

Concept paper
Launch of the “Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence”

I. Background

In follow-up to the 2008 Expert seminar on the links between articles 19 and 20 of the International Covenant on Civil and Political Rights with regard to freedom of expression and incitement to hatred, the Office of the High Commissioner for Human Rights organized, in 2011 and 2012, a series of expert workshops on the prohibition of incitement to national, racial or religious hatred, in which legislative patterns, judicial practices and policies in this regard were explored.

The events took place in Europe (Vienna, 9 - 10 February 2011), in Africa (Nairobi, 6- 7 April 2011), in Asia and the Pacific (Bangkok, 6 - 7 July 2011), and in the Americas (Santiago, 12 - 13 October 2011). In doing so, OHCHR aimed to conduct at the national and regional levels a comprehensive assessment of the implementation of legislation, jurisprudence and policies regarding incitement to national, racial or religious hatred, while encouraging full respect for freedom of expression as protected by international human rights law. This activity focused on the demarcation between freedom of expression and hate speech, especially in relation to religious issues – which unfortunately has come increasingly under focus and has created friction among communities.

The Special Rapporteurs on Freedom of Expression and Opinion; on Freedom of Religion or Belief; and on Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as members of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination participated in the various workshops.

II. Rabat Workshop

In October 2012, OHCHR convened a wrap-up expert meeting in Rabat, Morocco,¹ in which the recommendations of the earlier workshops were discussed, resulting in the adoption by the experts of the “Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.”

III. Launch of the Rabat Plan of Action

A. Rationale and objective

The series of workshops has been a useful exercise given the discussions and the interesting findings that they produced. Each of the events has generated important information as well as a large number of practical suggestions for implementation of the relevant international human rights standards. The Rabat Plan of Action took stock of these results and produced a set of conclusions and recommendations addressed to Member States, the United Nations system, particularly OHCHR, human rights mechanisms, political and religious leaders, and civil

¹ For the list of experts who attended the meeting, and background details please see <http://www.ohchr.org/EN/Issues/FreedomOpinion/Articles19-20/Pages/Index.aspx>.

society, with a view to fostering more effective implementation of the international prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

The Rabat Plan of Action adopted by the experts is a useful first step in which views and information from the various regions have been compiled and discussed. In looking at next steps, it should be borne in mind that substantive work on this important topic is taking place at different levels and on different tracks. At OHCHR, the Special Procedures mechanisms, the Human Rights Treaty Bodies Division and the Rule of Law, Equality and Non-Discrimination Branch are addressing the various issues at play in the context of incitement to national, racial and religious hatred through their own mandates. The topic is cross-cutting in terms of its implications and effect. In intergovernmental fora - such as the Human Rights Council and the General Assembly, through the Report of the Secretary-General on "Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief" as well as in the Ad Hoc Committee on the Elaboration of Complementary Standards - there are initiatives taking place which inform and impact this topic of incitement to national, racial and religious hatred.

Furthermore, the objective of the launch event is to bring this document, containing conclusions and recommendations by internationally recognised experts, to the attention of all stakeholders in order to assist them in the implementation of international obligations. At the same time, the event is aimed at stimulating the sharing of experiences and challenges by stakeholders and to undertake practical steps, in this regard.

B. Participation

The event will be opened by Ms. Navi Pillay, High Commissioner for Human Rights. Other high-level representatives include the High Representative of the United Nations Secretary-General for the Alliance of Civilizations, President Jorge Sampaio and the Special Advisor of the United Nations Secretary-General on the Prevention of Genocide, Mr. Adama Dieng.

Experts having been involved in the series of workshops as well as the final Rabat meeting and who will be taking part in the launching event are: Mr. Frank La Rue, United Nations Special Rapporteur on Freedom of Expression and Opinion; Mr. Heiner Bielefeldt, United Nations Special Rapporteur on Freedom of Religion or Belief; and, Ms. Agnès Callamard, Executive Director of the Non-Governmental Organization, Article XIX.

Member States will be invited to participate in the event, make interventions and benefit from an engagement with the experts whose contributions were crucial in formulating the Rabat Plan of Action. Civil society organizations, as well as United Nations, and international and regional organizations may also participate.

C. Venue and date

This event will take place at the Palais des Nations, Geneva, in Room XIX, from 10:00 to 12:00 on 21st of February 2013.

D. Outcome

There will be no specific outcome to this meeting.