable way. The Initiative offers nine specific legislative proposals in six areas (language, education and culture; regional politics; public representation; equality; media; regional EU funding). It represents a package of various legislative proposals that link minority rights to areas that are already regulated by the EU.

On 15 October 2020, the proposal was presented at a hearing at the European Parliament, and the majority of MEPs expressed their support for the initiative. Proposals of the MSPI included inter alia:

- Changing the general rules applicable to structural funds so that the protection of minorities and the promotion of cultural and linguistic diversity is taken into account;

- Improving research on the added value that national minorities and cultural and linguistic diversity may bring to social and economic development in regions of the EU.

Those initiating the MSPI noted the importance of fundamental rights and values, underscoring that minority rights are part of those fundamental rights and represent European values. It was also emphasized that EU policies and financing that support minorities helps them feel respected, protected, and equal.

On 17 December, the European Parliament adopted a resolution in support of the Minority SafePack Initiative and called on the Commission to propose legislative acts protecting minority rights in the EU. The UN Special Rapporteur on minority issues called the resolution “one of the most important developments in decades for minorities.”

On 14 January, the European Commission issued a communication on the Minority SafePack Initiative indicating that it will not initiate further legal acts for the protection of national and linguistic minorities.

Online EU Conference on Addressing Antisemitic Hate Speech through Education

The online conference “Antisemitism Online: The role of prevention and education in antisemitic hate speech”, organized by Germany’s Presidency of the Council of the European Union and by the General Secretariat of the Council, was held on 18 November.

The conference was aimed at assessing the actions of member states and education providers to guarantee a culture of free and open online and offline debate and to protect citizens, in particular Jewish citizens, affected by criminal hate speech. Discussions focused on antisemitic hate speech, the role of prevention and education as effective deterrents, and on the involvement of young people in this process.

Policymakers, IT providers, journalists, students and other relevant stakeholders explored various viewpoints of the topic, including different challenges, best practices and policy recommendations.

The recording of the conference can be viewed on the [conference website](#).

EU–Israel High Level Seminar on Combating Racism, Xenophobia and Antisemitism

On 10 November, the European Union and Israel held their 13th High Level Seminar on combating racism, xenophobia and antisemitism. The seminar brought together European and Israeli civil servants, policymakers, experts, international organizations and non-governmental organizations to discuss best practices and measures to combat racism, xenophobia and antisemitism. The focus of the discussion this year was on hate speech in the digital sphere, its impact on the real world, and on ways to address the challenges of online hatred.

The full press release about the meeting can be found on the [European Commission’s website](#).

OSCE Council of Foreign Ministers appoints Kazakhstan’s Abdrakhmanov as High Commissioner on National Minorities

On 4 December 2020, Mr. Kairat Abdrakhmanov was appointed High Commissioner on National Minorities (HCNM) at the Organization for Security and Cooperation in Europe (OSCE). The decision was made during the 27th meeting of the OSCE Council of Foreign Ministers that took place online on 3–4 December. Mr. Abdrakhmanov is a veteran Kazakh diplomat. He previously served as Kazakhstan’s Foreign Minister, Kazakhstan’s Permanent Representative to the OSCE and to the United Nations in Austria, as well as Kazakhstan’s Ambassador to Israel.

The role of High Commissioner on National Minorities is to identify and address situations in relation to tensions involving national minorities, which may give rise to conflicts between OSCE member states. The High Commissioner is elected every three years. Mr. Abdrakhmanov, who will have to relinquish his position as ambassador of Kazakhstan to Sweden and Denmark to “ensure fairness and impartiality,” follows Lamberto Zannier, whose term ended in July 2020.

The official announcement of the appointment is available on the [OSCE website](#).



OSCE Ministerial Council Side Event – Role of History Education

At the 27th OSCE Ministerial Council in Tirana in December, a side event was organized to discuss the role of history education in fostering social cohesion in diverse societies. The aim of the event was to promote dialogue on how to include multiple perspectives, including those of minority groups, in history education.

Tuula Yrjölä, Officer in Charge/Secretary General and Director of the OSCE Conflict Prevention Centre, highlighted how quality education leads to tolerance, and citizens who

are “aware of diversity, receptive to and critical of a full range of perspectives and interpretations.”

According to Dan Doghi, Head of the Contact Point for Roma and Sinti Issues at the OSCE Office for Democratic Institutions and Human Rights (ODIHR), “the situation of Roma in the OSCE region shows clearly that prejudices from the past can lead to discrimination and exclusion in the present.”

More details can be found on the [website of the OSCE](#).

Online Conference: “Minority Protection and Ethnic Group Rights in Central and Central Eastern Europe”

Organized by the Cultural Foundation of German Expellees and the Federal Union of European Nationalities (FUEN), a two-day online conference was held in October, entitled “Minority Protection and Ethnic Group Rights in Central and Central Eastern Europe.”

Over the two days, speakers discussed the general landscape of minority protection, and gave presentations on scientific, political, theoretical and practical perspectives. The conference presented a good opportunity to gain an overview of how the Council of Europe and new legal

protection elements within the European Union can contribute to improving minority protection in Europe. On the [first day](#) of the conference, speakers emphasized the need for concrete legal regulations in order to resolve the conflicts arising from discrimination against minorities. On the [second day](#), experts compared existing regulations and their practical implementation in Germany, Poland, Romania and Slovenia.

The recording of the two days can be accessed on YouTube at the following links: [Day 1](#) and [Day 2](#)

“The situation of Roma in the OSCE region shows clearly that prejudices from the past can lead to discrimination and exclusion in the present.”

Inter-American Commission on Human Rights Concerned over Detention of Indigenous Journalist

The Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) issued a statement expressing its concern over the detention of the indigenous Mayan K'iche journalist, Anastasia Mejía Triquiz, in Guatemala. According to reports, the journalist was detained by the National Civil Police in September and is accused of sedition, aggravated arson, and aggravated robbery. She has currently been detained for over a month without a pre-trial detention order issued by a judge.

The Office of the Special Rapporteur for Freedom of Expression received information that the detention of Anastasia Mejía Triquiz may be connected with her reporting on a demonstration against a local mayor for his alleged favoritism in the provision of economic aid during the COVID-19 pandemic. She has also repeatedly reported on corruption within the municipal government. In the past, the IACHR has referred similar cases involving indigenous community journalists to the Inter-American Court, which demonstrates that Mejía's case is not an isolated one and that indigenous peoples face systematic censorship and a disproportionate number of violations of their freedom of expression.

The IACHR has previously dealt with a case against Guatemala on the diversity, inclusion and pluralism of the community media of indigenous peoples, and the need to combat censorship and the disproportionate violation of the freedom of expression of indigenous peoples.

In this context, the IACHR calls upon Guatemala to respect and guarantee the rights to freedom of expression and personal liberty of the accused, as well as to guarantee a diligent judicial investigation within a reasonable time. The full statement can be found on the [website of the Organization of American States](#).



Inter-American Commission on Human Rights Refers Indigenous Case to Inter-American Court

The Inter-American Commission on Human Rights (IACHR) referred a case of the U'wa indigenous people against Colombia to the Inter-American Court of Human Rights. The case deals with the lack of effective protection for the ancestral property rights of the U'wa people, and the infringement on these rights by oil, mining, tourism, and infrastructure projects.

In its report, “the Commission considered it proven that the U'wa People have been severely affected by the internal armed conflict in Colombia, which has put them in a situation of extreme vulnerability, even to the point of being in danger of extinction. The IACHR emphasized that the determination made at the internal level with respect to the U'wa People as a people in danger of extinction, puts in evidence the extreme vulnerability in which the U'wa People have been, which, added to the concessions and business activities in their lands and territories, must be considered at the time of evaluating the danger that these concessions implied for the indigenous people.”

The Commission's full consideration of the case, as well as its recommendations to Colombia, can be found on the [website of the Organization of American States](#).

US State Department Hosts International Panel on Holocaust Education

At the end of November, the US State Department hosted a Trans-Atlantic webinar on Holocaust education. The event, “Policy and Practice: Trans-Atlantic Avenues for Holocaust Education”, focused on the [IHRA Recommendations on Teaching and Learning about the Holocaust](#), in particular on how the recommendations were developed, and how government officials and Holocaust educators can use them in the face of rising antisemitism. Cherrie Daniels, Head of the United States delegation to IHRA, who hosted the event in her capacity as State Envoy on Holocaust Issues, stressed the urgency of Holocaust education: “it’s our responsibility to do more individually and collectively to raise Holocaust awareness and really promote deeper understanding that will affect our future.”

According to IHRA Chair Ambassador, Michaela Küchler, despite the challenges teachers face during the pandemic, and the inevitable move to digital education, the current situation also presented opportunities to reach a wider audience.

Zuzana Pavlovska, Chair of the IHRA Education Working Group, highlighted the importance of local contexts in Holocaust education, and studying the period prior to the Nazi regime, so people are not just seen as victims, but “as someone with a normal life.”

The panel discussion can be viewed on the [website of the State Department](#).

Legacy of Hope Foundation Publishes Resources about Indigenous Peoples and Reconciliation

The Legacy of Hope Foundation, an indigenous-led charitable organization working with Indigenous communities in Canada has published a comprehensive collection of resources, exhibitions, workshops, and research reports on Indigenous peoples and reconciliation. The resources are aimed at addressing the discrimination and injustices faced by Indigenous peoples and at contributing to the equality, dignity and respectful treatment of Indigenous

Ecuadorean Indigenous Leader Named “Environmental Hero”

Nemonte Nenquimo, a member of the Waorani indigenous group from the Ecuadorean Amazon, was recognized as one of the winners of the Goldman environmental prize for her efforts leading a court case against the Ecuadorean government for its violations of the land rights of the Waorani peoples. In 2019, Nenquimo acted as a plaintiff in a lawsuit against the Ecuadorean government and argued that it had not obtained prior consent from the Waorani before auctioning much of their land. The case was ruled in favor of the Waorani in 2019, and serves as a landmark judicial precedent for indigenous and land rights.

As part of its decision, the court also ordered the National Assembly of Ecuador to draft legislation to enshrine the concept of prior consent in law. However, Nenquimo and other indigenous leaders have stated that the bill was drafted in October without the participation of indigenous representatives.

Nenquimo hopes that her recognition with the Goldman prize “will hopefully give us and our fight more visibility and create consciousness that we’re acting for the good of the planet.”

More information about Nenquimo and the Waorani case can be found on [BBC World News](#).

peoples as a means of fostering reconciliation in Canada.

The resources available include curricula that emphasize indigenous voices, activities for students, lesson plans, exhibitions, indigenous testimonies, and training materials. More [information](#), as well as a [catalogue of resources](#), can be found on the website of the Legacy of Hope Foundation.

Chairperson of the African Union Commission Makes Statement on Inter-Ethnic Conflict in Ethiopia

The Chairperson of the African Union Commission, H.E. Mr. Moussa Faki Mahamat, made a statement on 3 November 2020 strongly condemning the killing of civilians during the on-going inter-communal conflict in Ethiopia.

Mr. Mahamat expressed concerned over the increase in inter-communal and inter-ethnic conflict in Ethiopia, largely fueled by hate speech, and called “on all stakeholders to refrain from inflammatory rhetoric and work towards de-escalating tensions in the country. He further encourages political actors to engage in an inclusive national dialogue and build a national consensus around key issues and stresses that failure to do so can have grave impacts not only in the country but the region as a whole.”

He also expressed the African Union’s support for and willingness to assist Ethiopia in order to achieve stability and peace in the country. The full statement can be found on the [website of the African Union](#).

African Commission on Human and Peoples’ Rights Lauds Tunisian Court Decision

The African Commission on Human and Peoples’ Rights welcomed an October decision of a Tunisian court to authorize the removal of “Atig” (meaning “freed by”) from the identity documents of a Black Tunisian, Karim Dali. “Atig”, a marker in the names of many Black Tunisians, is a clear reference to slavery, and is linked to descent-based and racial discrimination and stigma.

This decision follows the adoption by Tunisia is October 2018 of a law criminalizing racist speech and the incitement to hatred and discrimination. Such acts are punishable by imprisonment or a fine.

The Country Rapporteur of the African Commission “welcomed this historic decision, which is a great step forward in the fight against discrimination and for the respect of human dignity as enshrined in articles 2 and 5 of the African Charter on Human and Peoples’ Rights.”

A press statement is available on the [website of the African Commission](#) (in French). More details about the case can be found on the [website of Minority Rights Group International](#).



“In line with the EU’s stated commitment to advancing the rights of indigenous peoples, we would welcome EU support for increasing the legal recognition of indigenous territories and customary land tenure regimes within the global biodiversity framework.”

Concerns Raised by Indigenous Communities about the NaturAfrica Initiative

As part of “The European Green Deal”, the EU will launch the NaturAfrica initiative to address biodiversity loss in Africa and to create a network of protected areas. While the EU’s recognition of the risk of biodiversity loss in Africa, and that consumption in the EU is part of the problem is welcomed, there are concerns that the NaturAfrica proposal may have problematic side effects for indigenous populations living on or around the proposed protected areas.

Among other things, NaturAfrica fails to recognize [past problems and conservation-related abuses in Africa linked to creating and expanding protected areas](#); that the expansion of the protected areas will necessarily impoverish and displace people; and that local civil society organizations and communities on the frontline of nature conservation in Africa have not been consulted about the initiative.

Such concerns were also raised by a consortium of NGOs representing affected indigenous peoples, which published an open letter addressing the European Commission. They state: “in line with the EU’s stated commitment to advancing the rights of indigenous peoples, we would welcome EU support for increasing the legal recognition of indigenous territories and customary land tenure regimes within the global biodiversity framework.”

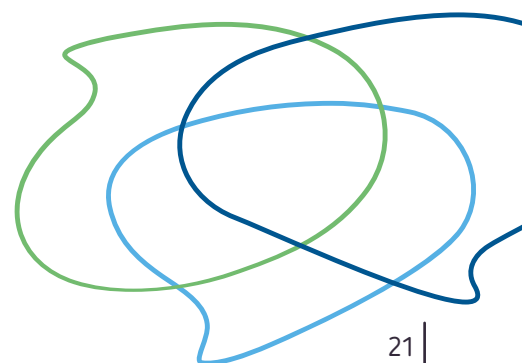
More details about the European Green Deal can be found in [this document](#). The full letter of the NGO consortium can be found on the [website of Minority Rights Group International](#).

Webinar: The Current State of the African Human Rights System

The Centre for Human Rights, Faculty of Law, University of Pretoria, in partnership with Amnesty International, the African Court Coalition, the Initiative for Strategic Litigation in Africa (ISLA), the Coalition for the Independence of the African Commission (CIAC) and the Initiative for Social and Economic Rights (ISER), hosted a webinar on 12 November to discuss the current state of the African human rights system and the role of key stakeholders in strengthening and supporting the regional human rights bodies.

The webinar built upon the findings of Amnesty International’s report entitled [The State of African Regional Human Rights Bodies and Mechanisms 2019-2020](#), which was published on 21 October 2020, and provides a review and analysis of the work, performance, achievements and challenges of the African regional human rights treaty bodies. It covers the work of the African Commission on Human and Peoples’ Rights, the African Committee of Experts on the Rights and Welfare of the Child, and the African Court on Human and Peoples’ Rights.

More details about the event is available on [Facebook](#).



Asia-Pacific Regional Forum on “Hate Speech”, Social Media and Minorities held in October

As part of a series of regional forums convened by the UN Special Rapporteur on minority issues, the Asia-Pacific Regional Forum on “hate speech, social media and minorities” took place on 19-20 October 2020. The forum covered the Asia-Pacific region and was held online due to the COVID-19 pandemic. Approximately 145 people representing states, international organizations, civil society, academia and minority groups participated in the regional forum. The main purpose of the Asia-Pacific Regional Forum was to provide regional insights to feed into the thematic work of the Special Rapporteur on minority issues for his report to the 46th session of the UN Human Rights Council in March 2021. Furthermore, discussions at the Regional Forum also informed the work and recommendations of the 13th Session of the UN Forum on Minority Issues, which took place on 19-20 November 2020.

The Asia-Pacific Regional Forum also had the following five more specific objectives:

- Raise awareness about and to promote understanding of the forms of online hate speech, including incitement to discrimination, hostility or violence, against persons belonging to minorities, and the role played by social media in its dissemination, and its harmful impact, including the ‘chilling effect’;

- Identify legal, institutional and policy challenges concerning the dissemination of online hate speech, particularly incitement to discrimination, hostility or violence, on social media against minorities;
- Explore and identify appropriate responses – especially those of states, social media platforms and civil society – to the dissemination of hate speech against minorities on social media platforms, referring to good practices, in accordance with international human rights law and standards;
- Strengthen the participation of persons belonging to minorities and their representatives in the development of laws and policies, as well as global discussions on online hate speech and the promotion of human rights and ethnic, religious, and linguistic diversity;
- Strengthen partnerships among various stakeholders and to build their capacity to address hate speech against minorities, especially incitement to discrimination, hostility or violence on social media platforms.

More information about the Asia-Pacific regional forum, including the recommendations, and all other documentation and video recordings, is available on [Minority Forum Info](#).

New Report on Racism in East Asia Published

A webinar series “Racism in East Asia”, held by the Organising Committee for East Asia regional consultation, was carried out in order to provide a safe space for human rights defenders, civil society representatives, and other stakeholders in East Asia to debate challenges and good practices in the fight against racial discrimination in Hong Kong, Japan, and the Republic of Korea in times of COVID-19 and beyond. On the occasion of Human Rights Day, the outcome document of the webinar series was published.

The report details the discussions of the webinar series. It contains an executive summary, background information on the issue of racism in the region, an analysis of institutional racism in the COVID-19 responses of East Asia, the impact of COVID-19 on migrant workers in the region, as well as an overview of racism and the domestic laws of Hong Kong, Japan and the Republic of Korea.

The report is on the [website of the International Movement against All Forms of Discrimination and Racism \(IMADR\)](#).



Roundtable Conference on Lund Recommendations on the Effective Participation of National Minorities in Public Life in Uzbekistan

In November, the National Human Rights Centre of Uzbekistan and the Office of the OSCE High Commissioner on National Minorities jointly organized a roundtable conference to discuss the main points of the [Lund Recommendations on the Effective Participation of National Minorities in Public Life](#) and good practices from the OSCE area and Uzbekistan.

Among the attendees were experts from the Office of the OSCE High Commissioner on National Minorities, international experts and representatives of national authorities. The discussion focused on good practices related to the effective participation in political life, sustaining diversity through effective participation in cultural and religious life, socio-economic participation, and the various issues surrounding minority women participation.

“We should all remember that to belong to a national minority is a matter of a person’s individual choice and no

disadvantage may arise from the exercise of such choice. OSCE participating States have agreed to respect the right of persons belonging to national minorities to effective participation in public affairs, including participation in affairs relating to the protection and promotion of the identity of such minorities,” noted John MacGregor, OSCE Project Co-ordinator in Uzbekistan.

According to Christophe Kamp, Director of the Office of the OSCE High Commissioner on National Minorities, “a meaningful level of representation and participation of minorities in all fields of a country’s public life is vital to foster loyalty to, and trust in, the institutions of the State. This also requires a willingness on the part of minorities to engage: integration is a two-way process.”

More details are available on the [website of the OSCE](#).

NGO Coalition Submits Report to the Human Rights Committee on Racial Discrimination in Japan

The Japan NGO Network for the Elimination of Racial Discrimination (ERD Net) submitted a joint report to the UN Human Rights Committee (HRC) on discrimination against indigenous peoples, minorities, and migrants in Japan. The report was submitted ahead of the consideration of the 7th periodic report on Japan by the HRC.

The report covers a wide range of issues connected to discrimination, including antidiscrimination legislation,

hate speech, the right to participation, education, and unequal treatment in relation to the COVID-19 pandemic. The report also examines specific difficulties faced by ethnic Koreans, migrants and refugees, as well as indigenous peoples, such as the Ryukyus.

The report is available on the [website of the International Movement against All Forms of Discrimination and Racism \(IMADR\)](#), which serves as the Secretariat of ERD Net.

Myanmar Election Process Excludes Minorities Says NGO

The Asian Forum for Human Rights and Development (FORUM-ASIA) published an article detailing Myanmar's current election process and how it contributes to existing systematic and structural inequalities and discrimination in relation to minorities.

According to FORUM-ASIA's Executive Director, Shamini Darshni Kaliemuthu, "Myanmar's elections have been characterised by the continued disenfranchisement of its ethnic minority groups, particularly the Rohingya, and the use of the country's repressive laws to persecute opposition supporters, journalists and human rights defenders. The exclusion of the most vulnerable groups and the continuous

assault against civic space only raises questions on the credibility of these elections."

All this occurs against the backdrop of the current lawsuit against Myanmar in the International Court of Justice (ICJ) for genocide due to military operations that resulted in the killing of thousands of Rohingya and the displacement of a further 700,000 people. Myanmar rejected orders by the ICJ from January 2020 to put measures in place to protect Rohingya people in the country.

The full article on Myanmar and its election process is available on the [website of FORUM-ASIA](#).

FORUM-ASIA Publishes Interview with Minority Rights Activist

FORUM-ASIA recently published an interview with Hassan Ali Faiz, Research Director of the Civil Society and Human Rights Network, FORUM-ASIA's member in Afghanistan. Faiz belongs to the Hazara ethno-religious minority. In the interview, Faiz shares how he became involved in human rights work, how his motivation has changed over the years, and what some of the main challenges are for someone working in the field of human and minority rights.

In the interview, Faiz states: "The overall injustices arising from conflict or based on ethnicity motivated me to work for justice and human rights. This motivation has deepened over the course of my professional career. In the beginning, it was very sensational, but now it is more realistic. I used to underestimate a challenge in the past, but now I deal with every even trifling issue with care and confidence."

Despite the difficulties and challenges he has faced as a member of a minority and as a human rights defender, Faiz has an optimistic message for the new generation of people working in human rights: "Changing society is a time-consuming process; it won't happen with just a sleight of hands or a snap of fingers. It requires patience, deep commitment, and dedication. It is difficult, it is risky, but it is worth it. Don't get frustrated; it is a long way ahead. I believe that working for the protection of human rights is a virtue and brings immense inner peace that you will not get out of other professions."

The full interview with Faiz is available on the [website of FORUM-ASIA](#).

The Tom Lantos Institute (TLI) is an independent human and minority rights organisation with a particular focus on Jewish and Roma communities, and on Hungarian and other ethnic or national, linguistic and religious minorities. It is a Budapest-based organisation with a multi-party Board of Trustees, an international Executive Committee, and Advisory Board. TLI operates internationally in terms of scope, funding, staff and partners. As a research and education platform, TLI aims to bridge the gaps between research and policy, norms and practice. TLI focuses on human rights and identity issues in general, and also works on three specific issue areas. These include: Jewish life and antisemitism; Roma rights and citizenship; and Hungarian minorities.

ABOUT THE NEWSLETTER

The Global Minority Rights Newsletter is a publication of the Tom Lantos Institute that gathers recent information about normative developments, events, and other opportunities related to the institutional frameworks and mechanisms for the protection of the human rights of minorities. The Newsletter is based on research and data collection by the Tom Lantos Institute, as well as on the submissions and input of colleagues and partners around the world. The Newsletter is published quarterly and is available in electronic format. The Tom Lantos Institute welcomes submissions from organizations and experts working in the field. For more information, or to provide submissions or feedback, please contact Marcus Oda at marcus.oda@tomlantosinstitute.hu.

NOTE ABOUT FOCUS OF THE GLOBAL MINORITY RIGHTS NEWSLETTER

The Global Minority Rights Newsletter is focused on developments related to the international minority protection regime and minority groups around the world. Under this umbrella, we have chosen to also include indigenous peoples. In some regions of the world, indigenous peoples constitute a large share of the groups that are a numerical minority and in a non-dominant position, and whose cultures, languages, and/or religious beliefs are distinct from the majority. While we do not wish to overlook the special characteristics that distinguish indigenous peoples from traditional minorities, we include indigenous peoples in the newsletter to provide a broad perspective on minority protection in all parts of the world.

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