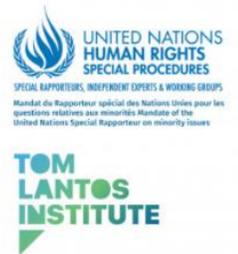




Africa and Middle-East
Regional Forum on conflict prevention
and the protection of
the human rights of minorities

15 -16 June, 2021 | ONLINE MEETING



Norms, Structures, and Implementation of Human Rights, Minority Rights and Indigenous Rights

1. The United Nations should establish high-level mechanisms or fora on minority issues, including for the region of Africa and the Middle East, similar to existing structures on indigenous issues, such as the United Nations Permanent Forum on Indigenous Issues.
2. The UN Special Procedures and OHCHR should continue to hold yearly regional minorities forums, including online, to allow for greater regional participation from NGO participants and other minorities who often lack the resources to attend in-person conferences in Geneva, and a proliferation of ideas on how to solve ongoing regional conflicts and prevent them before they start.
3. The UN should continue to support the establishment of a voluntary fund for minority issues to facilitate the participation of minority representatives in relevant UN bodies and mechanisms.
4. All UN Special Procedures mandate holders should mainstream minority and indigenous rights into their mandates and work in consultation with members of those communities.
5. The UN should establish a mechanism that systematically monitors hate crimes and incitement to discrimination, hostility, and violence in accordance with Art. 20(2) of the International Covenant on Civil and Political Rights, including a hate crimes reporting mechanism or a new Special Procedures mandate on hate-based human rights violations.
6. All UN treaty bodies should endorse and implement the Guidelines against Intimidation or Reprisals ('San Jose Guidelines') and permit requests from individuals or groups to provide information to the relevant treaty body in a confidential manner to prevent intimidation and reprisals.
7. Regional organizations and mechanisms, such as the African Union, should implement existing minority and indigenous rights frameworks in their work.
8. The UN system and regional bodies should support intercultural dialogue and information exchanges between States, minorities and indigenous peoples to achieve full realization of their rights, including the rights to autonomy and internal self – determination in the case of indigenous peoples;
9. UN regional offices should offer technical assistance to civil society and representatives of minorities and indigenous peoples on bringing cases of violations of their rights to the attention of relevant UN human rights bodies.
10. States should sign, ratify, and/or accede to all international conventions and declarations relating to the rights of minorities and indigenous peoples, including

the ILO Convention 169, the United Nations Declaration on the Rights of National or Ethnic, Religious and Linguistic Minorities, the United Nations Declaration on the Rights of Indigenous Peoples, and the Optional Protocols to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, and adopt and implement the necessary measures to adequately respect, protect, and fulfill the rights of minorities and indigenous peoples at the national, subnational, and local levels;

11. States should adopt legislation incorporating the human rights of minorities as provided for by international law. Domestic courts should enforce national legislation related to the protection of minority rights in their jurisprudence.
12. States should implement decisions and recommendations adopted by the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights and other regional and sub-regional mechanisms as they relate to conflict and minority rights;
13. States should regularly report on their obligations to protect the human rights of minorities and indigenous peoples in their reports to the Universal Periodic Review mechanism; States should implement all voluntary pledges, recommendations and commitments made during Universal Periodic Review;
14. States should promote the implementation of Security Council Resolution 1325 on women, peace, and security.
15. States should implement recommendations made by the UN Forum and Regional Forums on Minority Issues through, for example, with the support of National Human Rights Institutions;
16. States should work with local government authorities, municipal elected officials, and grassroots-level minority organizations on the importance of recognizing the respect and rights of minorities, cultural diversity and conflict;
17. Mutually agreed formalized mechanisms for intercultural dialogue between States, indigenous peoples and minority groups should be established;

Equality, Non-discrimination, and Intersectionality

18. States should introduce comprehensive anti-discrimination (or 'equalities') laws, which critically align with human rights standards to explicitly provide a non-exhaustive, though broad, list of protected characteristics, including those enumerated in ICCPR and ICESCR Article 2 and ICERD Article 1.
19. States should amend national constitutions or domestic legislation that clearly institutionalize discrimination against minorities and enshrine the dominance of one ethnic, religious or linguistic majority over others. States should be inclusive of the diversity of their population, and, at the very least, constitutionally and legally acknowledge the presence and equal dignity of all minorities on the territory, and should not exclude any specific minority from such recognition.
20. Legal and policy reforms relating to anti-discrimination must be led by participatory processes including affected minority groups. Ethnic, cultural, religious and

linguistic diversity and mutually agreed inclusive practice during these processes is essential.

21. States should establish National Human Rights Institutions (NHRIs), equality bodies, or ombudsman offices, to ensure the regular implementation and monitoring of antidiscrimination legislation. Such institutions should ensure the effective participation of minorities and their organizations, including at the grassroots level, in monitoring mechanisms and practices.
22. States should guarantee the sustained implementation of affirmative action programmes until equality for ethnic or national, religious, and linguistic minorities is achieved as outlined under ICERD.
23. States should ensure that law and policy reforms are accompanied by educational programs and awareness-raising campaigns to address deep-rooted prejudice and biases in relation to minority groups, and to ensure that legal and policy reforms are implemented and have societal support. States should ensure the necessary commitment and funding to develop such campaigns and educational programs. The UN and relevant regional international organizations should ensure the provision of adequate technical assistance and financing to assist states which lack the resources to develop and implement such programs.
24. States should promote respect for minority groups and protect them from stigmatization and hate speech in the public sphere in accordance with international human rights standards.

Recognizing and Accommodating Ethnocultural and Religious Diversity

25. States should recognize, including in constitutions, ethnic, religious, and linguistic diversity, and incorporate respect for such diversity in law, policy, and in the practice of state institutions, in line with international standards enshrined in the UNDM and UNDRIP. The localization and implementation of relevant international human rights law should take into account the colonial history and legacy of these regions where non-recognition of ethnocultural diversity was often coupled with anti-discrimination approaches favoring assimilation and homogenization. For the attainment of pluralist societies, anti-discrimination approaches should be complemented with the protection and promotion of the existence, equality, identity, and effective participation of minorities, and internal self-determination in the case of indigenous peoples.
26. States should promote the religions and cultural heritage of minorities and indigenous peoples, and protect them from identity-based discrimination, hostility and violence.
27. States should initiate legislative reform programmes to ensure the recognition of religious, cultural and linguistic diversity in their constitutions. This should include provisions for religious pluralism, and recognition of the linguistic rights of minorities.
28. States should consider employing territorial autonomy arrangements and other forms of power-sharing arrangements that take account of the traditional presence of territorially concentrated minority populations as a means of efficiently providing

added guarantees of equality and non-discrimination for minorities, and to better ensure the protection of their rights, particularly in relation to their effective participation and rights related to language, religion or culture.

29. States should share good practices on recognizing, promoting and managing ethnic, religious, and linguistic diversity at the regional level.
30. States should recognise the equal dignity and rights of all, and safeguard a person's privacy, particularly in violence-prone or post-conflict societies in line with the right of those belonging to minorities to self-identify and whether to do so publicly or not. This should include not listing an individual's ethnic or religious affiliation in widely-used public documents, such as personal identity cards, application forms for higher education, obtaining loans, etc.

Ensuring Effective Participation in Public, Political, Economic, Social, and Cultural Life

31. States should employ a holistic approach to peacebuilding that includes the political, economic, and social empowerment of minorities and indigenous peoples, including minority and indigenous women, youth, and grassroots movements.
32. States should include minorities and indigenous peoples in constitutional drafting and ratification committees.
33. States should ensure the effective participation of minorities and their representatives in the development, implementation, and monitoring of laws and policies affecting them, including special measures. Historic discrimination, marginalisation and socio-economic inequality experienced by minorities and indigenous peoples, including minority and indigenous women and youth, need to be addressed by these laws and policies.
34. States should guarantee the full voting rights and effective political participation of minorities and indigenous peoples.
35. States should ensure that sustainable economic development projects are inclusive and equitable with regard to minority and indigenous groups.
36. States should equitably distribute national wealth to remote regions, especially amongst minorities and indigenous peoples, and adopt inclusive economic strategies, to prevent all forms exclusion and discrimination.
37. States should fully harness and support young people's contribution to peace, through investment in their capacities; redressing the structural barriers that limit youth participation in peace and security; and emphasising partnerships and collaborative action, where young people are viewed as essential partners for peace.
38. Relevant United Nations Agencies and Offices should provide technical support to state institutional structures to ensure that minorities are represented in decision-making processes.

Stateless and Displaced Minority and Indigenous Groups

39. States should cease the practice of withdrawal of citizenship, particularly from ethnic and religious minorities, which renders them stateless and unable to exercise their citizenship and human rights. This practice exacerbates tensions and leads to instability and violence.
40. States should implement long-term economic programs, including subsidized housing programs and income-generating opportunities for displaced minority and indigenous communities in areas to where they are displaced and/or in areas to which they are returning.
41. The UN and states should facilitate the voluntary and safe return of displaced minority groups to their homes by ensuring their physical security, including from attacks by armed forces, and that the necessary services are in place.
42. The UN and other international and regional organisations providing humanitarian aid during conflicts should use best methods and practices to ensure that minorities and indigenous people receive such aid on an equal basis.

Education

43. States should promote ethnic, religious, and linguistic diversity, including about minority culture, history, heritage, and their contributions to society, in national curricula, and create institutions for cultural expressions of diversity. This could also include collaboration with relevant regional organizations in developing a region-wide educational campaign focused on the promotion of minority rights and values of diversity.
44. States should ensure equal access to education without discrimination, including for minority and indigenous communities, including by providing safe and affordable means of transportation for students to access educational institutions, especially in areas with large displaced minority communities.
45. States should provide formal and informal education, including in national curricula, about human and minority rights, including how protection and promotion of these rights can prevent conflict situations.
46. States should ensure that human and minority rights education equips minorities and indigenous people, including minority and indigenous women, to effectively exercise their rights.

Land/Environment

47. States should put an end to policies resulting in the unlawful expropriation of property owned by minorities and indigenous peoples; when dealing with property disputes, minorities and indigenous peoples should enjoy equal access to judicial and law enforcement mechanisms; legal decisions mandating the return of unlawfully expropriated properties should be enforced.
48. States should ensure protection of natural resources and the environment without discrimination, as the destruction or limitation of such resources can be a source

of human rights violations and conflict, particularly in relation to minorities and indigenous peoples.

Health

49. States should ensure equal and non-discriminatory access to critical health services, to avoid further marginalization of minorities and indigenous peoples, including displaced communities, which can be a source of tension and conflict.

Access to Justice

50. States should provide equal access to judicial systems and equality before the law regardless of ethnicity, race, religion, or language.
51. States using religiously based systems of law or constitutions should allow religious minorities, including those with no religion or belief, to resolve civil and family disputes in accordance with their own religious, cultural or secular traditions and laws. All parties must explicitly consent to do so and may establish and resort to appointed individuals or bodies to perform such functions.
52. States should address gaps in the legal system in relation to accountability for the commission of atrocities and hate crimes at the national level, including by creating independent investigative bodies and training prosecutors and judges.
53. States should introduce judicial and legislative reforms to ensure the prosecution of perpetrators of atrocity crimes, including violence targeting minority and indigenous communities, and sexual violence targeting minority and indigenous women.
54. The UN and other international and regional organizations should provide technical and legislative assistance to states to make necessary reforms to legal systems, including criminal and criminal procedure laws, and legal practices to ensure their compatibility with international human rights standards.

Data Collection

55. Research, data collection, and consultations should be carried out in relation to atrocities against minorities to develop more specific early warning indicators.
56. OHCHR should partner with local NGOs, including minority CSOs, to monitor and develop country reports on rights violations of minorities on a yearly basis.

Media

57. States must ensure freedom of the media, particularly in relation to reporting on human and minority rights violations and on conflicts.
58. Civil society organizations should provide training for journalists about human and minority rights and unbiased coverage of conflicts, in particular ensuring that minority voices are also included. This is essential since the coverage of events

and the “minority” label are such that stories are often told from the point of view of the “majority”.

59. Journalists and media outlets should develop professional standards on reporting on conflicts involving minorities and indigenous peoples in line with existing international human rights, including minority and indigenous rights.

Conflict Prevention Measures

60. Existing UN human rights mechanisms and bodies should mainstream a mass atrocity prevention framework into their work. This could include early human rights reporting by Treaty Bodies and Special Procedures, which links hateful intent with other violations to provide a clearer picture of systemic identity-based violence against minorities and other affected groups.
61. The UN should include more women mediators, peace envoys, Special Representatives and Special Advisers to assist in conflict resolution and mediation, in compliance with UN Security Council Resolution 1325.
62. The African Commission on Human and Peoples’ Rights should consider conducting a mission to such States to deepen dialogue with their Governments on various human rights issues affecting minorities and indigenous peoples in the country.
63. States should institute regional disarmament, small arms and weapons control and conflict resolution processes in cooperation with regional neighbors, where relevant.
64. Regional and inter-state cooperation between countries with interconnecting minority groups involved in regional conflicts should be encouraged.
65. States should urgently address ethnic driven conflicts in the region through effective and genuine mediation and apply other methods that reinforce peaceful co-existence and resolution of conflicts. This should include government prioritization of addressing historic drivers of these conflicts; land ownership, denial of cultural and linguistic rights, political participation and inequality of socioeconomic opportunities by the minorities targeted or most affected by violent conflict.
66. States shall recognize and publicly apologize for mass atrocities committed against minorities and indigenous peoples in their territories, including by creating processes for proper reconciliation and commemoration, and effectively preventing recurrence. Effective participation of minorities and indigenous peoples in all of these processes is essential.
67. Drawing on existing international mechanisms for conflict prevention, state and non-state actors, including minorities, should establish new specific national mechanisms or harmonize existing ones for the prevention of conflict, genocide, mass atrocity crimes, and all forms of discrimination. The membership of the mechanism should be diverse to include state and non-state actors with expertise in dealing with the rights of minorities and other marginalised groups.
68. States should establish peace-making advisory bodies to advise conflict parties on conflict analysis, mediation and negotiation skills to enable the effective and

sustainable resolution of conflicts. The body should not just be representative of Governments and armed non-State actors but also all affected minorities, indigenous groups, prominent political actors and tribal groups, where applicable.

69. The use of local, traditional forms of conflict resolution and reconciliation mechanisms should be maintained, utilised and encouraged in order to complement the existing judicial system. This should also include providing support to civil society organisations to enable them to mediate and settle inter-communal conflicts and build peaceful co-existence between diverse communities.
70. Social media networks should provide warnings in the event of early signs of a conflict, such as online manifestations of hate speech against minorities and indigenous peoples.