

Non-discrimination (ND)

Enhancing equality and countering discrimination



LAWS, POLICIES AND PRACTICES



Combating discrimination in all its forms
400 participants in the 13th session of the Forum on Minority Issues (with a focus on hate speech, social media and minorities)



Acting upon complaints:
Women
72 communications (sent by the Working Group on discrimination against women and girls)

People of African descent
11 communications (sent by the Working Group of Experts on People of African Descent)

CAPACITY-BUILDING



Fellowship Programmes: Training provided to
27 persons of African descent (21 women and 6 men from 12 countries)
20 indigenous persons (13 women and 7 men from 17 countries)

14 persons from minority groups (5 women and 9 men from 14 countries)

1 transgender person

CALL FOR EQUALITY AND TOLERANCE



Public campaigns: Actions taken by people in response to UN Human Rights social media posts

Racism #FightRacism
900 engagements (with 65,000 views)

Gender equality #ChangeTheStory
7,900 engagements (with 274,000 views)

Albinism #Madetoshine
1,600 engagements (with 64,000 views)

Migrants #Standup4Migrants
18,000 engagements (with 1,500,000 views)



International Decade for People of African Descent
 Over **1,500** persons and organizations engaged (in activities to address the root causes of racial discrimination)

#StandUp4Migrants: Changing the narrative on migration

How we perceive and speak about migrants and migration – the narrative – plays a fundamental role in guaranteeing equality and the human rights of migrants. In 2020, UN Human Rights launched a campaign with a toolbox, urgently calling for the transformation of stories of hate and division into stories of hope and inclusion.

UN Human Rights has taken steps to understand the impacts of harmful narratives and find available solutions by working with a broad range of partners, including migrants and migrant rights defenders as well as representatives from the media, creative arts, business, advertising, academia, civil society, international organizations and Member States. In addition, the Office convened expert meetings, facilitated the exchange of experiences and raised public awareness through animated video stories.

Throughout this process, partners called for UN Human Rights to provide tools and inspiring examples that could benefit others. Building on the publication *Seven Key Elements on Building Human Rights-Based Narratives on Migrants and Migration*, UN Human Rights and its global partners developed an interactive online toolbox that provides ideas, downloadable activities and inspiration for shifting narratives on migration.

“We need stories that show that the values we hold in common are stronger than what divides us,” said the High Commissioner during the launch of the toolbox, on the occasion of International Migrants Day. “Stories that inspire and

connect us, rather than tear us further apart; stories that paint a hopeful picture of the future we share; and stories told by migrants themselves.”

The **toolbox** is a seven-step guide to rethink and change the stories being told about migration. It helps to: 1) define a positive and hope-based **vision**; 2) identify **shared values** to engage target audiences; 3) use the power of **storytelling** to humanize migrants; 4) bring the stories and vision to life in the **local context**; 5) **find common ground** to move forward on intractable issues; 6) find new **allies**; and 7) uphold the “**Do No Harm**” principle.

In December, UN Human Rights launched the **#StandUp4Migrants campaign** to illustrate the toolbox in action. The campaign emphasizes what we have in common as human beings, one story

at a time. Leo Johnson, for example, fled war at the age of 15 and arrived in Canada after spending eight years in refugee camps. “I just didn’t think I could fit within that society, because people assumed that I was a certain way. Over time, I told myself that I had two options. I could either choose to be a victim of my circumstances or I could choose to be a champion of possibilities.” He decided to call both Canada and Liberia home. Leo participated in the UN Human Rights Fellowship for People of African Descent and now leads an organization which helps refugees, migrants and marginalized people in Canada and in Liberia.

In 2021, UN Human Rights will work with local partners to further implement the toolbox and contextualize the campaign.



Visual created for the interactive online toolbox developed by UN Human Rights and partners. © OHCHR

Highlights of pillar results

Non-discrimination (ND)

Enhancing equality and non-discrimination for all is at the core of international human rights law. With a call to Leave No One Behind, the 2030 Agenda has created an ‘equality’ momentum. Taking advantage of this opportunity, UN Human Rights seeks to remove the

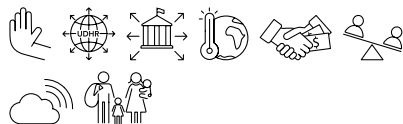
structural barriers that exacerbate and perpetuate discrimination, exclusion and inequalities. The Office supports efforts aimed at strengthening the laws, policies, institutions, practices and attitudes that are conducive to equality and non-discrimination. It strives to increase

public support for diverse and inclusive societies and enhance coherent and rights-based UN responses to exclusion and discrimination. The SDGs provide a common reference for this work, including through linkages with economic, social and cultural rights.

PILLAR RESULTS / SHIFTS / SDGs


ND1 – NORMATIVE FRAMEWORKS to combat DISCRIMINATION

Laws, policies and practices more effectively combat discrimination in all forms and responsible authorities actively work to Leave No One Behind, including by addressing the root causes of inequality.




RESULTS / SPOTLIGHTS




 In **Georgia**, the **Law on the Rights of Persons with Disabilities**, which is largely in line with international standards, was approved on 14 July. UN Human Rights provided assistance and guidance during the drafting process, conducted a study on the extent to which existing legislation protected the rights of persons with disabilities and developed recommendations for the Government and the Parliament. In **Timor-Leste**, various ministries made efforts to better integrate disability, such as the **Ministry of Public Works**, which issued a **regulation** stipulating that all public and private buildings must accommodate persons with disabilities. In **Serbia**, UN Human Rights facilitated the consultative process that led to the adoption of the **new National Strategy for the Improvement of the Position of Persons with Disabilities** and its action plan. The Office also supported the work of the Ministry of Women and Vulnerable Populations in **Peru**, which drafted **legislation** on the protection of persons with disabilities in **COVID-19 responses**, adopted as Legislative Decree No. 1468.

UN Human Rights continued to **combat racism and discrimination against people of African descent**. On 13 March, the Human Rights Council held a debate on the mid-term review of the International Decade for People of African Descent. In the **European Union**, the Office advocated for the adoption by the European Commission of the 2020-2025 Anti-Racism Action Plan and promoted the International Decade, including through the organization of a series of four webinars on the rights of girls and women of African descent in the EU. On 2 December, the International Day for the Abolition of Slavery was commemorated at the European level for the first time and the High Commissioner for Human Rights delivered a keynote address at the European Parliament. In the **Americas**, under the auspices of the Vice-President of Costa Rica, UN Human Rights and UNFPA organized a dialogue among Afrodescendant leaders, experts and governments on the disproportionate impacts of COVID-19 on people of African descent. In Peru, UN Human Rights supported the development of a national policy on Afro-Peruvian persons by the Ministry of Culture, including by analysing their access to work.

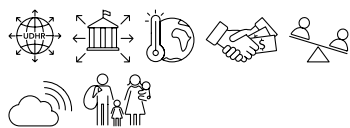
 With support from the Office, the Special Rapporteur on violence against women, its causes and consequences collected 270 submissions on the increase in **violence against women in the context of COVID-19**. The Special Rapporteur encouraged Member States to maintain services and adopt specific protection measures during the pandemic.

The Office engaged in advocacy during the drafting of the **European Commission’s “Roma Strategic Framework** for Equality, Inclusion and Participation for 2020-2030.” The new EU Framework makes linkages with the SDGs and incorporates a monitoring framework that is based on human rights indicators.

 UN Human Rights strengthened legal, political and institutional frameworks for the **protection of the rights of youth and children**. In **West Africa**, UN Human Rights advocated for an integrated system for the protection of child victims of abuse and exploitation. Two national steering committees, established in Mali and Senegal, elaborated national action plans for the removal of children from the streets.

ND2 – JUSTICE SYSTEMS investigate DISCRIMINATION

Justice systems and related institutions increasingly monitor and investigate discrimination and provide redress to victims.



 With the support of UN Human Rights, **CEDAW** adopted **General Recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration**. The text incorporated inputs from 120 contributions, regional consultations and three expert group meetings. This guidance will enhance the capacity of justice systems to monitor and investigate human rights violations and provide redress to victims of trafficking.

Following the adoption of Human Rights Council resolution 43/1 on systemic **racism in law enforcement against Africans and people of African descent**, UN Human Rights provided support to the mandated work, including through research and analysis, and by laying the foundation for four regional consultations that took place in early 2021.

In **Somalia**, UN Human Rights, the Somali Women and Child Care Association and the Somali Women and Child Cluster, with the support of the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict, carried out advocacy to urge the Federal Parliament to withdraw the Sexual Intercourse-Related Crimes Bill and instead table the 2018 Sexual Offences Bill. They co-organized a high-level meeting with representatives from the Office of the President, key ministries, the Office of the Attorney General, women and youth groups, religious leaders, traditional elders, academia, media and others. As a result, the adoption of the **Sexual Intercourse-Related Crimes Bill** was **put on hold**.

In **Georgia**, UN Human Rights advocated for better **protection of the rights of religious minorities**. The Office monitored the case of three high school graduates who were scheduled by the Ministry of Education to take the National Graduation Exam on a day that their religion prohibits work. The Office carried out targeted advocacy with State authorities and worked closely with defence lawyers who filed an urgent case in the local court. In a groundbreaking decision, the court compelled the Ministry of Education to administer the test to the students on an alternative date.

ND3 – WOMEN’S PARTICIPATION and PROTECTION

Legal and social frameworks increasingly promote the autonomy and choices of women and girls and protect them from violence, including in the digital space.



UN Human Rights engaged in the **16 Days of Activism against Gender-Based Violence campaign** in various locations. In the **State of Palestine**⁶, the Office partnered with the Ministry of Women’s Affairs and the UNCT to organize the largest campaign to date. In addition, the Office enhanced its monitoring of gender-related killings by undertaking a mapping of key actors and issues and training women human rights defenders (WHRDs) in both Gaza and the West Bank, which resulted in the creation of a core group of activists in Gaza. A total of 47 representatives from State institutions, NHRIs and CSOs from 13 **Arab countries** also participated in a virtual panel discussion on “The role of national bodies and mechanisms concerned with combating violence against women in the Arab region.” In **East Africa**, the Office organized a virtual policy dialogue under the theme “Ending violence against women and girls: Action to guarantee women’s safety in Africa,” which resulted in commitments from African Union (AU) member states to integrate gender equality and women’s rights into COVID-19 recovery efforts.

In **Liberia**, UN Human Rights provided support to the Human Rights and Protection Department of the Ministry of Justice and CSOs to organize broad public discussions about SGBV, which were followed by three days of anti-rape protests. The Government convened a conference entitled “National call to action: Inclusive involvement to fight rape and sexual and gender-based violence in Liberia” to validate the **National Road Map on Rape and Sexual and Gender-Based Violence**. The President declared rape and all forms of SGBV as a national emergency. The Office supported the **review of customary law** to identify discriminatory regulations that fail to take gender into account. It also engaged with the Law Reform Commission and the Legislative Drafting Bureau to integrate an HRBA into revisions of the Rape Law, the Domestic Violence Act and the Inheritance Law.

In **Iraq**, UN Human Rights highlighted challenges faced by children and young adults who lived under ISIL occupation between 2014 and 2017, including in relation to gender norms, poverty, protection and trauma. The Office called for an **enabling environment for girl’s education** in two public reports that focus on the legacy of ISIL territorial control on access to education by adolescents. The reports were issued in February 2020 and January 2021, respectively.

ND4 – ERADICATING HARMFUL NORMS

Judicial institutions, media and other sectors increasingly recognize and challenge harmful gender stereotypes and gender norms with a view to their eradication.



UN Human Rights strengthened the capacity of the judiciary to address and dismantle harmful stereotypes and protect **women’s human rights** to ensure that decisions are based on facts, rather than beliefs about the roles of women and men. In **Uruguay**, the Office has been working to eradicate **judicial gender stereotyping** since 2018. As a result, two guides were published for the judiciary and the Office of the Prosecutor on gender stereotypes and international standards relating to women’s access to justice. In June, UN Human Rights developed the capacities of 80 judges and prosecutors to use the guides and the Supreme Court issued an internal resolution that requests judges to use the guide for the judiciary as a key resource when ruling on cases related to GBV.

Under the **UN Free & Equal campaign**, UN Human Rights sought to **advance the human rights of LGBTI persons** through activities in 13 countries. In **Brazil**, for example, the Office disseminated three videos on LGBTI persons in the workplace and other web articles on social inclusion, reaching more than one million people. On the occasion of the International Day against Homophobia, Biphobia and Transphobia (17 May), two thematic campaigns were launched at the global level in all UN languages and in Portuguese on **LGBTIQ+ youth homelessness** and breaking the silence around discrimination and violence against LGBTI persons. The Office developed social media toolkits on

⁶ All references to the State of Palestine should be understood in compliance with General Assembly resolution 67/19.

LGBTIQ+ inclusion in COVID-19 prevention and recovery efforts and organized two high-level UN events with the UN LGBTI Core Group, in New York. At the European level, the Office contributed to meetings of the European Governmental LGBTI Focal Points Network and advocated for the inclusion of international human rights standards in the European Commission's first LGBTI Equality Strategy, which was adopted in November.

On the occasion of **International Women's Day**, UN Human Rights partnered with WikiMedia to address **stereotypes about WHRDs** and **create content on less well-known defenders** who have made important contributions to their societies. A total of 72 competitors made edits in 36 languages and 3,224 articles were created or improved.

ND5 – DIGITAL SPACE

Principles and practices effectively counter discrimination and hate speech in the digital space.



ND6 – MIGRATION

The human rights of all migrants, particularly those in vulnerable situations, are protected.



In **Myanmar**, UN Human Rights partnered with CSOs and the company KoKoTech to create **standards for monitoring** instances of **online discrimination and hate speech against minority communities**, in particular Rohingya people, in the context of COVID-19.

UN Human Rights raised awareness about, monitored and reported on the **human rights protection gaps faced by migrants** and monitored the situation at borders. It also assisted States and other stakeholders with the implementation of human rights-based migration governance measures, including in relation to **COVID-19 and the human rights of migrants**. The Office monitored the situation of **refugees and other migrants from Venezuela in host countries** and provided technical assistance to national actors. In Peru, for instance, the Office and UNIC issued communication materials to prevent the illegal evictions of Venezuelan migrants and refugees. Moreover, UN Human Rights provided support to the Ombudsperson's Office to discuss the situation with the Ministry of Justice and Human Rights. The Office also issued public statements on the detention and deportation of Venezuelan migrants from Trinidad and Tobago, including persons registered as asylum seekers, some of whom were children.

In the EU, UN Human Rights consistently advocated for the creation of an **independent human rights monitoring mechanism at EU borders**. The new EU Pact on Migration and Asylum, which was tabled by the European Commission, in September, contains several provisions that are relevant to human rights and proposes the establishment of such a mechanism. In January, the Office joined the Consultative Forum on Fundamental Rights of Frontex, the European Border and Coast Guard Agency, and provided advice on human rights-compliant policies.

Through advocacy efforts, UN Human Rights contributed to **ending the detention of migrant children** in Immigration Detention Centres in **Thailand**. In the **Pacific**, UN Human Rights contributed to informing the Regional Policy Dialogue on **climate change-related migration, displacement and planned relocation**, including by outlining policy and identifying legal gaps.

ND7 – PUBLIC MOBILIZATION for INCLUSION

Public support increases for equal, inclusive and diverse societies, without discrimination.



With support from UN Human Rights, the Independent Expert on **albinism** built a campaign around International Albinism Awareness Day on 13 June. This culminated in an online concert and the launch of a social media campaign on the theme #MadetoShine. The Office issued approximately 25 social media posts in English, French and Spanish and an Instagram story that generated 1,600 engagements.

In **Malawi**, UN Human Rights sought to prevent conflict by promoting equality, diversity and inclusiveness. In the south of the country, a number of Christian-managed schools refused to educate girls who were wearing a hijab, which resulted in tension and violence between Muslim and Christian communities. Five schools were closed, leaving 10,000 children out of school. UN Human Rights collaborated with the Public Advisory Committee (PAC), a CSO of religious leaders, to organize a series of workshops with Muslim and Christian leaders on international human rights standards relating to **education, non-discrimination and freedom of religion or belief**. Following a request from the Government, PAC organized a dialogue to negotiate an agreed dress code for schools. Four of the five schools that were closed re-opened.

In the Republic of **Moldova**, the Office conducted an assessment of the human rights situation of Roma people in the region, which served as a basis for initiating a dialogue between Roma CSOs and de facto authorities on access to education, work and social protection. The assessment was used to develop a road map and action plan for **establishing the first institution of Roma community mediators**.


ND8 – UN response to INEQUALITY and DISCRIMINATION

The UN system implements a coherent and human rights-based response to inequality and discrimination, including intersecting and multiple forms of discrimination.



UN Human Rights reactivated the **UN Network on Racial Discrimination and Protection of Minorities**, which issued a range of guidance for UNCTs on combating racial discrimination and protecting minorities. In November, the Network convened its first senior-level meeting, involving Assistant Secretaries-General from 10 UN entities. This resulted in the Network's adoption of its first workplan since 2014. Further, UN Human Rights issued a **Guidance Note on interlinkages between COVID-19 and racial discrimination**.

UN Human Rights advocated for the implementation of the UN System-wide Action Plan on the Rights of Indigenous Peoples and contributed to the development of a **policy statement on indigenous peoples**, which was endorsed by the **UN System Chief Executives Board for Coordination (CEB)**. UN Human Rights also produced a targeted **Guidance Note on the impacts of COVID-19 on minorities and indigenous peoples**.

 In various locations, UN Human Rights contributed to the efforts of **UNCTs** to increasingly **include disability** in their processes and programmes. For instance, in the Republic of North Macedonia, the Office prepared a UNCT-wide Disability Inclusion Action Plan for 2020-2021. UN Human Rights also led inter-agency efforts to draft the **Secretary-General's policy brief on the impact of COVID-19 on older persons**, which was issued in May.

Within the context of the UNSDG Task Team on Leaving No One Behind, Human Rights and the Normative Agenda, UN Human Rights coordinated a **review** of the extent to which **human rights** are **integrated into 109 COVID-19 SERPs** prepared by the UNCTs. The review was a true inter-agency effort and a good example of advancing the implementation of the Secretary-General's Call to Action for Human Rights. The review pointed to a number of gaps but also some good practices, including the use of human rights indicators as well as the identification of at-risk groups and the drivers of exclusion, inequality and discrimination.

Advancing the rights of LGBTI persons in Bolivia: The civil union of David and Guido

In recent years, important legal advances have been made in Bolivia to recognize the rights of populations with diverse sexual orientation and gender identity. Yet, discriminatory legislation and attitudes of homophobia persist. Against this background, the recognition of the free union between David Aruquipa and Guido Montaña in the civic registry (SERECI) marks a new chapter in the fight for equality and non-discrimination of LGBTI persons.

The registry of David and Guido's union, on 10 December, signals the end of a long bureaucratic and legal battle that they initiated as a couple 11 years ago, first as activists for the rights of the LGBTI community and later when dealing with a myriad of public entities, courts and constitutional chambers. "It was a torturous experience, but we decided not to give up," said David.

The road to recognition was paved with many obstacles due to discriminatory provisions in legislation, including the Constitution, which only recognizes unions between a woman and a man. The Constitutional Court ruled that their civil union had to be registered by the SERECI since international human rights treaties ratified by Bolivia have supremacy over the Constitution. Despite this ruling, it took another two years for their union to be registered due to refusals by public authorities.

Nevertheless, David and Guido had considerable support on their side. Two prominent human rights lawyers with significant experience in the promotion

and protection of human rights in Bolivia advised and assisted David and Guido during their struggle. In addition, advocacy undertaken by UN Human Rights with national authorities contributed to the eventual registration of their union. For instance, the Office consistently encouraged authorities to take this landmark step through private and public messages. On 30 July, it submitted a memorandum outlining relevant legal international and regional human rights standards to the SERECI and the Plurinational Constitutional Court. On 6 December, UN Human Rights posted a tweet urging the advancement of LGBTI rights in Bolivia and referring to David and Guido's case as an "historic opportunity." Furthermore, an advisory opinion issued in 2017 by the Inter-American Court of Human Rights on gender identity and equality and non-discrimination

of same-sex couples, to which the Office submitted an amicus curiae brief, served as a key precedent that enabled David and Guido to begin this process.

On Human Rights Day, the SERECI finally ordered the free union to be registered. The decision was welcomed by UN Human Rights⁷ and many HRDs in the country and abroad. As noted by Alán García Campos, Head of UN Human Rights in Bolivia, "The perseverance of David and Guido and their indefatigable battle for their rights is an inspiration to us all. Their achievement should motivate structural changes in order to fully recognize existing legal unions in Bolivia between same-sex couples and eradicate any kind of discrimination against LGBTI persons."

⁷ See the UN Human Rights tweet at https://twitter.com/Oacnudh_BO/status/1335571718430220288?s=20



David and Guido entered into the first same-sex "free union" in Bolivia.
© Magdalena Tola Paño

Mixing it up for a more diverse Kyrgyzstan

In 2010, deadly inter-ethnic clashes killed hundreds of people in southern Kyrgyzstan. While peace has returned, tensions remain. In response, UN Human Rights has pioneered an internship programme that is helping the national civil service to engage more minorities and increase the diversity of its ranks.

A decade ago, the bustling streets of Osh, in southern Kyrgyzstan, experienced tragic events. Due to an inter-ethnic conflict between Uzbeks and Kyrgyz, at least 426 people were killed, 2,500 homes were burned down and thousands were forced to flee. Despite people's desire to move on, social media keep tensions simmering, especially among more extreme youth, and authorities are concerned that violence could unexpectedly erupt.

In 2020, nearly 28 per cent of the country's population was composed of ethnic minorities – Uzbek, Russian, Dungan

Chinese, Kazakh and other smaller groups – but less than 5 per cent of civil servants come from minority groups. Another factor that can influence hiring in the civil service is language. While Russian is an official language and widely spoken, the State language is Kyrgyz, which not everyone speaks fluently.

The UN Human Rights internship programme addresses this underrepresentation by expanding opportunities for ethnic minorities, women and persons with disabilities. Each intern is assigned a mentor, enrolls in training on human rights and public administration and receives a stipend.

“Some qualified specialists cannot find work, but through this project they [can] get a job, including ethnic minorities,” said Anara Temiraliyeva, one of the programme's mentors and Head of the Family and Child Protection Unit in

the Department of Labour and Social Development. Anara would like to see the programme expanded across the country to ensure a more egalitarian and diverse workforce.

Maftuna Mavlyanova, an accountant from Osh, applied for one of the coveted civil service internships. “I was a new bride,” she said, “and there is this stereotype that I needed to tend to the household, so I had many doors slammed in my face. I never dreamed I would be accepted.” Maftuna proved herself and once her internship was complete, she was hired by the civil service.

From Osh, the UN Human Rights internship programme was extended to the country's northern Issyk-Kul region where many minorities live. In 2020, 23 interns completed the programme (14 women, nine men), including nine representatives of ethnic minorities and six persons with disabilities.

In November, the State Personnel Service (SPS), which handles all civil service hiring, proposed establishing a legislative basis to institutionalize the programme. Oleg Tarbinskii, Deputy Head of the SPS, believes the internship programme surpasses its initial goal. “It helps to attract and promote qualified young people into public service, evens out the rural-urban divide by providing equal access to all and measures the commitment of Kyrgyzstan to the democratic and liberal values of the State.”



Maftuna Mavlyanova and other interns at the awards ceremony upon completion of their internship in the south of Kyrgyzstan. © Abdikaimov Nurgazy



UN Human Rights staff from the West Africa Regional Office visit a refugee camp in the Tillabéry region, Niger. © OHCHR