



GLOBAL MINORITY RIGHTS NEWSLETTER

July-September 2020

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SPECIAL RAPPOREUR ON MINORITY ISSUES

Special Rapporteur on Minority Issues Says Users of Sign Language Should be Recognized as Minorities

The United Nations Special Rapporteur on minority issues, Fernand de Varennes, issued a statement ahead of the International Day of Sign Languages on 23 September asserting that users of sign languages are entitled to the full range of human rights as members of a linguistic minority. The Special Rapporteur posited that sign languages are fully-fledged natural languages, whose users have their own rich cultures and identities.

Using the International Day of Sign Languages to voice support for and to protect the linguistic identities and cultural diversity of deaf people and other sign language users, the Special Rapporteur stated his intention to submit an annual report to the General Assembly in October

containing an analysis of the four minority categories recognized by the UN system, as well as an explanation of why sign language users clearly fall into the category of linguistic minorities.

He called upon “governments to continue the process of recognition and accommodation of the human rights of sign language users as members of linguistic minorities. This is needed particularly in the field of education and access to health care and other public services without discrimination.”

The full text of the statement is available [here](#).



Roma Are Still Victims of Hate Crimes, Says UN Special Rapporteur

On the occasion of Roma Holocaust Remembrance Day on 2 August, the UN Special Rapporteur on minority issues, Fernand de Varennes, issued a statement calling attention to the increase in intimidation and aggression directed at Roma minorities. The Special Rapporteur remembered the nearly 3,000 Roma who were murdered at Auschwitz-Birkenau, and the estimated 200,000 to 500,000 Roma killed by the Nazis and their allies around Europe during World War II.

Despite the nearly 80 years that have passed since the Roma genocide, the Special Rapporteur noted with alarm that there has been “a rise in recent years of intimidation, aggression and violence against Roma minorities, including scapegoating and hate speech through social media. Racial bias and discrimination resurfaced this year during the COVID-19 pandemic with false rumours against Roma minorities.”

The Special Rapporteur called upon governments to take necessary measures to ensure that “people belonging to the Roma minority can live as equal members of society, without fear and stigmatisation. Comprehensive anti-discrimination measures, as well as legislative and policy initiatives must be taken to protect and promote the human rights of Roma minorities, their identity, languages, and rich culture and history.”

The full text of the Special Rapporteur’s statement is available [here](#).

UN Experts Mark Srebrenica Memorial Day

11 July 2020 marked the 25th anniversary of the Srebrenica genocide, in which thousands of Bosnian Muslims were massacred in July 1995. In commemoration of this day, 18 United Nations experts, including the Special Rapporteur on minority issues, issued a statement to honor the victims and survivors by preventing future atrocities.

“Genocides are not spontaneous. They are the culmination of unchallenged and unchecked intolerance, discrimination and violence. They are the result of sanctioned hatred fostered in permissive environments where individuals first spread fear, then hatred for material or political gain, fracturing the pillars of trust and tolerance between communities and resulting in devastation for all.

In our interconnected, technologically advanced and diverse world, it is deeply alarming that racism, xenophobia, stigmatisation and scapegoating continue unabated, destabilising or even destroying societies and the lives of individuals around the world.

On this day of reflection, 25 years on, we also remember other communities that have been subjected to or are facing mass atrocities purely on the basis of their identity. We urge States and the international community to uphold their obligations, take urgent and effective action to protect those in danger, fend off the virus of hate and discrimination (including online), and ensure accountability.”

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

UN Experts Call for the Protection of Fundamental Freedoms in China

In response to a wide range of troubling developments in China, a group of UN experts have emphasized the need for increased attention on the country's human rights record and call upon the Chinese government to fulfill its obligations under international human rights law. The independent experts, including the Special Rapporteur on minority issues, highlighted a number of worrying situations in the country, particularly in relation to minorities.

The experts noted that the draconian measures of repression targeting religious and ethnic minorities, especially in the regions of Xinjiang and Tibet, are cause for grave concern. The group also noted that the draft national security law for the Hong Kong SAR, developed without consultation by the National People's Congress "would deprive the people of Hong Kong, who constitute a minority with their own distinctive history, cultural and linguistic, and even legal traditions, the autonomy and fundamental rights guaranteed them under the 1984 Sino-British Joint Declaration and the 'One Country, Two Systems' governance framework."

In their statement, the UN experts call upon the government of China to invite UN mandate-holders to carry out independent missions in order to monitor civil and political rights in the country, and to ensure that the principles of confidentiality, respect for human rights defenders, and avoidance of reprisals are upheld.

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

UN Experts Say Governments Must Do More to Support Victims of Violence

Several UN Experts, including the Special Rapporteur on minority issues, issued a statement in commemoration of the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief. They expressed concerns about religious communities facing an increased level of hatred amid the COVID-19 pandemic. Religious, ethnic and racial minorities, and indigenous people are among the groups who are most affected by this alarming rise in discrimination and violence.

"States must recognize the importance of providing victims of acts of violence based on religion or belief, and members of their families, with appropriate support and assistance in accordance with their obligations under the international human rights law. States must establish a comprehensive and inclusive community-based preventive approach, involving a wide set of actors, including civil society and religious communities, in protecting and supporting the victims who suffer from injustice and serious lack of recourse for remedy or redress," stated the UN experts.

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



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OTHER

UNITED NATIONS

NEWS

UN Secretary-General Warns that COVID-19 Crisis is Exacerbating Religious Hate Crimes and Racist Discourse

On 22 August, in observance of the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief, UN Secretary-General, António Guterres, released a statement warning about the rise in religious hate crimes and racist discourse during the COVID-19 pandemic.

“We continue to witness deep-seated discrimination against religious minorities, attacks on people and religious sites, and hate crimes and atrocity crimes targeting populations simply because of their religion or belief. While societies have shown resilience and strength in the face of COVID-19, the pandemic has also been accompanied by a surge in stigma and racist discourse vilifying communities, spreading vile stereotypes and assigning blame.

As we commemorate the victims, we must do more to address the root causes of intolerance and discrimination by promoting inclusion and respect for diversity. We must also ensure that the perpetrators of these crimes are held accountable.”

The full text of the Secretary-General’s statement is available [here](#).

CERD Calls upon United States to Uphold Its Human Rights Obligations to Combat Racism

The UN Committee on the Elimination of Racial Discrimination (CERD) called upon the United States to uphold its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and to enact the necessary structural reforms to put an end to racial discrimination.

“Systemic and structural discrimination have permeated government institutions for centuries, stripping African Americans of their rights to equal treatment before the tribunals, threatening their personal security, and depriving them of their civil, economic, social and cultural rights embodied in the Convention,” stated Nouredine Amir, Chairperson of CERD.

The Committee urged the US government “to publicly recognize the existence of structural racial discrimination in the society, as well as to unequivocally and unconditionally reject and condemn racially motivated killings of African Americans and other minorities.” The Committee also recommended federal, state and local authorities to ensure a wide understanding of the Convention among law enforcement and government officials through training.

More details about CERD’s statement is available [here](#).



Digital Technologies Exacerbate Racial Inequality Warns Special Rapporteur on Racism

The UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Tendayi Achiume, delivered a report on emerging digital technologies and racial discrimination to the UN Human Rights Council.

In her report, Ms. Achiume analyses different forms of racial discrimination in the design and use of emerging digital technologies, including the structural and institutional dimensions of this discrimination. She also outlines the human rights obligations of States and the responsibility of corporations to combat this discrimination.

“Technology is not neutral or objective. It is fundamentally shaped by the racial, ethnic, gender and other inequalities prevalent in society, and typically makes these inequalities

worse. It is resulting in discrimination and unequal treatment in all areas of life, from education and employment to healthcare and criminal justice,” stated Achiume.

The Special Rapporteur also pointed out that the COVID-19 pandemic has disproportionately affected racial and ethnic minorities and that “the technology being used to combat the spread of the disease is the same type that has been used to exclude these communities from full enjoyment of their human rights in the past.”

In her report, she called for greater scrutiny in the design of digital technology, reparations for those affected by entrenched racism, as well as a prohibition on certain types of technologies. She also made concrete recommendations for implementing human rights protections against racial discrimination in the design and use of digital technologies.

The report of the Special Rapporteur can be found on the mandate’s [website](#), while her statement about the report can be accessed [here](#).



Los Pinos Declaration Establishes Framework for International Decade of Indigenous Languages

The main output of the high-level closing event of the International Year of Indigenous Languages (IYIL2019) was the Los Pinos Declaration. It presents key lessons learnt from the activities of the IYIL2019, and includes a framework for the development of the future Global Action Plan for the International Decade of Indigenous Languages (2022–2032).

In response to the adoption of the Declaration, UNESCO Goodwill Ambassador for the indigenous peoples, Ms. Yalitza Aparicio, stated: “I wish with all my heart that the Declaration of Los Pinos ‘Building a Decade of Actions for Indigenous Languages’, obtains fruitful results and that we realize that the world must be united, not only by obligation, but by empathy, and that it is essential to form alliances and take inclusive actions to stop the progressive disappearance faced by the 6,700 indigenous languages in the world, since 2,680 (40%) of the languages are in imminent danger of disappearing. It is in our hands to prevent this tragedy.”

The Declaration identifies a number of key strategic directions to enhance in order to ensure that indigenous languages are recognized across economic, political, social and cultural spheres. More information about the Declaration and the International Decade of Indigenous Languages can be found on [UNESCO’s website](#).

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Virtual Event Commemorating the International Day of the World’s Indigenous Peoples

9 August 2020 marked the International Day of the World’s Indigenous Peoples, commemorating the day of the opening session of the Working Group on Indigenous Populations at the United Nations in 1982. The day was celebrated with special events around the world including a virtual event organized by the Secretariat of the UN Permanent Forum on Indigenous Issues.

The theme of the event was “COVID-19 and indigenous peoples’ resilience”. The online event included a panel discussion on the ways in which indigenous peoples have responded to the COVID-19 pandemic while still confronting threats to their survival. Panelists shared good practices highlighting how indigenous’ peoples traditional knowledge and practices can be utilized more fully during the pandemic.

More information about the International Day of the World’s Indigenous Peoples and the virtual event can be found [here](#).

OTHER GLOBAL NEWS

IHRA Recommendations for Teaching and Learning about the Holocaust are Now Available in German, Croatian, Polish and Estonian

Written by international experts, these recommendations explain why teaching and learning about the Holocaust is important; they offer practical guidance on finding appropriate, sensitive and accurate sources for the classrooms; and they also provide a wealth of information

on the latest research in this field. As announced over the summer, in addition to English, these resources are now available in German, Croatian, Polish and Estonian as well.

The recommendations are available [here](#).

Music and Solidarity as a Collective Response to COVID-19 Launched by Minority Rights Defenders and Artists

The campaign “When The World Pauses, Music And Dance Continue” was launched by the former OHCHR Minority Fellow, Mostafa Betaree, and his colleagues from the Netherlands-based NGO Spotlight Team International Art (STIA). The campaign is supported by the Informal Network of OHCHR Minority Fellows and encourages artists from different communities to celebrate solidarity and human connection through art.

As part of the campaign, artists are welcome to submit a video with their performance, which is later shared through the social media channels of the STIA and OHCHR Minority Fellows under the hashtags [#StandUp4HumanRights](#) and [#WhenTheWorldPausesMusicAndDanceContinue](#). Artists are also encouraged to include a message about their

creative process. The organizers hope to reunite with all participants for a concert in the Netherlands once the COVID-19 crisis is over.

The campaign has already showcased artistic submissions from Former Minority Fellows representing Roma (Argentina/Brazil), African-American (USA), Amazigh (Algeria) and Vlach (Macedonia) minority communities, as well as artists from Germany, Iran, the Netherlands, Italy, Syria, Moldova and Denmark, including artists with minority and refugee backgrounds.

The artistic submissions can be accessed on the Facebook and Instagram pages of the Spotlight Team International Art and Facebook page of the OHCHR Minority Fellows.

REGIONAL

NEWS

EUROPE

First Regional Forum on “Hate Speech”, Social Media and Minorities Held in Europe

Following last year’s series of regional forums on the issue of education, language and the human rights of minorities, the UN Special Rapporteur on minority issues convened the first session of a second series of regional forums on “hate speech”, social media and minorities. This regional forum covered the European region and was held online due to the COVID-19 pandemic. The main purpose of the Forum was to provide European regional insights to feed into the thematic work of the Special Rapporteur for his report to the UN Human Rights Council, and to inform the work and recommendations of the 13th session of the UN Forum on Minority Issues.

The European Forum convened a number of experts in the field, as well as over 150 participants representing States, international organizations, non-governmental organizations, academia, and minority groups. The discussions and work of the participants and experts of the Regional Forum resulted in the development of 70 draft recommendations related to “hate speech”, social media and minorities. In the coming weeks, the Special Rapporteur will review the draft recommendations and publish his final version. The recommendations, as well as the video recordings of the discussions will be made available on [Minority Forum Info](#).

New Developments in Minority Protection at the Council of Europe

During the first half of 2020, the Council of Europe mechanisms for minority protection, the Framework Convention for the Protection of National Minorities (FCNM) and the European Charter for Regional or Minority Languages (ECRML) introduced several developments aimed at increasing their effectiveness. Recently, a searchable online database of FCNM “jurisprudence” was launched. The database contains all opinions, government comments, and resolutions issued in connection with monitoring of the FCNM. The database can be accessed [here](#). A user guide is also available to assist new users and can be found [here](#).

In May, the Secretariats of the FCNM and the ECRML were merged under the same division within the Council of Europe’s Directorate General of Democracy. The new division called the Division of National Minorities and Minority Languages will ensure better planning and cooperation between the two Secretariats, which in turn will strengthen both independent monitoring mechanisms and their respective committees.

More information can be found in the [FCNM’s June 2020 Newsletter](#).

Roma and Traveler inclusion in history teaching – Recommendations to Member States by the Council of Europe Committee of Ministers

In July, the Council of Europe's Committee of Ministers adopted a recommendation, which calls upon member states to include the history of Roma and/or Travellers in school curricula and teaching materials, a step that would promote the recognition and understanding that Roma and/or Travellers are an integral part of both national and European societies.

The recommendation calls upon governments to include the remembrance of the Roma Holocaust in formal and non-formal educational activities, while also highlighting the importance of positive narratives about Roma and/or Travellers' history, including teaching historical episodes when they were not victims. The recommendation emphasizes the need for "a balanced and contextualised teaching of Roma and/or Travellers' history, reflecting both their national presence and historical context and their common history as a people present in Europe for centuries.

For example, teaching should include information on the contribution that Roma and Travellers make to national economies, such as trade, metalwork and other handicrafts, as well as animal husbandry. It should reference the various aspects of Roma and/or Travellers' history and culture, such as storytelling, literature, religion, music and traditions, while also raising awareness of the 'asymmetric social progress and unequal access to social rights that they have experienced throughout history."

The recommendation states that Roma and/or Traveller history could be incorporated into school subjects that are already part of the curricula, such as history, literature, religion, or arts.

An [overview of the recommendations](#), as well as the [recommendations](#) themselves, can both be found on the Council of Europe's website.

OSCE Office for Democratic Institutions and Human Rights Calls for Better Use of Digital Technologies to Counter Hatred based on Religion or Belief

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) issued a statement on the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief, noting that digital technologies have an increasingly important role in upholding freedom of religion or belief. Meanwhile, the rise of hate speech directed at religious communities during the coronavirus pandemic has demonstrated how online spaces can become a platform for the proliferation of hatred and violence.

Digital spaces can be used to foster dialogue and understanding, so governments, civil society, and religious communities should make use of these opportunities to tackle systemic inequalities. At the same time, increased digitalization also presents a chance for increased participation in religious activities.

The full statement can be found [here](#).

“Digital spaces can be used to foster dialogue and understanding, so governments, civil society, and religious communities should make use of these opportunities to tackle systemic inequalities.”



OSCE Office for Democratic Institutions and Human Rights Commemorates the Roma Genocide

This year marked 76 years since the Nazis murdered 3,000 Roma men, women and children at Auschwitz-Birkenau on 2 August 1944. This date is now recognized in many European countries as the Remembrance Day of Roma Genocide.

Roma and Sinti still face discrimination, racism, and prejudice, and they are often targets of hate crimes. According to the statement issued by the ODIHR, governments have the responsibility to remember the Roma and Sinti genocide. To ensure that such tragedies are not repeated, education and remembrance are key: raising public awareness, fostering dialogue, and including this dark chapter of history in the school curricula are important stepping stones to combat existing racism and prejudice against Roma and Sinti.

ODIHR's publication [Teaching about and Commemorating the Roma and Sinti Genocide: Practices within the OSCE Area](#) gives a broad overview of official commemoration and education practices, including those states that officially commemorate the Remembrance Day of Roma Genocide.

The full statement can be viewed [here](#).

Minorities and Discrimination Survey Dataset

The dataset from the European Union Agency for Fundamental Rights (FRA) Second European Union Minorities and Discrimination Survey (EU MIDIS II) is now available to researchers.

The dataset is the result of a survey that covered over 25,000 respondents from different ethnic minority and immigrant backgrounds, including Roma, across all EU member states, and it follows in the footsteps of the 2008 survey on the same topic. This second dataset provides a useful opportunity to compare how the situation has developed between 2008 and 2016, and also includes additional issues such as citizenship, residence, participation, trust and tolerance.

A [Technical Report](#) is available for those interested in the FRA's data collection process, and contains the questionnaire used in the survey, and the agency's own analysis of the results.



Antisemitism: Overview of Antisemitic Incidents in the European Union 2009-2019

The European Union Agency for Fundamental Rights (FRA) recently released its latest report on antisemitism incidents recorded in the EU member states. The report revealed that there are large gaps in data collection on hatred toward Jews in Europe.

Some EU member states do not collect any official data at all, while existing data is generally not comparable across countries because they use different methods and different sources. The overview highlights the need for improved

data collection, such as the use of new methods, sources, and data processing techniques in order to assess European antisemitism more accurately. While the report focuses on 2019, it also discusses how antisemitic conspiracy theories about the COVID-19 pandemic have contributed to hate speech online. In addition, the report presents an overview of national action plans and other measures to address antisemitism in the European Union.

More information can be found on the [FRA website](#).

Animosity towards Jews and Muslims in Europe on the Rise

According to the Head of the European Counter Terrorism Centre at Europol, Manuel Navarrete, there is an increasing trend of animosity towards Jews and Muslims in Europe. The annual European Union Terrorism Situation and Trend Report, presented to the European Parliament, notes that “while many right-wing extremist groups across the EU have not resorted to violence, they contribute to a climate of fear and animosity against minority groups. Such a climate, built on xenophobia, hatred for Jews and Muslims and anti-immigration sentiments, may lower the

threshold for some radicalised individuals to use violence against people and property of minority groups as we have witnessed all too often in recent months.”

The report also underscored that extreme right-wing groups use social networks and WhatsApp groups to incite violence and encourage individuals to act autonomously.

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

Declaration by High Representative Josep Borrell, on behalf of the European Union on the International Day of the World's Indigenous Peoples

Josep Borrell, High Representative of the Union for Foreign Affairs and Security Policy issued a statement, marking the International Day of the World's Indigenous Peoples. He highlighted that indigenous peoples are among those most vulnerable in the current pandemic, mainly due to pre-existing inequalities and disadvantages. The High Representative noted the urgency of global efforts to address the discrimination, racism and inequalities faced by indigenous communities. The EU has a long-standing history of supporting of these communities, most recently it backed projects to empower Trio and Wajana communities in Suriname, and supported the efforts of indigenous

people to deal with discrimination in the Bouenza region of the Republic of Congo.

“The EU extends its solidarity to all indigenous peoples around the world at a time when their health, lives and livelihoods are endangered by the COVID-19 pandemic,” the High Representative said.

The full statement can be viewed [here](#).

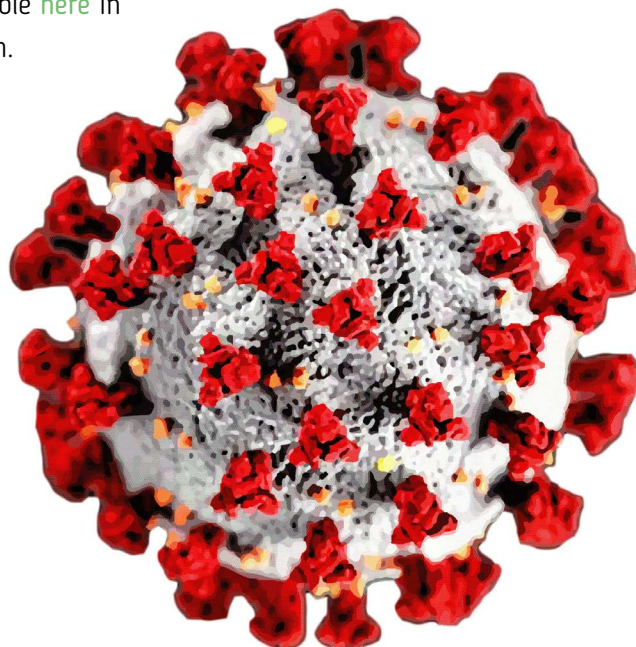
COVID-19 Pandemic Generates a Wave of Antisemitism

The French National Bureau for Vigilance against Antisemitism has filed approximately fifty complaints about antisemitic acts or comments in France since March. A similar trend can be observed in other countries as well, particularly in Germany. “There are direct links between the current spread of the coronavirus and that of anti-Semitism,” Felix Klein, the German government commissioner responsible for antisemitism said in April, with regards to the rise of antisemitism in Germany. In July, Josef Shuster, the chairman of the Central Council of Jews in Germany expressed his concern over conspiracy theories on social media that blame Jews for the spread of the virus.

Other countries also experienced a rise in antisemitism. In its annual report, published in April, the Kantor Center at Tel Aviv University identified 456 violent antisemitic acts around the world in 2019, an increase of 18%. The authors

also noted that the COVID-19 pandemic had triggered a significant wave of antisemitism.

More information is available [here](#) in French.



Minority Competence Network of Schleswig-Holstein and Southern Denmark

In July, the “Minority Competence Network Schleswig-Holstein/South Denmark” was founded by the Federal Union of European Nationalities, European Centre for Minority Issues, the European Academy Schleswig-Holstein, and the main umbrella organizations of the four national minorities in the region: Germans in Denmark (Bund Deutscher Nordschleswiger), Danes in Germany (Sydslesvigsk Forening eV), the Frisians in Germany (Friesenrat eV Section Nord), and the German Sinti and Roma (Verband Deutscher Sinti und Roma eV Landesverband Schleswig-Holstein)

The Network is an independently registered entity, led by the Commissioner for National Minority Affairs in Schleswig-Holstein, Johannes Callsen. Its aim is to propose projects and activities for supporting national minorities in the Northern and Southern Schleswig area.

More information can be found on the websites of [ECMI](#) and [FUEN](#).

Risks of Discrimination through the Use of Algorithms Warns the Federal Anti-Discrimination Agency

Algorithms and data sets have a growing influence on how people live. Such technology leads to conclusions that are used by decision-makers. In many cases, the implementation of decision-making is even delegated to algorithms.

A recently published study supported by the Federal Anti-Discrimination Agency (Germany) examines how algorithm-based differentiations can lead to unjustified disadvantaging for persons with legally protected characteristics, such as ethnic origin, religion, age, gender, sexual orientation or disability. The study shows cases where algorithm- and data-based differentiations have been legally classified as discrimination.

The study can be downloaded [here](#).

African Commission on Human and Peoples' Rights Lauds Draft Law on the Protection of Indigenous Populations

The African Commission on Human and Peoples' Rights issued a press release welcoming the Democratic Republic of the Congo's (DRC) efforts to adopt a law aiming to protect indigenous populations. The President of the Working Group on Indigenous Populations/Communities in Africa, Soyata Maiga noted that the adoption of the draft law represents significant engagement by national authorities in favor of the promotion, protection, and safeguard of indigenous communities in the country.

The Working Group President encouraged DRC lawmakers to carefully analyze the draft law during the second reading in order to ensure effective protection of Congolese

indigenous communities in accordance with the African Charter on Human and Peoples' Right and other relevant instruments ratified by the country.

If the draft law is adopted, the DRC would become the second African country to enact a law on the protection of indigenous populations in Africa. The President of the Working Group noted that such a law could be used as a model for other African countries with indigenous populations in their territories.

The full text of the press release is [available here](#) in French.

Network of Pastoral, Settled, and Forest Communities Speaks Out against Kenya Evictions

Community Land Action Now (CLAN), a network of community leaders and community-based organizations of pastoral, settled, and forest people, has issued a statement criticizing abuses in the forest sector in Kenya. In the Mau Forest, Embobut Forest, and Cherangany Hills of Kenya, Ogiek and Sengwer communities have been expelled from their homes and have had their property destroyed by the Kenya Forest Service. CLAN claims that the government is using forest conservation to wrongly justify the evictions.

CLAN notes, however, that "honouring land rights is the foundation for conserving forests sustainably, and rightly the path which so many modern governments now take and global conservation organizations agree."

CLAN also refers to a 2017 judgment of the African Court of Human and Peoples' Rights, in which the Court held that "the Ogiek were not responsible for the depletion of the Mau Forest, and its conservation could not be used to justify their eviction, or the denial of their rights to

practice their traditional livelihoods. The Court also ruled that the Mau Complex was indeed the ancestral land of the Ogiek and to which they therefore hold rights."

The Kenyan government failed to make detailed submissions in accordance with the judgment on how it plans to work with the Ogiek community, which has resulted in additional hearings with the Court to be postponed.

Similarly to the Ogiek, the Sengwer people and their traditional knowledge system long helped to conserve their forest lands. However, their traditional lifestyle has been threatened by government policies, including such forced evictions.

CLAN's comprehensive statement on this issue [can be found here](#).

Further updates on the situation from Ogiek contributors can be found at the end of the newsletter.



Reports of Signs of Ethnic Cleansing in Ethiopia

Ethiopian minority rights activists and minority rights organizations have reported signs of ethnic cleansing in Ethiopia. Violence broke out in the Oromia region following the murder of a famous Oromo singer, Hachalu Hundessa. Members of ethnic minorities were targeted by attacks and harassment, and had their property destroyed.

According to Marew Abebe Salemot, a lecturer at Debark University, over 200 members of non-Oromo minorities

were killed in July in the Oromia region. While he cites the murder of Hachalu Hundessa as the trigger for this violence, he notes that the discrimination and violence faced by minorities in the region is rooted in the denial of legal recognition for minority groups and diversity in the constitution of the Oromia regional state.

An analysis of the events in the Oromia region and the legal status of minorities in Ethiopia can be found [here](#).

“The Discrimination and violence faced by minorities in the region is rooted in the denial of legal recognition for minority groups and diversity in the constitution of the Oromia regional state.”

Inter-American Commission on Human Rights Calls upon United States to Counter Racial Discrimination and Institutional Racism

In connection with protests against racial discrimination and police brutality, the Inter-American Commission on Human Rights (IACHR) has called upon the United States to enact structural reforms to its criminal justice systems and to combat racial discrimination and institutional racism.

The IACHR noted that “discrimination factors deepen inequalities in arrests and incarceration rates, making Afro-descendants more vulnerable to practices of racial profiling, police brutality, over-representation in the incarcerated population, as well as high rates of impunity, and a lack of responsibility of police officers in cases of Afro-descendant victims. In this regard, the Commission recalls that structural obstacles to access and full enjoyment of human rights, are inter-twined with discrimination in police action and in the criminal justice system.”

Relying on statistics from the United States Department of Justice, the IACHR pointed out that Afro-descendant persons in the United States make up a disproportionate percentage of the convicted prison population, illicit drug

users, arrests for drug crimes, and of people incarcerated for drug offenses. Meanwhile, Afro-descendant persons make up 28% of killings by police, while only comprising 13% of the US population.

The Commission considered “necessary to implement measures such as independent instances of police surveillance and control; as well as a community policing model that guarantees social participation and monitoring; activate training curricula for police, security and justice agents, focused on initial training and continuing education covering human rights , conflict mediation and violence reduction with an ethnic-racial perspective; make available basic services and affirmative actions that guarantee the economic, social, cultural, and environmental rights of African-American people; as well as adopt special measures for effective access to justice for this ethnic-racial group.”

The full statement of the IACHR can be found [here](#).

After 250 Years, Esselen Tribe Regains Some of Its Land

The Esselen tribe had lived in the Big Sur region of California for nearly 8,000 years, until Spanish soldiers and missionaries arrived in the 1700s and dispossessed them of their culture, language, and lands. 90% of the tribe’s population had died by the early 1800s due to disease and other causes. Thanks to an historic deal, for the first time in over 250 years, the Esselen tribe have regained some of their former lands.

In a deal with the state of California and an Oregon-based environmental group, the tribe purchased approximately 5 square kilometers of its former traditional lands.

The Chairman of the Esselen Tribe, Tom Little Bear Nason, stated: “It is beyond words for us, the highest honor. The land is the most important thing to us. It is our homeland, the creation story of our lives. We are so elated and grateful.”

Esselen tribal leaders plan to use the land to conduct traditional ceremonies, reinvigorate their culture, and teach the public about their culture and history.

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

FORUM-ASIA Publishes Interview with Director of Dalit Foundation

The Asian Forum for Human Rights and Development (FORUM-ASIA) published an interview with Pradip G. More, the Deputy Director of Dalit Foundation, one of FORUM-ASIA's members in India. More discussed his work with the Dalit community, of which he is a part. In the interview, More described his shock at witnessing discrimination against Dalits based on their caste: "They were not allowed to walk on the main roads or fetch drinking water from the common well, water tabs, and handpumps. Dalit children were forced to sit separately from other children. Sexual harassment of Dalit women committed by people from a dominant community was common, and atrocity against Dalits was prevalent."

More also shared his views on the challenges faced by those working in the field of human rights: "For people working with Dalits, there are many challenges as we have to fight with the society for equality and with the government for implementing laws and regulations stipulated from the constitution to support the rights of Dalits."

Currently, the attitude of governments towards human rights organisations and activists, especially the Dalit human rights defenders, is terrible. Activists are jailed, beaten, and killed due to false propaganda. Organisations working with Dalits and tribal communities are not allowed to function and their registrations are cancelled."

Despite these challenges, More shared some word of hope for future work: "We must challenge through innovative ways to reach the marginalised and speak up for the voiceless. Finally, real changemakers continue without losing hope and keep holding hands of each other for justice in the world."

The full interview with More can be found on FORUM-ASIA's [website](#).

Anti-Discrimination Centre Publishes Report on the Situation of the Dungan Minority in Kazakhstan

The Anti-Discrimination Centre Memorial (ADC Memorial) is a Brussels-based organization working to protect the rights of minorities and vulnerable groups, and opposing racism, sexism, homophobia and xenophobia in the countries of the former Soviet Union.

ADC Memorial recently published a report, "The Korday Pogrom: The Dungan People of Kazakhstan Seek Justice". The report details a series of attacks on Dungan villages in Kazakhstan, which took place in February 2020. This violence marked the most extensive ethnic conflict seen in Kazakhstan in recent years. 11 people died and millions of dollars of property was damaged as a result of the violence.

The report discusses the events of the pogrom, as well as more structural issues, such as access to justice, related to ethnic minorities in Kazakhstan.

The full report can be found on [ADC Memorial's website](#).



EXTERNAL CONTRIBUTORS

Current status of the Ogiek community in Eastern Mau

The Mau Forest Complex is an indigenous forest and a major water tower in East Africa. According to UNEP, it covers over 400,000ha. The forest is facing major encroachment, deforestation and destruction. The Kenyan government through its agencies has been carrying out evictions to reclaim the lost forest lands. These conservation efforts have resulted in mass violations of human rights of the Ogiek community who dwell in the Mau forest.

On June 27, 2020, a multi-agency team comprising the Kenya Forest Service (KFS) and County security administration officers conducted an operation in the Eastern Mau area (Logoman forest) to flush out grazers. However, the exercise turned into a full-blown impromptu eviction exercise to remove all “illegal forest occupants”. This exercise targeted the Ogiek who are an indigenous forest dependent community.

From 27 June to 15 July, close to 500 members of the Ogiek were evicted from their homes. This was done in the midst of the global COVID-19 pandemic despite a moratorium against evictions. The community members are now homeless as their houses were demolished while others were burnt down. Many have sought shelter with relatives, those with no kin (45 families) are residing in schools and trading centres during the cold and wet season.

The health and nutrition of these families are at risk. Bearing in mind COVID-19 prevention measures (i.e. social distancing, wearing masks, cleaning and sanitizing hands), the evictees are vulnerable and at risk of contracting the virus as they are not in a position to adhere to these measures.

OPDP’s Executive Director, Mr. Daniel Kobei, together with Ogiek leaders, sought to put an end to the community’s suffering. They immediately met key leaders involved in Mau conservation and brought the Ogiek’s distress to their attention. They argued that the evictions were carried out



in an inhumane way and undermined the African Court's ruling. They also demanded the release of the Task Force report on the Ogiek of Mau, urging for the report to be made public. They called for a clear forest boundary to be made; there was no clear forest boundary that was being followed to separate the settlement area and the encroached forest area. Harassment by Kenya Forest Service (KFS) officers conducting evictions; it was reported that there were several instances of harassment and brutality by the KFS during the eviction exercise. Several community members reported being manhandled and beaten up in Marisahoni area.

By the beginning of August 2020, a multi-agency team: KFS, the Ministry of Lands and Housing, and the Ministry of Environment and Forestry started surveying forest boundaries and putting up beacons/control points from Sururu, Likia, Mauche, Teret, Nessuit and Mariashoni. This created tension within the communities as fear of fresh evictions spread in Nessuit and Mariashoni. The Ogiek were being perceived as pro eviction and in support of the government, this fueled hatred from their counterpart, the Kalenjin community. This led to an eruption of violent tribal clashes on the morning of Thursday 30 July 2020 in Mariashoni, which lasted for 3 days (30 July to 1 August), and left over 300 houses destroyed, 85 people injured, 5 fatalities and 3000 people displaced according to government reports. Police were dispatched to maintain peace in the area.

However, the police soon turned against the Ogiek community, used excessive force and handled matters in a biased manner. They faulted the police for the extrajudicial killings of two young men: 15-year-old Calvin Cheres and 23-year-old Sammy Kipkoech Kirasi. They further accused the police of participating in the burning and looting of houses, intimidation and harassment. These acts fuelled a demonstration march by the Ogiek on 21 August, 2020 protesting against police brutality in Nessuit. Over 200 protesters marched for 12 km from Nessuit to the Njoro sub-county commissioner's office where they addressed the media upon failing to see the sub-county Commissioner. The demonstrators, a majority whom were women, lamented the neglect by the Njoro sub-county commissioner who they said was handling the inter-community wrangles with in a biased manner. They chanted, "We do not want the Sub County Commissioner, we want the Regional Commissioner" during their march.



The Nakuru County Commissioner called an urgent meeting, inviting leaders from both communities in a bid to find a permanent solution to the recurring clashes. The Commissioner promised that the government was going to do everything possible to restore peace in the area. He regretted the loss of the young men killed by the police and said investigations were being conducted. He immediately posted more police officers to the Ogiek-Kipsigis borders to prevent retaliatory attacks. He urged the leaders to work with him and the security team to foster peace.

Communities in the region enjoyed peace and calm for the next few weeks. During this calm period, OPDP was able to conduct a charity activity where they provided food, blankets and building materials to over 50 families.

On 12 September 2020, a fresh wave of violence erupted in Nessuit and quickly spread to Ndoswa. Richard Chochonge, aged 20, was killed, around 25 people sustained arrow injuries and over 10 houses were burnt in Cheptoroi and Missipei villages.

This fresh wave of clashes has seen more women experiencing police brutality. For instance, during their patrol in Gichagi village, the police visited a house where women whose houses had been burnt during the clashes, had sought shelter. Upon arrival, the police beat the host and her guests mercilessly demanding them to produce their sons and husbands.

On 20 September, five Ogiek youths were attacked



“Following these clashes, the President gave a directive for the formation of a multi-agency team to resolve the perennial land disputes in Eastern Mau. The team has been directed to ensure that the dispute that has left hundreds dead and others injured is resolved by 11 December 2020.”

by unknown people near Beaston and sustained serious injuries. They rushed to the nearby police post to seek assistance; however, the police officers beat them further and locked them up.

Following these clashes, the President gave a directive for the formation of a multi-agency team to resolve the perennial land disputes in Eastern Mau. The team has been directed to ensure that the dispute that has left hundreds dead and others injured is resolved by 11 December 2020.

On 21 September, a meeting was held in Naivasha, chaired by Interior Cabinet Secretary Dr. Fred Matiang'i, and attended by Lands Cabinet Secretary Farida Karoney, Energy Cabinet Secretary Charles Keter and Environment Cabinet Secretary Keriako Tobiko. Leaders from all communities involved in the Mau Forest dispute were present. During a press conference following the meeting, Dr. Matiang'i promised that the African court ruling would be implemented soon and that the Ogiek would be given land. Now we wait for this promise to be fulfilled.

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

ABOUT THE NEWSLETTER

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

NOTE ABOUT FOCUS OF THE GLOBAL MINORITY RIGHTS NEWSLETTER

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

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