

Mandates of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on minority issues; the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967 and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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Excellency,

We have the honour to address you in our capacities as Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on minority issues; Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967 and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 43/36, 42/22, 44/5, 41/12, 43/8, 1993/2A and 43/20.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **allegations of advocacy of hatred that constitutes incitement to violence, and death threats and targeted violence at ethnic and religious minorities and communities, as well as the restrictions to their freedom of religion or belief in East Jerusalem.**

The Status Quo agreement guarantees the right of both Israeli and Palestinian religious communities to access to their holy sites during religious celebrations. However, during the celebration of Orthodox Easter and the month of Ramadan in the past weeks, Israeli forces reportedly violated the agreement. They were reported to harass and attack the Palestinian worshippers in particular, in addition to denying their access to their places of worship. This has heightened the religious and ethnic tensions, which was fuelled by the right-wing Israeli groups who were emboldened to advocate of hatred that constitutes incitement to violence.

Attacks against Christian minorities, denied access to places of worship and prevented celebration of Orthodox Easter

On 1 May 2021, the day of Holy Saturday, Israeli forces set up military checkpoints and metal barriers around the Old City of Jerusalem to obstruct hundreds of worshippers, including nuns, priests and pilgrims, from accessing the Church of the Holy Sepulchre for the celebration of Greek Orthodox Easter. Not only were the minority Orthodox Christians prevented from accessing the Church to perform prayers, they were also prevented from attending the Holy Fire ceremony, which symbolizes Jesus's resurrection. Physical violence erupted when Israeli forces went into altercations with the increasing number of worshippers who tried to access the Church at the New Gate and within the old city. Eyewitnesses reportedly saw Israeli forces and police assaulting, pushing and kicking Christian worshippers. Reportedly, at

least two young Christian men were arrested during the altercations. Moreover, Israeli forces allegedly confiscated the Palestinian flags from those who were holding them during the Holy Saturday Parade and detained some of them for “disturbing peace”.

Restrictions and denied access to Al-Aqsa Mosque during Holy Month of Ramadan

Since the beginning of the month of Ramadan, Palestinian Muslims were systematically targeted and attacked. On 13 April, the first day of Ramadan, Israeli forces reportedly raided Al-Aqsa Mosque, harassed and intimidated Waqf staff, broke the door of minaret and cut off the wires from the speakers of the minarets to prevent the call for evening prayers. Besides, Israeli forces reportedly restricted the Palestinian Muslims’ access to Al-Haram Al-Sharif for prayers and seized the Iftar meals to stop distribution to the worshippers.

In addition, Israeli forces set up metal barriers next to the gate and banned any gatherings at Damascus Gate, the main square in the Holy City where for years the Palestinians have held their evening gatherings honouring the month of Ramadan. Israeli forces, including mounted officers, reportedly attacked the Palestinian Muslims with tear gas, stun grenades, sponge tipped bullets, skunk water and physical violence and police dogs to prevent them from sitting on Damascus Gate stairs.

Arrest of Musaharatis and restriction of movement

As part of Muslim traditional practices during Ramadan, a Musaharati or the person who goes around chanting and beating drums to wake Muslims up for the Suhoor meal ahead of starting their daily fast by dawn. However, since a few years, the Israeli forces have allegedly arrested the Musaharatis for violating “public order”.

Due to the permit regime and other undue restrictions by Israel on freedom of movement and travel across the occupied Palestinian territory, Palestinian Muslims often missed their prayers or were unable to breakfast at their chosen mosques on time as they were held up at long queues at the checkpoints set up by the Israeli forces. It was also reported that Palestinians are regularly not granted travel permits to visit family members who live in different parts of the occupied Palestinian territory, and especially those who reside in East Jerusalem, for religious festivities or rituals, marriages or funeral ceremonies. During the month of Ramadan, there was a reported increase in alleged arbitrary detention and the use of force by Israeli forces with the intention to prevent Palestinians from reaching Jerusalem and to intimidate worshippers who wished to practise their religion.

Advocacy of hatred that constitutes incitement to violence by Israeli mobs and far-right group affiliates

Mobs of Israeli extremists have incited violence and hatred against the Palestinians for some time before the month of Ramadan started. However, the violence escalated when the mobs started carrying guns and weapons and targeted their attacks against the Ramadan observers or anyone who looked “Arab”. Such violent acts reportedly recurred on a nightly basis since the

beginning of the month of Ramadan.

On 22 April 2021, Israeli far-right group, Lehava, called for a demonstration to “restore Jewish dignity” by attacking Palestinians who were protesting around Damascus gate after Israeli forces installed metal barriers to prevent the traditional Ramadan social gathering for Tarawish prayer since the beginning of the month of Ramadan. Israeli forces allegedly allowed hundreds of Israeli settlers, including some affiliates of Lehava, marching up to the “green line” while chanting ‘Deaths to Arabs’, ‘We will burn down your villages’ and ‘We will slaughter you all, you know we will kill you one by one’ in the streets. Heavy clashes erupted between Israeli forces and Palestinians who also increased their presence in the area to defend themselves from the attacks. It was reported that the Israeli forces injured at least 105 Palestinians and detained 50 individuals on that day.

On 25 April, the Israeli forces eventually removed the metal barriers that triggered the daily clashes. While the traditional Ramadan gatherings were allowed after the removal of the metal barriers, Israeli forces maintained heavy presence around the area of Damascus Gate. They were reported to use physical force and stun grenade every time a Palestinian raised a Palestinian flag, or a group of people started chanting or singing nationalistic songs. On 27 April, Israeli forces reportedly violently arrested eight persons, including four children and a paramedic from the private health service provider “Al Amal”. In the night of 30 April to 1 May, another four men were arrested and reportedly brutally beaten up during the arrest.

Attacks on Al-Aqsa Mosque and worshippers

The tension between the Palestinian worshippers and the Israeli forces was mounting on the last days of Ramadan, including “Laylat-al-Qader” on the night of 8 to 9 May, at Al-Aqsa Mosque Compound. This was fuelled by calls from the Israeli far-right groups encouraging Israelis to raid the compound of Al-Aqsa Mosque and participate in the “Flag Day Parade” on 10 May, marking Israel’s celebration of “Jerusalem Day” commemorating the “Unification of Jerusalem” in 1967.

On 7 May 2021, which marked the last Friday of Ramadan, Israeli forces dispersed worshippers who gathered at the Al-Aqsa Mosque for prayers along with protesters by firing 40mm sponge-tipped bullets and concussion grenades at them. 205 Palestinians were reportedly injured that day with 88 of them hospitalised, one lost his eyes and 17 arrested. The attacks escalated on the following days.

In addition, it was reported that the Israeli forces arrested several Palestinian activists, including a well-known writer and analyst, as well as a leader from the Popular Front for the Liberation of Palestine, prior to “Laylat Al-Qader” and the “Jerusalem’s Day” to prevent them in participating in events in East Jerusalem.

On 10 May 2021, about 20,000 worshippers gathered at Al-Aqsa Mosque for Al-Fajr prayer when Israeli forces stormed into the compound of the mosque, locked people up inside the mosque and fired sponge-tipped bullets, tear gas

canisters, and sound bombs at the worshippers while the Red Crescent medical teams were not let into the compound. Later, 7000 Palestinians attended a sit-in within the Mosque while the Israeli police continued their attack causing more than 300 injuries among Palestinians some of them seriously.

According to the information received, between 7 to 10 May, 926 Palestinians were injured by the Israeli forces, including children, women, paramedics and journalists. 554 persons were transferred to hospitals for further treatment and most injuries were sustained in upper body parts, including the head, eyes and chest.

Following the violence on 10 May, several Palestinians, including journalists and paramedics, reported that they received messages on their mobile phone from the Israeli intelligence, informing them that they had been identified for participating in the clashes in Al-Aqsa Mosque and that they would be held accountable for their participation.

Discriminatory treatment of religious communities

It was further reported that the Israeli authorities have only systematically discriminated against the minority Palestinian Christians and Palestinian Muslims during their religious celebrations. It was noted that the Jews were granted facilitated access to East Jerusalem without restrictions during Yom Kipper celebration for example and they could even raise Israeli flag on the religious sites.

While we do not wish to prejudge the accuracy of these allegations, we express our serious concerns at the violation of the right of the Palestinian Christians and Muslims to their freedoms of religion or belief, peaceful assembly and expression; in particular the right to worship, to access places of worship and to observe religious rituals or ceremonies. We are deeply concerned at the violence in the name of religion and the alleged arbitrary arrest, detention as well as disproportionate use of force employed by the Israeli forces targeting at Palestinian worshippers and protesters. We are also concerned by the advocacy of hatred that constitutes incitement to violence, death threats and discrimination by the mobs of Israeli extremists and affiliates of far-right groups, heightening religious and ethnic tensions. We are further concerned at the differentiated treatment and systematic discrimination of people, especially minorities, based on religion and ethnicity.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for the observations of your Excellency's Government on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

2. Please provide concrete steps taken by the Israeli authorities to abide by and fulfil the Status Quo Agreement which guarantees the right of both Israeli and Palestinian religious communities to access to their holy sites during religious celebrations.
3. Please explain the legal justification for imposing restrictions on worshippers, especially religious minorities, from accessing their places of worship, from praying, and from participating or observing their religious celebration and rituals; please explain how these actions are compatible with international human rights standards in protecting the rights to freedom of religion or belief, freedom of peaceful assembly and freedom of expression.
4. Please provide information on the legal grounds for the arrest and detention of protesters or those with Palestinian flags, as referred to above, and how these measures are compatible with international norms and standards as stated, inter alia, in the International Covenant on Civil and Political Rights.
5. Please provide legal justification for the Israeli forces to resort to the use of force in dispersing worshippers and protesters at the Al-Aqsa mosque between 7 to 10 May, and please explain how the use of force was in conformity with the principles of necessity and proportionality.
6. Please indicate the measures that the Israeli authorities have taken to stop and prohibit the advocacy of hatred against Palestinians or religious minorities, that constitutes incitement to death threats and violence by some Israeli extremists and affiliates of the far-right group; and whether the authorities have investigated the incidents where the Israeli forces abetted the aggression by these inciters?
7. Please provide the measures taken to ensure non-discriminatory treatment of all ethnic and religious communities and to promote inter-ethnic and religious dialogues and tolerance.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We would like to inform your Excellency's Government that after having transmitted a joint communication to the Government, the Working Group on Arbitrary Detention may transmit the cases through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such letters in no way prejudice any opinion the Working Group may render. The Government is required to respond separately to the joint communication and the regular procedure.

Please accept, Excellency, the assurances of our highest consideration.

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Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to refer your Excellency's Government to articles 6 (1), 9, 14, 18, 19, 20, 21 and 26 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Israel on 3 October 1991, which protect the right to life, freedom from arbitrary arrest or detention; the rights to freedom of religion or belief, freedom of opinion and expression, and freedom of peaceful assembly and of association as well as the rights of the minorities. As a state party to the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), ratified on 3 January 1979, Israel must also guarantee non-discrimination and equality, take effective measures to amend or eliminate racially discriminatory policies and provide effective protection and remedies.

With regard to article 6 of the ICCPR, the Human Rights Committee, charged with monitoring compliance with the Covenant, has indicated that the obligation under article 6 "extends to reasonably foreseeable threats and life-threatening situations that can result in loss of life. States parties may be in violation of article 6 even if such threats and situations do not result in loss of life", CCPR/C/GC/36 para. 7. The obligation entails taking all necessary measures to prevent arbitrary deprivations of life, including by soldiers tasked with law enforcement missions, *id.* para. 13. The notion of arbitrariness in article 6 includes elements of "inappropriateness, injustice, lack of predictability, and due process of law as well as elements of reasonableness, necessity, and proportionality", *id.* para. 12. The use of potentially lethal force for law enforcement purposes is an extreme measure, which should be resorted to only when strictly necessary in order to protect life or prevent serious injury from an imminent threat, *id.* While preferable to lethal weapons, the use of less lethal weapons is also subject to strict tests of necessity and proportionality, *id.* para. 14. The Human Rights Committee preventive measures include the adoption of "appropriate legislation controlling the use of lethal force by law enforcement officials, procedures designed to ensure that law enforcement actions are adequately planned in a manner consistent with the need to minimize the risk they pose to human life, mandatory reporting, review, and investigation of lethal incidents and other life-threatening incidents, and the supplying of forces responsible for crowd control with effective "less-lethal" means and adequate protective equipment in order to obviate their need to resort to lethal force.", *id.* para. 13.

We would also like to highlight Principle 4 of the UN Basic Principles on the Use of Force and Firearms by Law Officials, endorsed also by the Human Rights Committee, which provides that, "Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms", and the Code of Conduct for Law Enforcement Officials, ensuring protesters right to peaceful assembly and without resorting to excessive use of force.

We also refer to the joint compilation of practical recommendations for the proper management of assemblies of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions A/HRC/31/66, in which was stated that: "The use of force by law enforcement officials should be exceptional, and assemblies should ordinarily be managed with no resort to force. Any use of force must comply with the

principles of necessity and proportionality. The necessity requirement restricts the kind and degree of force used to the minimum necessary in the circumstances (the least harmful means available), which is a factual cause and effect assessment. Any force used should be targeted at individuals using violence or to avert an imminent threat. The proportionality requirement sets a ceiling on the use of force based on the threat posed by the person targeted. This is a value judgement that balances harm and benefit, demanding that the harm that might result from the use of force is proportionate and justifiable in relation to the expected benefit” (paras. 57 and 58). Firearms may be used only against an imminent threat either to protect life or to prevent life-threatening injuries (making the use of force proportionate). In addition, there must be no other feasible option, such as capture or the use of non-lethal force to address the threat to life (making the force necessary) (para. 59). Firearms should never be used simply to disperse an assembly; indiscriminate firing into a crowd is always unlawful (para 60).

We would like to recall that there is “a duty on States to investigate alleged violations of the right to life “promptly, thoroughly and effectively through independent and impartial bodies” (Human Rights Committee, general comment No. 31, “Nature of the legal obligation on States Parties to the Covenant” (2004), (CCPR/C/21/Rev.1/Add.13), para. 15.) This duty arises out of the general obligation of States to ensure the right to life of each individual, a right that is non-derogable regardless of circumstance (ICCPR, art. 4(2)); armed conflict and occupation do not, therefore, discharge the State’s duty to investigate and prosecute alleged human rights abuses.

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment examined the issue of extra-custodial use of force in his interim report to the General Assembly (A/72/178) and concluded that “any extra-custodial use of force that does not pursue a lawful purpose (legality), or that is unnecessary for the achievement of a lawful purpose (necessity), or that inflicts excessive harm compared to the purpose pursued (proportionality) contradicts established international legal principles governing the use of force by law enforcement officials and amounts to cruel, inhuman or degrading treatment or punishment. Moreover, failure to take all precautions practically possible in the planning, preparation and conduct of law enforcement operations with a view to avoiding the unnecessary, excessive or otherwise unlawful use of force contravenes the State’s positive obligation to prevent acts of cruel, inhuman or degrading treatment or punishment within its jurisdiction” (para.62(c).)

In connection with the alleged arbitrary arrests and detention of protesters or those with Palestinian flags, we would like to refer to the right not to be arbitrarily deprived of liberty and to fair proceedings before an independent and impartial tribunal, as set forth in articles 9 and 14 of the ICCPR. We wish to highlight that deprivation of liberty resulting from the exercise of the rights or freedoms guaranteed by the ICCPR is arbitrary. Article 9 establishes in particular that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law, and that anyone who is arrested shall be informed, at the time of arrest, of the reasons behind such arrest and be brought promptly before a judge for the purpose of legal assessment of detention. We would also like to remind your Excellency’s Government that article 37 (b) of the Convention on the Rights of the Child provides that no child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a

child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time, and detention of children should be a measure of last resort and avoided as far as possible.

With regards to security of person in article 9(1) of the ICCPR, this right concerns freedom from injury to the body and the mind, or bodily and mental integrity regardless of whether the victim is detained or non-detained (CCPR/C/GC/35, para. 3 and 9). As interpreted by the Committee, “the right to personal security also obliges States parties to take appropriate measures (...) to protect individuals from foreseeable threats to life or bodily integrity proceeding from any governmental or private actors. States parties must take both measures to prevent future injury and retrospective measures, such as enforcement of criminal laws, in response to past injury”. Furthermore, we would like to recall that “States have a duty to prevent and redress unjustifiable use of force in law enforcement” (CCPR/C/GC/35, para. 9). Furthermore, article 14 (b) of the ICCPR provides for safeguards on the right to fair trial and legal assistance from counsel of own choosing.

We would like to appeal to your Excellency’s Government to ensure everyone’s right to freedom of religion or belief in accordance with articles 18 of the ICCPR. This includes the freedom to manifest one’s religion or belief in teaching, practice, worship and observance, either alone or in community with others and in public or private. Human Rights Committee in its General Comment 22, paragraph 4 further clarified that the concept of worship extends to the building of places of worship. It stressed that places of worship are an essential element of the manifestation of the right to freedom of religion or belief to the extent that the great majority of religious or belief communities need the existence of a place of worship where their members can manifest their faith. Moreover, unlike other forms of violations of the right to freedom of religion or belief, attacks or other forms of restriction on places of worship or other religious sites and shrines in many cases violate the right not only of a single individual, but the rights of a group of individuals forming the community that is attached to the place in question. Further, we would like to recall Human Rights Council resolution 6/37 urging States to ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes (9g).

In addition, we would like to refer to international humanitarian law, which also protects the freedom to practice one’s religion through religious observances, services and rites. With regard to territories of the parties to the conflict and to occupied territories, article 27 of the Fourth Geneva Convention provides that the protected persons are entitled, in all circumstances, to respect for “their religious convictions, and practices and their manners and customs”. They must be able to practice their religion freely, without any restrictions other than those necessary for the maintenance of public law and morals.

The General Assembly, in its resolution 55/254, calls upon all States to exert their utmost efforts to ensure that religious sites are fully respected and protected in conformity with international standards and in accordance with their national legislation. In the same resolution, the General Assembly encourages all States, relevant intergovernmental and non-governmental organizations and the media to promote, inter alia, through education, a culture of tolerance and respect for the diversity of religions and for religious sites, which represent an important aspect of the collective heritage of humankind.

Under article 20 of the ICCPR, the State has an obligation to prohibit propaganda for war and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, violence or hostility. General Comment 34 by the Human Rights Committee and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (A/HRC/22/17/Add.4) provide further guidance on discharging State obligations in this regard. Only speech that reaches a very high threshold, with a strict interpretation of ICCPR Articles 20 and 19 (3), based on a contextual assessment using the six-part threshold test identified by the Rabat Plan of Action, should be prohibited. When such a speech occurs, it requires a robust response from the authorities to reject the dissemination of hatred that incites discrimination or violence. As highlighted in the Joint Statement from the Special Rapporteur on freedom of opinion and expression, together with regional mechanisms on freedom of expression, “Politicians and other leadership figures in society should refrain from making statements which encourage or promote racism or intolerance against individuals on the basis of protected characteristics, including race, nationality or ethnicity”.¹

In addition, Human Rights Council Resolution 16/18 on Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief, which noted the call on States to speak out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence; adopt measures to criminalize incitement to imminent violence based on religion or belief; and understand the need to combat denigration and negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through inter alia, education and awareness-building.

Regarding the right to freedom of peaceful assembly we would like to refer to the recently adopted General Comment No. 37 of the Human Rights Committee on Right of peaceful assembly ([CCPR/C/GC/37](#)), which stressed that “the possibility that a peaceful assembly may provoke adverse or even violent reactions from some members of the public is not sufficient grounds to prohibit or restrict the assembly. States are obliged to take all reasonable measures that do not impose disproportionate burdens upon them to protect all participants and to allow such assemblies to take place in an uninterrupted manner”. Moreover, Israel must recognize the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes.

In this regard, we would like to refer to Human Rights Council Resolution 24/5 which “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others”.

Furthermore, “the right of minority groups to freely associate is implied in the protection of the International Covenant on Civil and Political Rights of their right, in community with other members of their group, to [...] practice their religion and use their own language...” (A/HRC/26/29, para.20).

¹ <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=19915&LangID=E> See also para 18 of the report A/74/486 on the specific role played by leaders in society in this context.

Article 26 of the ICCPR also stresses all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as religion. We would also like to bring to the attention of your Excellency's Government the international standards regarding the protection of the rights of persons belonging to minorities. In particular, article 27 of the ICCPR establishes that in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities have the right, in community with the other members of their group, "to enjoy their own culture, to profess and practice their own religion, or to use their own language".

We also refer to the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt measures to that end (article 1) as well as to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination (article 4). Article 2 further establishes that persons belonging to minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely, without any interference or any form of discrimination and provides for the effective participation of minorities in cultural, religious, social, economic and public life, as well as in decision-making processes on matters affecting them.

The principles of non-discrimination and equality before the law are core State obligations affirmed in ICERD. We strongly urge your Excellency's Government to comply with its treaty obligations to ensure equality before the law and equal protection of the law. This commitment to non-discrimination and equality is clearly evident from article 1 of ICERD broadly defines racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." Articles 2 (1) and 5 of ICERD oblige States parties to prohibit and eliminate any act or practice of racial discrimination against persons and/or groups and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. Article 4 also obliges States parties to adopt immediate and positive measures to eradicate all incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin.