

# Discrimination

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*Countering discrimination,  
in particular racial  
discrimination,  
discrimination on the  
grounds of sex, religion  
and against others who  
are marginalized*

## Background

The elimination of all forms of discrimination has been one of the objectives of the United Nations since its creation. While ratification of international human rights instruments is fairly widespread, effective implementation at the national level remains a major challenge. In every country and in many communities around the globe, people continue to be excluded, marginalized or restricted in terms of their human rights and fundamental freedoms, based on various grounds. The global economic crisis has exacerbated discrimination against women and marginalized groups, including migrants and older persons. Racial discrimination is also on the rise and continues to be a significant ground of discrimination against many peoples and groups around the world.

Yet incremental progress has been achieved in all regions in combating discrimination, racism, racial discrimination, xenophobia and related intolerance, largely as a result of the enactment or amendment of constitutional protection frameworks and domestic legislation. These measures are crucial to protecting rights and providing avenues for remedy and redress. Achieving tangible progress entails addressing structural causes of discrimination and mobilizing political will to implement and enforce those very laws. In some cases, it is the laws themselves - or the institutions and the practices - which are discriminatory.



ÉGALITÉ

## OHCHR's role

OHCHR has the leadership responsibility within the United Nations system to promote equality and universal respect for human rights and fundamental freedoms and prevent and combat discrimination. The Office provides technical advice and assistance to States in implementing their international obligations and the recommendations issued by human rights mechanisms. OHCHR also supports the efforts of national human rights institutions (NHRIs), specialized equality bodies, economic actors, civil society as well as groups facing discrimination in their efforts to prevent and address all forms of discrimination.

The Office develops research and publishes tools while also promoting human rights and undertaking advocacy work related to racial discrimination, gender discrimination, economic, social and cultural rights, minority rights, the rights of indigenous peoples, the rights of persons with disabilities, religious intolerance and discrimination against those who are marginalized. OHCHR is also responsible for providing substantive and secretariat support to international human rights mechanisms dealing with issues related to discrimination in its various forms.

OHCHR works to inform and empower groups and individuals facing discrimination by facilitating their participation in relevant activities, carrying out projects to strengthen their capacity to claim their rights and supporting grassroots and community-based efforts to combat discrimination, while maintaining a gender perspective. The Office also works to maximize its role and effectiveness in mainstreaming the principles of equality and non-discrimination throughout the work of the United Nations system at all levels.

In collaboration with national institutions and regional organizations, OHCHR organizes events and meetings for a wide variety of stakeholders on promoting equality, and preventing and combating discrimination. These meetings have been important in strengthening the work of government officials, regional organizations, NHRIs and civil society at the national and regional levels and have led to further requests for OHCHR's technical assistance.

## National laws, policies and institutions (EA 1)

*Increased number of national anti-discrimination and equality laws, administrative measures, policies and programmes, including national action plans, as well as practices in compliance with international norms and standards*

### Racial discrimination

OHCHR works with governments on the formulation, adoption or revision of legislation and policies, as well as on institution-building and institutional reform. OHCHR also supports civil society organizations in their advocacy efforts; assists United Nations Country Teams (UNCTs) in providing comments on draft laws and engages with international human rights mechanisms to advocate for the adoption of laws which are in compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

The strengthening of anti-discrimination laws in the Republic of Moldova was achieved with contributions from OHCHR. Work in this area began in 2008 and resulted in the adoption of key laws, including the Law on Ensuring Equality and the Law on the Social Inclusion of Persons with Disabilities, as well as the recognition by the Republic of Moldova of the competence of the Committee on the Elimination of Racial Discrimination (CERD) to review individual complaints. New legislation substantially, but not fully, complies with international human rights standards. In addition, Moldovan courts issued their first judgments condemning discrimination and an Equality Council was established in 2013, all of which occurred with OHCHR methodological guidance and support.

In Kosovo<sup>1</sup>, based on its monitoring work, OHCHR provided support to the elaboration of two publications, namely *Discrimination cases in Kosovo – Do they exist?* and *An insight into the work of the Ombudsman Institution*. To date, these constitute the only and most comprehensive stocktaking analyses of discrimination cases in Kosovo. The reports resulted in a better understanding of the reasons for poor implementation of the Anti-Discrimination Law, which has translated into concrete proposals for its amendment.

<sup>1</sup> All references to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.



Former football player Patrick Vieira, the High Commissioner and football player Kevin-Prince Boateng, at the International Day for the Elimination of Racial Discrimination event in Geneva, March 2013.

In the former Yugoslav Republic of Macedonia, OHCHR carried out advocacy activities with key national and international actors to raise their awareness about the shortcomings of the Anti-Discrimination Law and its potentially negative impact on the effective prevention against and protection from discrimination. In 2013, the Ministry of Labour and Social Policy undertook an assessment of the implementation of the Law. The draft assessment report included 15 recommendations that, among other things, mentioned the need to amend the Law to ensure the establishment of an accountability mechanism for the Commission and the adoption of an action plan for the effective implementation of the Law.

During the reporting period, the Office continued to support Member States in developing national action plans (NAPs) to eradicate racism, discrimination and promote equality, including in Benin, Bolivia, Botswana, Burkina Faso, Costa Rica, Ecuador, Guinea, Mauritania, Mexico, Nigeria and Uruguay.

In December 2013, a National Action Plan against Racism and Racial Discrimination was adopted in Costa Rica. OHCHR facilitated components of the process, including meetings with people of African descent, indigenous peoples, migrants and refugee

communities across the country, enhancing their capacity and providing space for dialogue and participation. In Mexico, OHCHR engaged with the National Council to Prevent Discrimination in the elaboration of a new NAP to combat discrimination which will cover 2014 to 2018.

In Honduras, the Ministry for Indigenous Peoples and Afro-Hondurans (SEDINAFROH) has developed a first draft of the National Plan against Racism and Racial Discrimination which fully complies with international human rights standards. OHCHR provided technical advice on the text and supported SEDINAFROH in its development, as well as the design and implementation of a consultation process on the Plan which included representatives of indigenous and Afro-descendant peoples.

In February 2013, OHCHR supported a study by the Human Rights Commissariat of Mauritania on the status of racial discrimination in the country and proposed a NAP on the fight against racial discrimination. Despite technical support and advice provided by the Office and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the study and the draft NAP do not fully reflect the OHCHR practical guide on the





OHCHR staff meet with representatives of indigenous populations in Bolivia.

development of a NAP. The findings and proposals were presented during three regional fora which were jointly organized by OHCHR and the Human Rights Commissariat. The meetings gathered together government authorities, civil society and the National Human Rights Commission to collect further analysis and recommendations and may provide the basis for the elaboration of a final draft NAP in 2014.

At the regional level, OHCHR organized a workshop in Jakarta, Indonesia for the Association of South East Asian Nations (ASEAN), entitled Combating Discrimination, Promoting Equality and Social Cohesion. In addition to enhancing cooperation between OHCHR and ASEAN, the event supported national and regional efforts to combat discrimination and promote social cohesion and also contributed to strengthening the capacities of over 70 government officials of ASEAN, representatives of the ASEAN Intergovernmental Commission on Human Rights, national institutions and civil society to effectively address issues related to discrimination.

### **Discrimination against indigenous peoples and minorities**

In several countries, OHCHR supported the adoption and implementation of legislation and policies aimed at promoting and protecting the rights of indigenous peoples.

Through OHCHR activities, key stakeholders gained awareness and increased their knowledge about the Declaration on the Rights of Indigenous Peoples and their capacity to use it as a reference in their decision-making and policymaking processes. For example, briefings were held with Parliamentarians

in Cameroon in the context of legislative developments regarding the management of forests and with indigenous representatives in the Republic of the Congo to support the implementation of the 2012 Law on Indigenous Peoples and its implementing decrees. The briefings contributed to ensuring that the standards of the Declaration were taken into account in these processes. Furthermore, through advocacy and technical support provided by OHCHR, Congo's Law on Indigenous Peoples has been progressively implemented.

As a follow-up to the High Commissioner's visit to Australia in May 2011, more advocacy efforts have been undertaken with respect to indigenous issues. OHCHR also provided comments on the National Human Rights Action Plan that was launched in December 2012.

In Guatemala, OHCHR continued to monitor activities in relation to the human rights of women and indigenous peoples. Through the strategic litigation component of the Maya Programme, the Office followed up on and documented a number of cases related to the rights of women, particularly indigenous women, and reported them to relevant authorities. While not always successful, the interventions of the Office, in collaboration with indigenous peoples' organizations, led to positive changes in a number of situations, including the establishment of a support network for organizations that work on the rights of indigenous peoples nationwide and an increased use of national and regional protection systems by these organizations.

In Ecuador, there has been an increase in how the police, armed forces, NHRIs and the judiciary perform their functions in compliance with international standards on the collective rights of indigenous peoples and Afro-descendants. OHCHR

### Improving participation of indigenous communities in Guatemala

“We demanded to be included in the budgetary planning and be able to cover our basic needs such as schools, urbanization, health services and water,” said a community leader of the Petén’s Association of Peasant Communities for Integral Development. The Association, which represents 95 Q’eqchi’ communities from Petén, filed a case against the Departmental Council for Development for denying them their right to participate in the elaboration of the local public budget. The Constitutional Court ruled in favour of the Association, ordering the Governor to modify the budget and include the petitioner. The ruling also recognized the communities’ right to self-determination, provided in the UN Declaration for Indigenous Peoples and the Indigenous and Tribal

Peoples Convention (ILO Convention No. 169). To implement the Constitutional Court’s decision, the Association and the Departmental Council for Development reached an agreement for the creation of the Indigenous School of Integrated Rural Development in Petén. Local authorities have assigned 30 hectares of land and provided funds to build the school.

This is one of the examples of 18 cases of strategic litigation on the rights of indigenous peoples that have been developed by OHCHR within the framework of the Maya Programme. The cases brought before the justice system focus on the rights to land, territory and natural resources, non-discrimination, access to justice, consultation, self-determined development and cultural rights.

To date, five cases have received a favourable ruling and another three, which exhausted the remedies of the national justice system, will be submitted to the Inter-American Commission on Human Rights. The remaining cases are in varying stages of the adjudication process.

In the first phase of the programme, which was implemented from 2009 to 2013, OHCHR provided training on human rights litigation to indigenous organizations, university students and professors. This contributed to developing their capacities for strategic litigation and setting legal precedents in the recognition of individual and collective rights of indigenous peoples. The second phase of the programme will begin in 2014.

has assisted these institutions in implementing and institutionalizing training modules on collective rights which, in turn, has contributed to the improved knowledge of their staff on this issue. The updated version of the Fact Sheet on Indigenous Peoples and the United Nations Human Rights System also contributed to raising awareness among the general public.

In 2013, OHCHR undertook a number of activities concerning the protection of minority rights. In October, OHCHR presented its research findings related to the rights of minorities in the spheres of education, media and political and public participation in Kazakhstan, Kyrgyzstan and Tajikistan. As a result, recommendations for improvement of related legislation, policies and practices were made to government officials. Furthermore, in March, the Parliament of the Kyrgyz Republic approved the Concept on Strengthening the Unity of People and Interethnic Relations, which included provisions aimed at improving the representation of minorities in State bodies and the preservation of minority languages.

In the Republic of Moldova, OHCHR worked with the Prime Minister’s Adviser on Roma Community Issues to address the problem of the segregated

education of Roma children in a number of municipalities and carried out seminars on minority rights issues within the framework of the Government’s Bureau on Interethnic Relations.

OHCHR also worked closely with regional actors on minority issues. For example, it contributed to enhanced interaction between the United Nations and the Council of Europe’s minority rights activities in connection with the 15th anniversary of the entry into force of the Framework Convention for the Protection of National Minorities. It also contributed



Seminar on the rights of minorities in the Republic of Moldova.

to the preparation of the Ljubljana Guidelines on Integration of Diverse Societies issued in November 2012 by the High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe.

### Discrimination against women

OHCHR consistently promoted laws prohibiting discrimination and establishing equality of treatment, opportunity and access of women and men in all spheres. It also sought to increase women's participation in decision-making processes and the removal of discriminatory laws. The Office provided technical advice and carried out, in conjunction with other actors, advocacy targeting governments and other partners.

In Bolivia, OHCHR provided technical support and advice to the Government and civil society on the implementation of the Law against Harassment and Political Violence towards Women (Law 243) and the Comprehensive Law Guaranteeing Women a Life Free from Violence (Law 348). OHCHR also supported the adoption of a new law on nationality in Senegal, which contributed to ending discrimination against women, in particular regarding their ability to transmit their nationality to their spouses and children. The adoption of this Law is the result of advocacy efforts undertaken by the Office, including the publication of a document listing all national laws that are discriminatory to women and highlighting their conflicts with international conventions ratified by the Government.

In addition, in Sierra Leone, OHCHR promoted women's rights by conducting trainings on gender-based violence and on female genital mutilation. It also supported the mainstreaming of gender into programmes and monitoring of the Family Support Units of the police in Sierra Leone.

In 2013, OHCHR released the study *Gender Stereotyping as a Human Rights Violation* which defines key concepts, identifies and maps international human rights obligations related to gender stereotypes/stereotyping, includes analyses of various UN human rights mechanisms as to how these stereotypes harm women and violate their rights and identifies some of the key challenges in addressing them. Based on the study, OHCHR has begun promoting the development of more coherent normative guidance on gender stereotyping, including by developing information material for human rights mechanisms and holding a



discussion with the Committee on the Elimination of Discrimination against Women (CEDAW).

The Office also developed technical guidance on the application of a rights-based approach to the reduction of maternal mortality and morbidity in 2012, which points to the need to ensure that laws, policies and programmes are in line with human rights obligations in this domain. Following a regional capacity-building workshop in Malawi which focused on the technical guidance, multi-

#### Promoting the participation of Roma women in the former Yugoslav Republic of Macedonia

Neime Ismaili is a human resources management graduate student who wants to take part in the political life of her community in the former Yugoslav Republic of Macedonia. "I want to have a say; I want my voice to count in the place where I live," she states. "I can no longer observe, complain and stay out; I want to get involved and make a difference for Roma women." She is one of 34 young Roma women and men who lobbied for the greater participation of Roma women in politics as part of a project implemented by the Women's Civic Initiative, "Antico," and supported through the Assisting Communities Together project, a joint initiative of OHCHR and UNDP. The informal lobby groups that were created as a result of this initiative compiled a manifesto demanding clear commitments from the leadership of Roma political parties to encourage Roma women to take up senior political positions and openly support women candidates in election campaigns. "I do not know if I want to run for office myself. But I certainly live to see the day when Roma women will be equal with men in all walks of life, including politics," Ismaili says.



stakeholder groups from Malawi, South Africa, Uganda and the United Republic of Tanzania, including governments, UN agencies, national human rights institutions and civil society, agreed upon action plans to promote rights-based approaches to maternal and child health.

### **Discrimination against persons with disabilities**

The promotion and protection of the rights of persons with disabilities remained one of the key areas of OHCHR's work, which continued supporting the ratification, effective implementation and monitoring of the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol.

Efforts on the rights of persons with disabilities have also focused on promoting and fostering awareness and understanding about the human rights-based approach to disability, as established by the CRPD, and the paradigm shift that this entails. At the global level, this included the organization of a workshop in July 2013 for the staff of key UN entities, experts from the CRPD Committee and civil society representatives, in the context of the sixth Conference of States Parties to the CRPD. This contributed to an increased understanding about the human rights-based approach to disability and how to move forward in promoting this approach and CRPD standards in a coordinated manner.

At the national level, the rapidly growing number of ratifications of the CRPD led to increased assistance provided to States Parties in reviewing the compliance of their national legislation and policies with the Convention and in building appropriate national implementation and monitoring mechanisms. In Peru, OHCHR supported efforts to review the National Plan of Action on the Equalization of Opportunities (2009-2018) to bring it line with the CRPD and Peru's 2012 Disability Act. In South Africa, the Office provided expert advice on how to move forward with legislative and policy reviews and regarding the development of a national implementation and monitoring mechanism in line with article 33 of the CRPD.

In Iraq, in September 2013, the Council of Representatives endorsed the Law for the Care of Persons with Disabilities and Special Needs. The United Nations Assistance Mission for Iraq, in partnership with the Human Rights Parliamentary Committee and the Iraqi Alliance of Disability

Organizations, undertook advocacy with the Government and proposed a series of amendments to ensure the Law is in full conformity with the CRPD.

In the former Yugoslav Republic of Macedonia, OHCHR took advantage of particular activities and events, such as CEDAW's consideration of the State Party report in 2013 as well as the preparations for the second Universal Periodic Review in 2014 to garner support for the implementation of the CRPD.

*Increased number of specialized equality bodies, focal points and independent national human rights institutions working on equality and non-discrimination in accordance with international standards*

OHCHR continued developing a set of guidelines for the establishment or strengthening of independent national mechanisms to combat racism, racial discrimination, xenophobia and related intolerance. In addition, they aim to support relevant national stakeholders in their efforts to ensure the full implementation of international commitments undertaken by States with regard to combating racism, racial discrimination, xenophobia and related intolerance. The guidelines were validated during a workshop held on 20 December 2013, which gathered together experts from NHRIs, equality bodies and human rights institutes working on anti-discrimination issues, and will be published, disseminated and used as a basis for OHCHR's work in this area in 2014.

An increasing number of NHRIs are working on indigenous peoples' issues and OHCHR has contributed to enhancing their capacity to do so.



Human rights officers of the UN mission in Mali visit Bamako's Central Detention Centre to assess the detainee population with mental disabilities.



Through wide-ranging consultations, the Office and the Asia Pacific Forum on National Human Rights Institutions completed a joint manual for NHRIs on the United Nations Declaration on the Rights of Indigenous Peoples. The manual builds on examples of similar publications such as the *National Inquiry Report on the Land Rights of Indigenous Peoples* that was issued by the National Human Rights Commission of Malaysia in 2013. Furthermore, a workshop organized by the Office and the Federal Ombudsman of the Russian Federation in Khanti-Mansiysk, Siberia, explored international standards, norms and mechanisms with regard to business engagement with indigenous peoples. OHCHR also contributed to strengthening the capacity of the Panama NHRI to monitor the human rights situation of indigenous peoples and Afro-descendants, including by elaborating guidelines to address racial and ethnic discrimination against indigenous peoples and Afro-descendants.

## Access to justice and basic services (EA 4)

### *Increased number of measures taken to contribute to the fulfilment of economic, social and cultural rights by individuals and groups facing discrimination*

As a result of training workshops on human rights indicators conducted by OHCHR, government agencies, national human rights institutions, civil society organizations and UN colleagues have increased their capacity to monitor economic, social and cultural rights and reflect them in development policy and governance at the national and international levels.

OHCHR initiated a Roma housing project for which it developed the Criteria for Evaluation of Locations for Social Housing of Roma in Belgrade. In coordination with the project team and Serbian human rights NGOs, OHCHR assisted in the development of the Methodology for Community Consultations that will guide consultative processes throughout the implementation of the project.

In 2013, the High Commissioner launched the publication *Human rights Indicators: A Guide to Measurement and Implementation* which provides specific tools on using indicators to promote and monitor the realization of economic, social and cultural rights. Also in 2013, OHCHR and UN Women published the *Handbook on Realizing Women's Rights to Land and other Productive*

*Resources* which is based on the results of an expert group meeting held in June 2012. At the meeting, studies were presented from various sectors and regions which illustrated many of the critical issues facing women today in relation to the enjoyment of land rights. The Handbook provides detailed guidance for law and policymakers, as well as civil society organizations and other stakeholders, on the development and effective implementation of laws, policies and programmes to respect, protect and fulfil women's rights in this area.

In Sierra Leone, an increased number of measures were taken to improve access to justice and basic services by women and discriminated groups such as persons with disabilities, including through the application of the Gender Law and the Disability Act. OHCHR also provided support to the establishment of the National Commission for Persons with Disabilities and to the development of its three-year strategic plan. In addition, technical support provided to the National Committee on Gender-Based Violence and NGOs working on the subject resulted in an increase in the number of claims filed by victims of sexual violence.

In June, OHCHR and the European Commission's Directorate-General for Employment, Social Affairs and Inclusion co-organized an event, entitled Preventing Abuse and Neglect of Older Persons in Europe, which gathered together over 100 participants in Brussels. The event provided a platform for continued discussions on the human rights of older persons, relevant international standards, including the CRPD and implementation challenges. It also raised awareness about the different applicable international human rights standards and the work undertaken by the human rights mechanisms in this area and promoted the exchange of information between care workers, academics and human rights experts.

OHCHR supported the projects of national civil society actors aimed at reducing stigma and discrimination against persons living with HIV/AIDS, primarily through awareness-raising advocacy campaigns, capacity-building and public dialogues. Grants were provided to projects developed to: promote legal services to combat HIV/AIDS in Benin; provide training, education and awareness-raising among legislators, public officials and people living with HIV in Ecuador; and address HIV-related stigma and discrimination in the Republic of Moldova by empowering people living with HIV/AIDS with the necessary tools to claim their rights.

## Participation (EA 5)

### *Increased effective participation of individuals and groups faced with discrimination in decision-making processes, monitoring of public policies and use of existing national protection systems*

Participation in the monitoring of public policies and decision-making processes is essential for the exercise of human rights. OHCHR places particular emphasis on strengthening the participation of women and indigenous peoples in these processes.

In Honduras, OHCHR played a leading role in supporting the Ministry for Indigenous Peoples and Afro-Hondurans in the design and implementation of a consultation process. Through this process, 230 members of nine organizations of indigenous and Afro-Honduran peoples provided inputs to the draft National Plan against Racism and Racial Discrimination. The consultation activities provided opportunities to raise awareness about the rights of indigenous peoples among national stakeholders.

In Guatemala, through technical assistance provided by the Office, indigenous traditional authorities strengthened their capacities regarding the use of international standards in their daily work, including in the administration of traditional justice and the management of communal lands and resources. The Office also embarked on an unprecedented process of monitoring the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in coordination with UNDP and a Guatemalan member of the Permanent Forum on Indigenous Issues. In addition, through a participatory process that involved indigenous organizations in various parts of the country, the Office contributed to the preparation and publication of a report to be submitted to the Permanent Forum, which provides a systematic analysis of the situation of indigenous peoples' rights in the country.

OHCHR also undertook efforts to promote women's participation in the identification of adequate reparation measures. In Kosovo, through inclusive consultations with survivors, OHCHR completed a study on reparations for victims of sexual and gender-based violence during the armed conflict. The implementation of the recommendations contained in the report will be promoted in 2014 and will contribute to addressing long-standing demands for redress. Also in Kosovo, OHCHR provided technical assistance to more than five NGOs working in the field of human rights, specifically on anti-discrimination issues, which enabled them to advocate for legislative changes and monitor

the level of implementation of anti-discrimination legislation. OHCHR also provided strategic guidance to an NGO specialized in public interest litigation in order to increase the level of implementation of the Anti-Discrimination Law and the Gender Equality Law by bringing strategic cases before courts.

Through OHCHR's efforts, members of indigenous and minority communities, African descent groups and civil society organizations have increased their awareness and are better equipped to make more effective use of the international human rights instruments and mechanisms to advocate for and protect the rights of their communities. In 2012-2013, through its Indigenous Fellowship and Minorities Fellowship Programmes, OHCHR contributed to building the knowledge and capacity of 75 indigenous peoples and persons belonging to minorities from Algeria, Argentina, Australia, Belize, Bolivia, Burundi, Canada, Chile, Colombia, Costa Rica, the Democratic Republic of the Congo, Ecuador, French Guyana, Guatemala, India, Indonesia, Jordan, Kenya, Lebanon, Mali, Morocco, Nepal, New Caledonia, New Zealand, Niger, Panama, Peru, Philippines, Republic of Moldova, Russian Federation, Suriname, Syrian Arab Republic, Uganda, Uruguay, Venezuela and Yemen. Over half of the fellows were women.

The third edition of the African Descent Fellowship Programme took place in 2013 and provided participants with an intensive learning opportunity to deepen their understanding of the United Nations human rights programme, instruments and mechanisms, with a focus on issues of particular relevance to people of African descent. The fellows were from Australia, Costa Rica, France, Panama, Russian Federation, United Kingdom and United States of America. Building on this programme, several fellows subsequently carried out human rights awareness- and capacity-building initiatives at the national level, including training programmes for civil society representatives and organizations working to promote the rights of people of African descent. Furthermore, the project management skills that fellows acquired enabled one in particular to secure funding for the launch of a national campaign against deaths in custody in the United Kingdom. Another fellow was invited to participate in national discussions towards the development of Costa Rica's National Policy and Plan of Action for a society free from racism, racial discrimination, xenophobia and related intolerance.

OHCHR began developing a tool for journalists and media professionals, with a view to enhancing their role in promoting tolerance and combating



Banner of the OHCHR workshop on the role of media in combating discrimination, Guinea, September 2013.

xenophobia and other phenomenon, such as hate speech in mass media. In this context, OHCHR organized a workshop for media in Guinea on the eve of the parliamentary elections with a focus on its role in promoting tolerance and combating discrimination and related intolerance.

## Responsiveness of the international community (EA 10)

*Increased responsiveness of the international community to critical and emerging situations where issues of discrimination might arise and where potential conflict situations involving discrimination may be present*

Minority rights issues and combating intolerance on the basis of religion and belief are increasingly gaining the attention of the international community. OHCHR's work on these issues focuses on practical actions undertaken at the national, regional and international levels.

The role and voices of minority representatives in international and regional bodies were strengthened through new tools, including a new publication, *Promoting and Protecting Minority Rights: A Guide for Advocates*, in which OHCHR highlights the importance of using human rights mechanisms to empower minorities in claiming their rights. In November 2013, OHCHR organized two expert panels on minority issues in Geneva. The panel on Strengthening Minority Rights Advocacy through Implementation Mechanisms examined strategies and practical measures to reinforce the capacity of minority rights activists to engage with mechanisms at the international, regional and national levels

to ensure better protection of minority rights. The second panel, entitled Rights of Linguistic Minorities in a Digital Era, brought together experts on linguistic rights and new media technology to explore opportunities and challenges offered to minorities through rapid developments in information and communications technology.

OHCHR continued working on issues related to freedom of religion or belief, including incitement to national, racial and religious hatred. In February 2013, the High Commissioner launched the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. OHCHR's follow-up activities on this document, adopted in Morocco in 2012, and on the implementation of Human Rights Council resolutions 16/18 and 22/31, are focused on actions at the national, regional and international levels. For instance, in 2013, OHCHR organized two meetings with stakeholders on the implementation of the Rabat Plan of Action in Jordan and Tunisia.

The Office continued to advocate, both globally and at the country level, for legal reforms to protect the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons and to support human rights mechanisms in response to violations of human rights. OHCHR expanded its public information efforts with the July 2013 launch of Free & Equal - a campaign intended to raise awareness about homophobic and transphobic violence and discrimination. In its first six months, campaign videos, factsheets and infographics were accessed and shared by millions on social media.

With regard to the post-2015 development agenda, following advocacy and technical support provided by OHCHR, the outcome document of the

### The right of LGBTI persons to manifest publicly in the Republic of Moldova

In May, for the first time ever, the Republic of Moldova's LGBTI community held a public event under the protection of approximately 600 police officers. The event took place following four years of support provided by OHCHR to GENDERDOC-M, the country's first NGO focused on LGBTI rights, including through assistance in court proceedings and advocacy efforts with the Moldovan leadership. The Moldova United Nations Country Team took part in Pride 2013 in solidarity with the efforts of the LGBTI community to end discrimination on grounds of sexual orientation and gender identity.





The Assistant Secretary-General for Human Rights speaks at the special event, “Sport comes out against homophobia”, held at UN Headquarters, December 2013.

High-level Meeting on Disability and Development included references to the CRPD. This process will continue in 2014 with the aim of promoting concrete objectives on inclusive education for the post-2015 development agenda.

The OHCHR database on practical means to combat racism, racial discrimination, xenophobia and related intolerance was officially launched by the High Commissioner in April 2013. This database, which contains information compiled from a variety of stakeholders and can be accessed at [adsdatabase.ohchr.org](http://adsdatabase.ohchr.org), contributes to information-sharing and awareness-raising on global resources that are available to fight against racism and racial discrimination. Since its launch, the database, which contains over 1,500 documents and information from more than 90 countries, has been accessed by over 1,500 visitors, with an average of approximately 40 visits per day.

OHCHR has contributed to raising awareness about ageism and age discrimination and the importance of strengthening the human rights protection of older persons. The Office engaged in research on normative and protection gaps in international human rights law and advocacy with stakeholders, including civil society organizations, Member States, UN agencies and academic institutions.

Awareness of the international community regarding other pressing issues related to discrimination was also raised through a number of high-level panels organized by OHCHR on topics such as racism and sport. The panels took place during sessions of the Human Rights Council and on other important days, including International Women’s Day and the International Day for the Elimination of Racial Discrimination.

### Human rights mainstreaming within the United Nations (EA 11)

*Increased integration of equality and non-discrimination standards and principles in UN policies and programmes and in other key areas, including at the country level*

OHCHR worked across the UN system to promote the integration of a rights-based approach and ensure that principles of non-discrimination and equality remain at the core of the UN’s programming in all spheres. OHCHR contributed to enhancing the coherence and impact of UN action in the field of racial discrimination and protection of minorities at the global, regional and country levels, including by advancing a human rights-based approach and application of a gender perspective when addressing racial discrimination



Screenshot of the OHCHR database on practical means to combat racism, racial discrimination, xenophobia and related intolerance.

and minority rights. For instance, OHCHR continued leading the UN Network on Racial Discrimination and the Protection of Minorities, established in March 2012. The Network enhanced dialogue and cooperation between relevant UN departments, agencies, programmes and funds and developed a Guidance Note for the UN system on addressing racial discrimination and protecting minorities in line with the Universal Declaration of Human Rights and other key international standards. The Guidance Note was endorsed by the Secretary-General in March 2013 and the Network has developed an action plan to support its implementation.

OHCHR advanced the integration of indigenous peoples' rights in the work of the UN through the United Nations Indigenous Peoples' Partnership in its capacity as Co-Chair of the Policy Board and lead agency in several related projects. For instance, in collaboration with the ILO, UNDP, UNFPA and UNICEF, the Office organized training sessions for indigenous peoples in Cameroon and the Republic of the Congo to enhance the knowledge of indigenous representatives on consultation processes and standards of free, prior and informed consent.

Regarding discrimination on the basis of gender, the Office was able to contribute to the programmes of work of other UN agencies at global and country

levels. In this sense, OHCHR and UN Women signed a letter of agreement in July 2013 to strengthen their ongoing cooperation, committing to promote a gender and human rights-based approach in their global work. At the country level, the Office worked closely with a number of UNCTs. In Kosovo, the UN Joint Programme on Gender-based Violence, developed with full consideration of a human rights-based approach, has been essential to the promotion and protection of women's rights. In Liberia, with the technical support of OHCHR, the One UN Programme 2013-2017 integrated a human rights-based approach and, to further strengthen gender equality programmes, a checklist was created with relevant human rights principles and standards applicable to key actions.

At the regional level, in December 2013, the second South Asian regional consultation on caste-based discrimination was jointly organized by the UN Resident Coordinator's Office in Nepal and OHCHR. In addition to representatives of UN agencies, the event also included the participation of representatives of NHRIs in the region, international bilateral organizations and the Government of Nepal. The event focused on the sharing of good practices in law, policy and programmes between the countries concerned.

In 2013, OHCHR participated in the inter-agency discussions on cybercrime and cybersecurity and advocated for the mainstreaming of a human rights-based approach into the UN system-wide policy framework on these issues. This is of particular importance to the work on cybercrime, including computer-related acts involving advocacy of national, racial or religious hatred that constitute incitement to discrimination, hostility or violence as well as child pornography, among others.

## Challenges and lessons learned

In 2013, significant challenges remained in all regions in combating discrimination and inequality. Discrimination on the basis of racial, ethnic and national origin is increasing and continues to be a major ground of discrimination. Women, migrants, LGBTI persons and ethnic or religious communities were also targeted by discriminatory acts, laws and practices. OHCHR endeavoured to address these issues through advocacy and the provision of technical assistance to Member States, upon their request. It also developed tools and guidance

notes, held specific trainings and workshops and undertook general advocacy initiatives to sensitize the international community.

In 2013, OHCHR continued to face an increasing demand for bilateral support, including technical assistance, on issues of non-discrimination in the context of limited resources. OHCHR considered new partnership opportunities in order to address inequality and non-discrimination globally.

The fragile international consensus on how to address emerging anti-discrimination issues also continued to be a challenge for the Office. The High Commissioner and her staff addressed this concern through advocacy and the provision of effective support to Member States and human rights mechanisms.

Preventing and fighting against discrimination will remain high on the agenda of the international community in 2014 and in the future. Guided by the key human rights instruments, norms and standards, OHCHR will continue to address racism, racial discrimination, xenophobia and related intolerance as well as all forms of discrimination worldwide in an holistic manner.