



# GLOBAL MINORITY RIGHTS NEWSLETTER

April-June 2020

# CONTENT

<b>SPECIAL RAPPORTEUR ON MINORITY ISSUES</b>	<b>3</b>
Roma Minorities Continue to Face Discrimination, Poverty and Social Exclusion, Says UN Special Rapporteur	3
For Millions of People, Emergency Measures Can Be a More Direct Threat to Their Life, Livelihood, and Dignity than the COVID-19 Virus Itself, UN Experts Say	4
Special Rapporteur and Other UN Experts Welcome the Pardon of a Baha'i Prisoner in Yemen	4
UN Special Rapporteurs Ask Bulgaria to End Hate Speech and Discrimination against the Roma	4
China Should Allow Tibetan Human Rights Activist to Exercise His Human Rights without Discrimination, Special Rapporteur Says	5
UN Experts Issue Call for Systemic Reform and Justice in the United States	5
People in Detention throughout the US Are Particularly Vulnerable to COVID-19, UN Experts Say	6
UN Special Rapporteur Participates in Webinar, "Minorities and COVID-19"	6
<b>OTHER UNITED NATIONS NEWS</b>	<b>7</b>
UN Secretary General Fights Hate Speech	7
Concluding Observations on Central African Republic, Dominica, Portugal, Tunisia and Uzbekistan Published by Human Rights Committee	8
The Agenda for Sustainable Development during the COVID-19 Pandemic	8
States, All Religious Leaders and Faith Actors Should Step Up in Promoting Social Inclusion and Solidarity, UN Expert Says	9
UN Expert Warns about the Effect of the Pandemic on Indigenous Peoples	9
Special Rapporteur on the Situation of Human Rights Defenders Calls for the Release of Imprisoned Uzbek Activist in Kyrgyzstan	10
UN Experts Urge the Philippines to Respect the Freedom of Assembly of Indigenous and Environmental Activists	10
<b>GLOBAL NEWS</b>	<b>11</b>
International Romani Day 2020	11
International Holocaust Remembrance Alliance Struggles against Antisemitic Ideologies	12
New Book Published on "Transnational Social Mobilisation and Minority Rights"	13
Webinar Series: Debating Challenges for Minority Protection	13
"The Indigenous World 2020": Comprehensive Report Published	13
Pollution Harms Indigenous Peoples around the World, New Report Says	13
<b>REGIONAL NEWS</b>	<b>14</b>
<b>ASIA</b>	<b>14</b>
"South Asia State of Minorities Report 2019": South Asia Collective Publishes New Report	14
ASEAN Parliamentarians on Human Rights Urges States to Respect Minority Rights	14
New Minority Rights Commission in Pakistan	15
"I had seen what was unfair, unjust, and not right, and those senses have motivated me to be involved in human rights issues": FORUM-ASIA Publishes Interview with Indigenous Women's Rights Defender	15
<b>AFRICA</b>	<b>16</b>
African Human Rights Commission Welcomes Arrest of Alleged Genocidaire	16
COVID-19 Threatens Africa's Indigenous Peoples, Say Human Rights Organizations and Human Rights Experts	16
Indigenous Human Rights Defender Speaks Out against the Multiple Discrimination Faced by Indigenous and Minority Women and People with Disabilities	17
<b>AMERICAS</b>	<b>17</b>
JIMENA Publishes List of Sephardic Jewish Films	17
Inter-American Court of Human Rights Rules that Argentina Violated Indigenous Rights	17
Afro-Descendants Disproportionately Affected by COVID-19, OAS Body Warns	18
OAS General Secretariat Calls Upon States to Pay Attention to their Indigenous Communities During the COVID-19 Crisis	18
"Our Cherokee people remain strong and resolute in this trying time, just as we always have", Says Principal Chief of the Cherokee Nation	18
<b>EUROPE</b>	<b>19</b>
Head of EU Fundamental Rights Agency Speaks Out Against Racism during the COVID-19 Crisis	19
ECRI Publishes Reports about Austria and Albania	19
ECRI Working Meetings on Combating Anti-Muslim Hatred and Antisemitism	19





# SPECIAL RAPPOREUR ON MINORITY ISSUES

## Roma Minorities Continue to Face Discrimination, Poverty and Social Exclusion, Says UN Special Rapporteur

On the occasion of International Roma Day on 8 April 2020, the UN Special Rapporteur on minority issues, Fernand de Varennes, published a statement about the human rights situation of Roma communities. He emphasized that during the fight against the coronavirus pandemic, supporting minority rights is even more important.

“The treatment of Roma, Sinti and Travellers minorities remains a major human rights issue particularly where their vulnerability is compounded by continued obstacles in accessing public services such as access to testing for the coronavirus, basic health care and sanitation, including the availability of public health information in their own languages during the COVID-19 pandemic,” the Special Rapporteur said.

“Despite efforts from many governments in Europe and elsewhere to more fully implement the human rights of Roma minorities in areas such as health, housing, education and employment, Roma minorities continue to face discrimination, poverty and social exclusion. Of particular concern in recent months is the alarming rise of hate speech and scapegoating of the Roma. Right-wing extremist and xenophobic groups have been targeting and blaming Roma and other minorities for spreading the COVID virus or accusing them of not respecting public authorities’ protection measures.”

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

## For Millions of People, Emergency Measures Can Be a More Direct Threat to Their Life, Livelihood, and Dignity than the COVID-19 Virus Itself, UN Experts Say

Many states around the world are using force to enforce emergency measures during the COVID-19 crisis. Several UN human rights experts, including the Special Rapporteur on minority issues, have expressed concern over reports of killings and excessive use of violence, which disproportionately affect vulnerable groups including minorities. The experts remind states of their obligations under international human rights law, particularly the prohibitions on the arbitrary deprivation of life, torture and other ill-treatment.

“We are alarmed at the rise of reports of killings and other instances of excessive use of force targeting in particular people living in vulnerable situations. Persons in vulnerable situations such as people living

in poverty and those living in slums, homeless persons, minorities, individuals in detention, women and children victims of domestic violence, migrants and refugees, trans women and all those who defend their rights, are already affected disproportionately by the virus. No-visitor policies in nursing homes and home care exacerbate the risk of violence, maltreatment, abuse and neglect of older persons and others living in institutions. All these people who are often disproportionately affected by the virus, because of their precarious conditions of existence, should not be victimized further because of state of emergency measures,” stated the UN experts.

The full text of the statement is available online on the [OHCHR's homepage](#).

## Special Rapporteur and Other UN Experts Welcome the Pardon of a Baha'i Prisoner in Yemen

UN Human Rights experts have addressed the persecution of the Baha'is in Yemen for several years. On 25 March 2020, the de facto authorities in Sana'a, the capital, cultural and economic center of Yemen, pardoned the Baha'i prisoner, Hamid bin Haydara. Hamed bin Haydara has been imprisoned since 2013 for his belief in the Baha'i faith. The Special Rapporteur on minority issues and other UN human rights experts welcomed his pardoning and urged the de facto authorities to respect the right to freedom of belief of the Baha'is.

“We strongly recommend against any rollback of the official decision to pardon and release which was communicated unequivocally. This would violate the fundamental rights of those affected. The de facto authorities in Yemen should drop any charges and release Mr. Haydara and all other Baha'is promptly without any conditions to honour the commitment made by Mr. Al Mashat in his welcomed pardoning announcement,” said the experts.

Their full statement is available online on the [OHCHR's homepage](#).

## UN Special Rapporteurs Ask Bulgaria to End Hate Speech and Discrimination against the Roma

On 13 May 2020, the UN Special Rapporteur on minority issues, Fernand de Varennes, and the UN Special Rapporteur on racial discrimination, E. Tendayi Achiume, called upon the government of Bulgaria to end hate speech and discrimination against Bulgaria's Roma minority. High-level officials have blamed the Roma for the spread of the coronavirus, at the same time Bulgaria has introduced restrictions that threaten the rights of Roma communities.

“The placement of checkpoints since mid-March at the

entrance of the already segregated Roma areas in Nova Zagora, Kazanlak, Sliven, Yambol, and Sofia – allegedly implemented as part of efforts to curb the pandemic – is a violation of Roma's right to equality and freedom of movement, and could further expose Roma residents to the virus, especially where access to sanitation is poor such as in the Nova Zagora neighbourhood,” stated the Special Rapporteurs.

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



## China Should Allow Tibetan Human Rights Activist to Exercise His Human Rights without Discrimination, Special Rapporteur Says

On 19 May 2020, the Special Rapporteur on minority issues and other UN human rights experts asked China to drop charges against A-Nya Sengdra, a Tibetan human rights activist.

“We are deeply concerned by what appears to be the criminalisation of the legitimate work of a minority community member and human rights defender. We are also concerned about the reports of deterioration of his physical and mental integrity due to poor detention conditions. The charges against Mr Sengdra stem from a wider crackdown on Tibetan minority human rights defenders. They constitute violations of Mr Sengdra’s right as a member of a minority community to exercise his human rights without discrimination or intimidation, including his freedom of expression,” the experts said.

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

## UN Experts Issue Call for Systemic Reform and Justice in the United States

A group of independent UN experts, including the Special Rapporteur on minority issues, issued a statement calling upon the United States government to respond to the systematic racism and racial bias in the country’s criminal justice system. The experts condemned the killings of African-Americans that have taken place with impunity.

“We strongly condemn the killings of Ahmaud Arbery, Breonna Taylor and George Floyd, and call for systemic reform and justice. The latest videos to surface showing white men chase, corner, and execute a young man who was out jogging, or showing an officer kneeling with his weight on a man’s neck for eight minutes shock the conscience and evoke the very terror that the lynching regime in the United States was intended to inspire,” the experts said. “Given the track record of impunity for racial violence of this nature in the United States, Black people have good reason to fear for their lives.”

In addition, the experts expressed their concerns over the police responses to demonstrations in a number of US cities, where violence, arbitrary arrests, and the targeting of journalists have taken place.

The full statement is accessible on the [website of the OHCHR](#).





## People in Detention throughout the US Are Particularly Vulnerable to COVID-19, UN Experts Say

On 29 May 2020, the Special Rapporteur on minority issues and other UN human rights experts published a statement about the situation of persons in detentions during the COVID-19 pandemic and urged the United States to prepare their penitentiary system for the upcoming challenges. “People in detention throughout the US are particularly vulnerable to COVID-19 and for many, their pre-existing medical conditions increase the risk of death. In these closed, and often overcrowded places, basic protective measures, such as physical distancing and hygiene rules, cannot be observed.

Those at greatest risk should immediately be identified, taking into account situations of vulnerability, and release measures should be implemented. Despite some steps at the federal and state levels to reduce the population of people in custody, the Government’s response has been insufficient.

Minorities, including African-Americans, are disproportionately represented, both among the prison population and among those succumbing to COVID-19. Thus, any failure to effectively mitigate the resulting risk is also an issue of racial discrimination and racial justice of paramount importance,” the independent experts warned.

A press release is available on the [OHCHR’s website](#).



## UN Special Rapporteur Participates in Webinar, “Minorities and COVID-19”

Eurac Research, a research center headquartered in Bolzano/Bozen, Italy organized a series of online seminars about the effect on the COVID-19 pandemic on minority rights. The episodes of the webinar focused on five topics: COVID-19 and its effects on minorities; equality, discrimination and COVID-19; minorities, territorial governance and inter-state relations in pandemic times; COVID-19 and religious minorities; and indigenous peoples in times of the pandemic.

The Special Rapporteur on minority issues participated in the second episode of the webinar, which was devoted to COVID-19, equality and discrimination. During the webinar, the Special Rapporteur emphasized that the COVID-19 epidemic shows how important it is to clarify the best approaches to protecting the human rights of minorities, as their international protection remains insufficient. Only a few representatives of minorities had access to information about the crisis in their own languages, which demonstrates the widespread lack of full appreciation for minority rights.

Recordings of the webinar are available on [EURAC’s website](#).



# OTHER

# UNITED NATIONS

# NEWS

## UN Secretary General Fights Hate Speech

On two occasions, the UN Secretary-General, António Guterres, offered warnings about the devastating effects of hate speech. On 7 April, the International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda, Guterres urged the world to reject hate speech, polarization and nationalism: “Today, we recall the genocide against the Tutsi in Rwanda – when more than 1 million people were systematically murdered in just 100 days. The victims were overwhelmingly Tutsi, but also included Hutu and others who opposed the genocide. On this Day, we honor those who were killed. And we gain inspiration from the capacity of those who survived for reconciliation and restoration.

We must never again let such an atrocity occur. We must say no to hate speech and xenophobia, and reject the forces of polarization, nationalism and protectionism. Only by recognizing that we are all one human family sharing the same planet will we be able to rise to the many global challenges that confront us – from COVID-19 to climate change,” said Guterres.

In May 2020, the Secretary-General again appealed to counter hate speech and emphasized that the COVID-19 pandemic has caused an alarming increase in xenophobic speech. “COVID-19 does not care who we are, where we live, what we believe or about any other distinction. We need every ounce of solidarity to tackle it together. Yet the pandemic continues to unleash a tsunami of hate and xenophobia, scapegoating and scare-mongering. Anti-

foreigner sentiment has surged online and in the streets. Anti-Semitic conspiracy theories have spread, and COVID-19-related anti-Muslim attacks have occurred. Migrants and refugees have been vilified as a source of the virus – and then denied access to medical treatment. With older persons among the most vulnerable, contemptible memes have emerged suggesting they are also the most expendable. And journalists, whistle-blowers, health professionals, aid workers and human rights defenders are being targeted simply for doing their jobs.”

The statements of the Secretary-General are available on the UN’s website: [Secretary-General, Commemorating 1994 Rwanda Genocide, Urges World to Reject Hate Speech, Forces of Polarization](#) and [Secretary-General Denounces ‘Tsunami’ of Xenophobia Unleashed amid COVID-19, Calling for All-Out Effort against Hate Speech](#).



## Concluding Observations on Central African Republic, Dominica, Portugal, Tunisia and Uzbekistan Published by Human Rights Committee

In April 2020, the UN Human Rights Committee published its observations about the human rights situation in the Central African Republic, Portugal, Tunisia, Uzbekistan and Dominica. The Committee expressed concerns that discrimination against Muslim and Christian minorities has been reported in the Central African Republic, and called upon the state to ensure that such groups do not suffer from hate speech or from restrictions on their freedom of movement. The concluding observations on Dominica were adopted in the absence of a state report, as the state did not submit one. Nevertheless, the Committee welcomed Dominica's efforts to promote the rights of indigenous peoples.

The Committee emphasized that Portugal should intensify its effort to address stigma and discrimination against the Roma and people of African descent. In relation to Tunisia, it recommended that it enforce legislation against racial discrimination and implement comprehensive antidiscrimination legislation. Various restrictions on the freedom of religion in Uzbekistan raised concerns, with the Committee calling upon the country to adopt new legislation on the freedom of conscience and religion, and to decriminalize missionary and religious activities carried out by unregistered religious organizations.

The reports can be accessed on the [website of the Human Rights Committee](#).



## The Agenda for Sustainable Development during the COVID-19 Pandemic

The UN Special Rapporteur on the right to development, Saad Alfarargi, reminded governments of the world of their commitment to leave no one behind as part of the 2030 Agenda for Sustainable Development. He noted that, during the global crisis, such commitment is more important than ever. Vulnerable individuals and communities, such as minorities or internally displaced persons, need support, and the coronavirus pandemic must not circumscribe their possibility of participating in public affairs.

"I am deeply concerned that decision-makers will step away from their promises to reduce inequalities between and within countries during the current fight against the coronavirus pandemic, by adopting policies which may reinforce and exacerbate vulnerabilities that already exist. In providing response to the crisis, many Governments are putting in place measures to support businesses and shield populations from the negative impact of restriction measures," he said. "However, measures are largely imposed from the top-down, and the regular consultation and participation processes are frequently disrupted by confinement or circumvented," Alfarargi said. His statement was endorsed by many other UN human rights experts, including the Special Rapporteur on minority issues.

More information is available [on the OHCHR's website](#).





## States, All Religious Leaders and Faith Actors Should Step Up in Promoting Social Inclusion and Solidarity, UN Expert Says

As much as the pandemic has increased racial hatred, it has also caused an upsurge in religious intolerance. Ahmed Shaheed, Special Rapporteur on freedom of religion or belief has therefore called upon governments and civil society to remember the importance of inter-religious solidarity in the crisis.

“I urge civil society and faith-based organizations to widely communicate and assist those in vulnerable situations, regardless of their belief or ethnic background. States must also be non-discriminatory in assisting those in need and ensure that everyone has fair access to all public and health services. Inclusive dialogue will ensure that all communities implement and adhere to the required public health measures voluntarily, including by analyzing how religious practices may be adapted in response to COVID-19 preventive measures, such as organizing virtual religious services. States, all religious leaders and faith

actors should step up in promoting social inclusion and solidarity as well as combating incitement to hatred through engagement and education,” Shaheed said.

The Special Rapporteur is particularly concerned about a wave of antisemitism that can be observed around the world. “It is necessary to invest in preventive security measures and enact appropriate hate crime legislation. I also reiterate my call to for endorsement by States of the Working Definition on Antisemitism and for its use in compliance with international human rights law. It is imperative for the civil society organizations and faith-based actors to signal a zero-tolerance policy towards antisemitism online and offline,” he stated.

The Special Rapporteurs statement on religious intolerance is available on the [OHCHR’s website](#). His statement about antisemitism can be accessed on the [OHCHR’s website](#) as well.

## UN Expert Warns about the Effect of the Pandemic on Indigenous Peoples

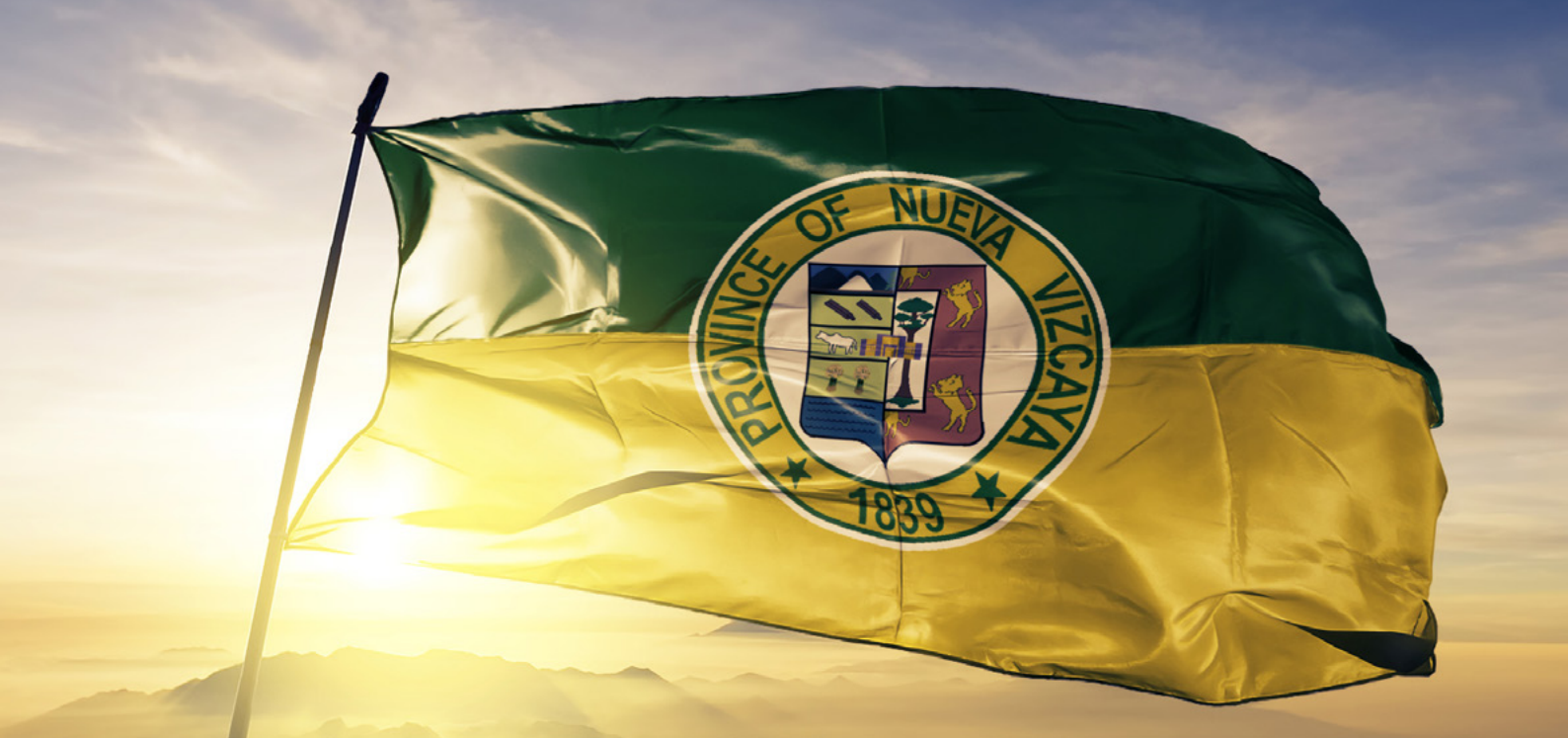
On May 18, 2020 the UN Special Rapporteur on the rights of indigenous peoples, José Francisco Cali Tzay warned that the COVID-19 epidemic is harming indigenous peoples around the world, as they face discrimination in healthcare systems and emergency measures are violating their rights. “I am receiving more reports every day from all corners of the globe about how indigenous communities are affected by the COVID-19 pandemic, and it deeply worries me to see it is not always about health issues. States of emergency are exacerbating the marginalisation of indigenous communities, and in the most extreme situations, militarisation of their territories is taking place.

Indigenous peoples are being denied their freedom

of expression and association, while business interests are invading and destroying their lands, territories and resources. In some countries, consultations with indigenous peoples and also environmental impact assessments are being abruptly suspended in order to force through megaprojects relating to agribusiness, mining, dams and infrastructure. Indigenous peoples who lose their lands and livelihoods are pushed further into poverty, higher rates of malnutrition, lack of access to clean water and sanitation, as well as exclusion from medical services, which in turn renders them particularly vulnerable to the disease,” stated the Special Rapporteur.

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

“States of emergency are exacerbating the marginalization of indigenous communities, and in the most extreme situations, militarization of their territories is taking place.”



## Special Rapporteur on the Situation of Human Rights Defenders Calls for the Release of Imprisoned Uzbek Activist in Kyrgyzstan

On May 8 2020, Mary Lawlor, the UN Special Rapporteur on the Situation of Human Rights Defenders addressed the situation of the imprisoned ethnic Uzbek activist Azimjan Askarov. Askarov, according to the [findings of the UN Human Rights Committee](#), is being held in inhumane conditions and was arbitrarily detained.

“I call for a proper review of Mr Askarov’s appeal in accordance with all the safeguards of a fair trial, and his immediate release. Kyrgyzstan must demonstrate that it is willing to uphold human rights through its protection of human rights defenders and ethnic minorities. We are concerned about the toll that dismal prison conditions and solitary confinement have had on Mr Askarov’s health, and the increased risk that COVID-19 poses to incarcerated elder prisoners like him with underlying health conditions,” the Special Rapporteur said.

The statement was endorsed by other UN human rights experts, including the Special Rapporteur on minority issues. It is available on the [OHCHR’s website](#).

## UN Experts Urge the Philippines to Respect the Freedom of Assembly of Indigenous and Environmental Activists

Three independent UN human rights experts, Victoria Tauli-Corpuz, Special Rapporteur on the rights of indigenous peoples, Clément Nyaletsossi Voule, Special Rapporteur on the rights to peaceful assembly and of association, and David R. Boyd, Special Rapporteur on human rights and the environment, criticized the reaction of the government of the Philippines to a demonstration that took place on 6 April. On this day, approximately 30 indigenous and environmental activists gathered to stop a mining site in the Nueva Vizcaya province.

“The protesters were exercising their right to freedom of assembly to object against the continued operations in the Didipio mine. The government and mining company should have engaged them in peaceful and constructive talks instead of dispersing the crowd forcefully. The use of force by the police was unnecessary and disproportionate. The tensions within the communities will escalate if the company and the national government do not act transparently and with consultation of affected peoples, particularly in relation to the contested right of the company to operate after expiration of their official permit,” the UN Special Rapporteurs said.

More information is available [on the OHCHR’s website](#).





# GLOBAL NEWS

## International Romani Day 2020

8 April 2020 marked International Romani Day, a day of commemoration aimed at both celebrating the culture of the Roma and at raising awareness about the discrimination they continue to face. Several officials, including the Special Rapporteur on minority issues, used this occasion to express their support for Roma communities. The heads of the EU Fundamental Rights Agency and the OSCE Office for Democratic Institutions and Human Rights issued a joint statement on International Romani Day. FRA Director, Michael O’Flaherty, addressed the difficult situation of the Roma during the COVID-19 pandemic: “Already before the pandemic, many Member States failed to bring about real noticeable change for Europe’s Roma communities. With the current EU Roma strategy ending this year, the EU and its Member States must act in future to end the longstanding Roma discrimination and marginalisation that this pandemic regrettably is bringing into sharp relief.” Meanwhile, OSCE ODIHR director, Ingibjörg Sólrún Gísladóttir, pointed out that “Roma are particularly at risk, as well as others who are already vulnerable or are now in danger of slipping into poverty because of the current situation. Governments therefore have an important and urgent responsibility to develop comprehensive and inclusive plans of support – and make sure they are implemented.” A press release about the joint statement and International Romani Day is available on the FRA’s website.

Morgan Ortagus, spokesperson for the U.S. Department of State recalled that the United States of America is home to more than one million Roma. “Today is also an

opportunity to remind ourselves of the hardships Roma have faced and continue to face. We remember the persecution and suffering of the Roma during the Holocaust. We also remind ourselves that many Roma continue to face severe discrimination and segregation, including in education and employment. We call on all governments to combat intolerance against the Roma and take real steps to include them in civic and economic life.

Today, we reaffirm our commitment to promoting dignity and equality for the Roma. During this time of crisis, it is more important than ever to uphold universal human rights and respect the individual value of every person. We urge governments to ensure that the needs and rights of members of marginalized Roma communities are taken into account in the response to the COVID-19 pandemic,” he stated. A press release is available on the U. S. Department of State’s website.

Marija Pejčinović Burić, Council of Europe Secretary General, and Helena Dalli, European Commissioner for Equality, called upon governments to respect the rights of Roma when implementing measures against COVID-19. “We call on all European countries to comply with the standards of the European Convention on Human Rights and the European Social Charter by stepping up their support for marginalised groups, and to do their utmost to prevent national or ethnic minorities, in particular Roma, from becoming scapegoats in the current crisis. We urge governments to ensure equal access to the provision of public services, which in times of a pandemic also includes the provision of food, clean water, as well as basic means of hygiene and health protection,” they said. A press release is available on the Council of Europe’s website.



## International Holocaust Remembrance Alliance Struggles against Antisemitic Ideologies

8 May 2020 marked the 75<sup>th</sup> anniversary of the end of the Holocaust. On this occasion, Kathrin Meyer, Executive Secretary of the International Holocaust Remembrance Alliance (IHRA), warned that Holocaust denial and distortion threaten the historical record of the Holocaust. “Holocaust denial and distortion is as old as the Holocaust itself, but in recent years lies and distortion have become more widespread and more dangerous.

They also often accompany a wide range of motives, up to and including the rehabilitation of antisemitism and the promotion of ideologies that invite genocide and crimes against humanity. Efforts to minimize the impact of the Holocaust and downplay the crimes of the National Socialists and their collaborators, whether intentional or otherwise, can be seen in both public and political discourse, and from a variety of ideological backgrounds. No matter their source, however, they always work to support antisemitic views and ideologies,” said Meyer in her statement.

A few days later, Michaela Küchler, IHRA Chair Ambassador, addressed the issue of Holocaust distortion

in the context of demonstrations against Germany’s measures against the coronavirus. “References at these demonstrations to the National Socialist slogan ‘Arbeit macht frei’ and to the Star of David badge Jews were forced to wear dilute the meaning and history of these symbols, relativizing the Holocaust to spread misinformation and hatred. The appropriation of these symbols is not only insulting to the memory of victims and survivors of the Nazi regime, it denies and distorts the Holocaust as well.

The German Presidency of the IHRA has made the fight against Holocaust denial and distortion a priority, placing the issue on the top of its agenda and establishing a Global Task Force to combat this harmful trend. At a time when Jewish people across the globe are facing rising antisemitism, the IHRA condemns these actions in the strongest possible terms and calls upon all to stand up against antisemitism and Holocaust denial and distortion,” she said on 20 May 2020.

Both statements are available on IHRA’s website. The statement of Kathrin Mayer is available [here](#), and the statement of Michaela Küchler is available [here](#).



## New Book Published on “Transnational Social Mobilisation and Minority Rights”

Corinne Lennox, Senior Lecturer in Human Rights at the Institute of Commonwealth Studies, and Co-Director of the Human Right Consortium at the School of Advanced Study, University of London, has published a new book titled “Transnational Social Mobilisation and Minority Rights: Identity, Advocacy and Norms”.

The book examines how minority groups around the world are reshaping the international minority rights protection system. In addition to an overview of minorities, states and norm entrepreneurship in international society,

the book also individually discusses the cases of indigenous peoples and Roma, Dalits, and afro-descendants.

“This is the first book to systematically compare how key groups are changing the international norms and mechanisms for the protection of their rights and shows the major impact they are having on the way minority rights are understood globally,” stated Lennox.

More details about the book can be found on the publisher’s website.

## Webinar Series: Debating Challenges for Minority Protection

A webinar series, organized by the Tom Lantos Institute and the Human Rights Consortium of the School of Advanced Study, University of London, and with the participation of the Special Rapporteur on minority issues, will be held in June and July 2020. The webinar series aims to support the work of both the Special Rapporteur on minority issues and the UN Forum on Minority Issues by debating recent and future thematic priorities and discussing relevant country case studies.

The webinar series will include three webinars: 25 June–Education, language and the human rights of minorities; 2 July–The critical challenges of tackling hate speech, xenophobic rhetoric and incitement to hatred against minorities; and 9 July–The interrelationship between conflicts: minority rights and the promotion of inclusiveness and stability.

For information about the webinars, as well as about how to register, can be found [here](#).

## “The Indigenous World 2020”: Comprehensive Report Published

In April 2020, the International Work Group for Indigenous Affairs (IWGIA) published their annual report about the world’s indigenous peoples. At more than 700 pages, the report aims to describe and analyze the events that have impacted indigenous peoples around the world. It contains 66 regional and county reports and 17 chapters about international processes and initiatives. Among other things, the report describes developments in the Inter-American human rights system, the European Union’s engagement for indigenous peoples, and the activities of the UN Special Rapporteur on the rights of indigenous peoples.

In the editorial, IWGIA emphasizes the importance of indigenous groups for our world. “Indigenous Peoples

are guardians not only of forests, but also of rivers, seas, oceans, ice, peatlands, deserts, prairies, savannas, hills and mountains. They have cultivated Indigenous knowledge systems that are nature-based and honour the complex interdependence of all life forms which is the root of success for the sustainable management of their resources and ecosystems in which they live. Consequently, for countless generations, they have observed climatic changes for a long time and have developed effective solutions and practices for biodiversity conservation and climate change adaptation and mitigation,” the work group writes.

The report is available on IWGIA’s website.

## Pollution Harms Indigenous Peoples around the World, New Report Says

In May 2020, a research team from Helsinki University published a report about the impact of pollution on indigenous communities. In the report, the authors emphasize that indigenous communities suffer from a wide range of diseases that result from pollution, such as certain cancers or respiratory diseases, and that the

water quality on the lands indigenous people is relatively poor. The report is based on a comprehensive review of the literature and discusses the vulnerability of indigenous peoples to pollution, as well as their contributions to controlling and limiting pollution levels.

The report can be accessed [here](#).

# REGIONAL

# NEWS

## ASIA

### “South Asia State of Minorities Report 2019”: South Asia Collective Publishes New Report

In April 2020, the South Asia Collective, a group of activists and organizations working in the field of human rights, published their annual report about the state of minorities. It individually analyzes the situation of minorities in Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka before providing an overview over the region in the last chapter. The 2019 report, with the chosen theme of “Migrants, Refugees, and the Stateless”, emphasizes that minorities are often stateless or forced to seek shelter as refugees.

The UN Special Rapporteur on minority issues lauds the book in the foreword: “While the issues covered in the report are diverse and vary across and within countries, the findings of The South Asia State of Minorities Report 2019 highlight common patterns and, in particular, the central role of discrimination on the basis of religion, ethnicity, language, and other factors in each context. These matters also have important regional and cross-border dynamics in South Asia, animated by a history of colonialism and conflict, as well as more recent inter-state relations. Such a lens is particularly useful as we seen an increasing politicization of minority rights protection in South Asia, particularly concerning the movement and protection of refugees suffering religious persecution,” he writes.

The full report is available on the homepage [of the South Asia Collective](#).

### ASEAN Parliamentarians on Human Rights Urges States to Respect Minority Rights

ASEAN Parliamentarians on Human Rights (APHR), a network of current and former lawmakers, has addressed minority rights twice in recent months. In a legal analysis published in April 2020, APHR called for a revision of Indonesia’s New Draft Penal Code, as it is concerned that many provisions of the new draft code could harm the rights of religious minorities and other groups. APHR calls upon Indonesia to repeal articles 304 to 308 of the draft penal code, which contain provisions criminalizing blasphemy, disturbing a religious ceremony, and other provisions that protect religions. APHR points out that religions or belief are not protected against blasphemy, insults or defamation; rather, under international human rights law, criminalization of such acts violates individuals’ freedom of expression. A legal analysis of the provisions can be found on [APHR’s website](#).

In May 2020, APHR published a statement about the situation of the Rohingya in Myanmar. Recently, the International Court of Justice ordered Myanmar to implement provisional measures to prevent all acts of genocide. The APHR emphasized that Myanmar must comply with this order. “We have still not seen any credible evidence of Myanmar improving the situation for the Rohingya at all. Those inside Myanmar are still living in apartheid conditions and subject to the same – if not worse – restrictions they have lived under for years now, including those on their



freedom of movement, access to health, education, and livelihoods. After all the pressure Myanmar has faced on this issue, how are we still at this point?” said APHR chair Charles Santiago. The statement is available on [APHR’s website](#).

## New Minority Rights Commission in Pakistan

In May 2020, Pakistan established a Minority Rights Commission. The body is tasked with monitoring the implementation of the rights granted to Pakistan’s minorities under Pakistani law and its constitution. Three of the Commission’s members are Hindus, two are Christians, two are Sikh and the Parsi and Kelash minorities each have one representative. The establishment of the Commission was met with criticism, both for its lack of sufficient competencies, and the lack of Ahmadi community representation in it.

More information about the Minority Rights Commission can be found in [The Daily Times](#), as well as in [UCA News](#).

“The forms of injustice are simply staring at our faces. And to turn away is just not an option. We need to do what we can from wherever we are.”

## “I had seen what was unfair, unjust, and not right, and those senses have motivated me to be involved in human rights issues”: FORUM-ASIA Publishes Interview with Indigenous Women’s Rights Defender

On 13 May 2020, the Asian Forum for Human Rights and Development (FORUM-ASIA), an international human rights network, published an interview with Judy A. Pasimio, a founder and coordinator of Purple Action for Indigenous Women’s Right, an organization based in the Philippines. In this interview, Pasimio tells the story of how she became a human rights defender after being confronted with injustice and discrimination. Following university, she worked for the Legal Rights and Natural Resources Center, where she was often confronted with indigenous issues.

“The forms of injustice are simply staring at our faces. And to turn away is just not an option. We need to do what we can from wherever we are, and with whatever we have. As long as it is done within a collective of like-hearted people, reaching out to more collectives, and building on what is being done by others, then we can resist.

As human rights defenders, we are part of the problems for the status quo, and that is good. We need to be a big headache for the corporations, dictators, and authoritarian Governments. To be a bigger headache, we need to work with others, more collectives and bigger movements, to be more effective. More so, to feel less alone, because sometimes it is easy to feel alone in what we do. And that sense of feeling alone makes us weak.

The more we connect with others, with the peoples on the ground who face much more difficult realities that we are in, then we get fueled, hopefully inspired, and we move on, to cause bigger headache to the powers that be,” Pasimo said.

The full interview is available on [FORUM-ASIA’s website](#).



## African Human Rights Commission Welcomes Arrest of Alleged Genocidaire

On 16 May 2020, Félicien Kabuga was arrested twenty-three years after his indictment by the International Criminal Tribunal for Rwanda. The African Commission on Human and People's Rights welcomes his arrest. In its press release, the Commission stated: "The Commission views the arrest of Kabuga, considered to be one of the main funders of the genocide against the Tutsi in Rwanda in 1994 and founder of a broadcaster which incited the genocide, as an overdue but crucial step towards justice for the victims of the genocide, to whom the Commission pays its tribute.

The Commission further recalls the great emphasis placed by the AUTJP on national and local ownership for TJ processes, with a preference for national level prosecution,

where the legal systems are in place, which is also aligned with the needs of the affected people to participate in and witness the process. In this regard, and cognisant of previous successful transfers of cases from the ICTR/International Residual Mechanism for Criminal Tribunals (IRMCT) to Rwanda with all fair trial standards upheld, the Commission urges that Kabuga's case be transferred to the national system in Rwanda. This not only makes practical sense, but also has a symbolic value for affected persons and would contribute towards full healing, justice and sustainable peace in Rwanda."

The full press release is available on the [Commission's website](#).

## COVID-19 Threatens Africa's Indigenous Peoples, Say Human Rights Organizations and Human Rights Experts

The International Work Group for Indigenous Affairs (IWGIA) published an article about the situation of Indigenous communities in Africa. The work group warned that the COVID-19 pandemic could have a devastating effect on the various indigenous peoples on the continent, as Africa's healthcare systems are fragile and vulnerable. "IWGIA's partners and networks throughout the continent continuously report urgent and critical issues regarding their current situation and the virus, such as restrictions on earning their livelihood and lack of accessibility to healthcare as well as to adequate Covid-19 information. The issue of geographical inaccessibility in which most indigenous people in Africa find themselves, pose significant challenges for people who are already very vulnerable," the organization wrote.

Indigenous communities are now facing different challenges across the continent. IWGIA seeks to raise awareness about the special situation of indigenous peoples in Libya, where years of armed conflict have weakened healthcare. In Tanzania, many communities do not speak the official language and are therefore excluded from communication and information. IWGIA also addressed the economic crisis in West Africa and the locust invasion in East Africa, which make the situation even more complicated.

The Working Group on the Rights of Indigenous Populations/Communities in Africa, a Special Mechanism of the African Commission on Human and Peoples' Rights addressed the situation of mine workers and indigenous communities affected by mining activities. In a press release published in May 2020, they stated: "With respect to COVID19 and mining operations, the African Commission, while recognizing the need for continuation of mine operations at a reduced capacity during COVID19, notes the imperative for the state and mining companies to adopt regulatory and protective measures to safeguard both the health and safety of miners and the host communities in accordance with the principles in the Commission's State Reporting Guidelines and Principles relating to the Extractive Industries. In this regard, the Commission applauds the decision of the Labour Court of South Africa that the State must develop binding regulations on mining during the COVID-19 pandemic, through meaningful engagement with relevant trade unions and mining affected communities."

IWGIA's article is available on [IWGIA's website](#), the Working Group's press release can be accessed on the [homepage of the African Commission on Human and Peoples' Rights](#).

## Indigenous Human Rights Defender Speaks Out against the Multiple Discrimination Faced by Indigenous and Minority Women and People with Disabilities

Christine Kandie, a member of the indigenous Endorois community in Kenya, published an article on MRG's homepage about her experiences with discrimination and how the COVID-19 pandemic increases existing pressures on her community. "Persons living with disabilities within the Endorois community in Kenya are facing several challenges which have minimally, if at all, been addressed

by the authorities. The public awareness measures to prevent the spread of COVID-19 have been less considerate to the needs of PWDs in my community, along with other indigenous and minority communities of Kenya's Baringo County," Kandie wrote.

The article is available on [MRG's website](#).

### AMERICAS

## JIMENA Publishes List of Sephardic Jewish Films

JIMENA, an organization founded by former Jewish refugees from the Middle East and North Africa headquartered in San Francisco, USA, published a list of movies about Sephardic culture. All of them are available on streaming

services for those who are self-isolating at home as a result of COVID-19-related measures, and who are interested in Jewish culture.

The list is available on [JIMENA's website](#).

## Inter-American Court of Human Rights Rules that Argentina Violated Indigenous Rights

On 2 April 2020, the Inter-American Court of Human rights reached a ground-breaking decision about indigenous rights. In its judgment in the case of Indigenous Communities Members of the Lhaka Honhat (Nuestra Tierra) Association v Argentina, the Court analyzes the rights to a healthy environment, adequate food, water and cultural identity.

The Wichí (Mataco), Iyjawaja (Chorote), Komlek (Toba), Niwackle (Chulupí) and Tapy'y (Tapiete) peoples, indigenous communities in Argentina, complained that since the

19<sup>th</sup> Century, non-indigenous settlers have moved onto their land and have engaged in various activities that affect and pollute their land. The Court now decided that these activities affected the traditional way of life of the indigenous communities, and by not protecting these populations, Argentina violated its obligations under the American Convention of Human Rights.

The Judgment is available on the [Court's homepage](#) (in Spanish), an English summary can also be found [there](#).

"The public awareness measures to prevent the spread of COVID-19 have been less considerate to the needs of persons living with disabilities in my community, along with other indigenous and minority communities of Kenya."



## Afro-Descendants Disproportionately Affected by COVID-19, OAS Body Warns

The Inter-American Network of High Authorities on Policies for Afro-Descendant Populations addressed the situation of Afro-descendants during the COVID-pandemic. In a virtual meeting held on 24 April 2020, various experts

analyzed how structural racism, inequality and historical discrimination affect health care and social safety nets.

A press release can be found on the [OAS' website](#).

## OAS General Secretariat Calls Upon States to Pay Attention to their Indigenous Communities During the COVID-19 Crisis

On 3 April 2020, the OAS General Secretariat issued a statement to raise awareness about the vulnerable situation of indigenous communities. It encouraged states to develop programs and structures, which can support the economic situation of indigenous peoples, as many of them have been adversely affected by the COVID-19 pandemic. OAS member states are invited to support the spirit of solidarity and unity that is so important for the various cultures of indigenous communities.

“Considering the double situation of vulnerability suffered by indigenous communities due to their historical

marginalization and geographic isolation, we urge local, regional, and national authorities in each member state to work in coordination with specific protocols that aim to protect the health and well-being of their indigenous population from an intercultural approach, as established in the Declaration of the Rights of the Indigenous Peoples of the United Nations, approved in 2007, and the American Declaration of the Rights of Indigenous Peoples of the Organization of American States, approved in 2016,” stated the General Secretariat.

The statement is available on the [website of the OAS](#).

## “Our Cherokee people remain strong and resolute in this trying time, just as we always have”, Says Principal Chief of the Cherokee Nation

On 4 May 2020, the news website, [indianz.com](#), published an article by Chuck Hoskin Jr., elected Principal Chief of the Cherokee Nation. In this article, he explains how the Cherokee tribe is striving to preserve its culture during the COVID-19 crisis by using social media and other information technologies. He emphasizes how Cherokee heritage strengthens and connects his community even in difficult times.

“One of the greatest sources of strength Cherokee people have right now is our culture and heritage. COVID-19 precautions have temporarily closed down our museums

and postponed cultural events, but Cherokees across the world are using social media and other digital means to stay connected.

Cherokee Nation is active across social media platforms to share all kinds of incredible cultural knowledge. Cherokee family recipes, dances, artwork, songs, language lessons and more can help normalize this unprecedented time in world history and be an anchor for our collective spirits. Anyone with an internet connection, mobile device or streaming service can access them at no cost,” stated the Chief.

The article can be accessed on [indianz.com](#).

## Head of EU Fundamental Rights Agency Speaks Out Against Racism during the COVID-19 Crisis

During a webinar on 7 May 2020, hosted by the European Parliament's Anti-Racism and Diversity Intergroup and B'nai B'rith International, Director of the EU Fundamental Rights Agency, Michael O'Flaherty, delivered a keynote address on how he perceives the dangerous increase of racism during the COVID-19 crisis. "Here at the Fundamental Rights Agency we know that from our work across the 27 Member States; we have research teams in every Member State and we are chronicling day by day, month by month, the human and fundamental rights implications of COVID and the public health and other responses. We publish our evidence in bulletins that we issue every month: the first

one last month, the next one later in May.

But what are we seeing? We are observing particular minority groups experiencing particularly worrying challenges. Roma have been mentioned already but they must be mentioned again: Roma in many places in Europe are being blamed for the virus. They are subject to draconian lockdown when the virus is detected in their communities, lockdowns which would be frankly unacceptable in the general population. We have far too many reports of discriminatory profiling of Roma in the context of policing the lockdowns," said the Agency's Director.

The keynote is available on the [Fundamental Rights Agency's homepage](#).

## ECRI Publishes Reports about Austria and Albania

On 2 June 2020, the European Commission on Racism and Intolerance published its country reports on Austria and Albania. In its report about Austria, ECRI discusses the updated Austrian "Roma Strategy", that explicitly recognizes combating anti-Gypsyism as a strategic priority. Despite positive developments, several issues gave rise to concern. Both the Austrian Ombud for Equal Treatment and the Equal Treatment Commission lack adequate funding, while levels of islamophobia and xenophobia are still high.

In its report on Albania, the Commission lauded the project "Fighting Bullying and Extremism in the Education System". At the same time, the commission warns that hate speech against Roma, Egyptians and LGBTQI peoples is still widespread, and that their housing conditions are often inadequate.

The [report about Austria](#) and the [report on Albania](#) are both available on the Council of Europe's website.

## ECRI Working Meetings on Combating Anti-Muslim Hatred and Antisemitism

The Council of Europe's anti-racism body, the European Commission against Racism and Intolerance, recently held two working meetings on combating anti-Muslim hatred and antisemitism. The first meeting took place via videoconferencing on 21 April and involved the ECRI Working Group on the fight against antisemitism. The working group is responsible for revising [General Policy](#)

[Recommendation No. 9](#) on the fight against antisemitism.

The second meeting took place through videoconferencing on 18 May. This meeting involved members of the ECRI Working Group on combating intolerance and discrimination against Muslims. It was aimed at revising [General Policy Recommendation No. 5](#) on responding to anti-Muslim hatred.

More information about the ECRI can be found [here](#).

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

#### ABOUT THE NEWSLETTER

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

#### NOTE ABOUT FOCUS OF THE GLOBAL MINORITY RIGHTS NEWSLETTER

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

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#### Layout

Tamara Tábori



TOM  
LANTOS  
INSTITUTE

1016 Budapest, Bérc utca 13-15. Hungary • Tel: +3612090024

E-mail: [info@tomlantosintitute.hu](mailto:info@tomlantosintitute.hu) • Website: [www.tomlantosinstitute.hu](http://www.tomlantosinstitute.hu)