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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Prevention of genocide

Report of the Secretary-General*

Summary

The present report is submitted pursuant to Human Rights Council resolution 49/9, in which the Council requested the Secretary-General to prepare a follow-up report on the implementation of the resolution, with a particular focus on the impact of technological advances on prevention of genocide efforts, and on the risks of the perpetration of genocide. In the report, the Secretary-General highlights measures to build national and regional capacity to prevent genocide and examines the opportunities and challenges of digital technologies for prevention efforts. He also highlights initiatives within the United Nations system to address these challenges, in particular regarding hate speech, and sets out recommendations to States and private companies on how to harness the opportunities provided by the digital space to enhance protection efforts.

* The present report was submitted after the deadline owing to circumstances beyond the submitter's control.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 49/9, in which the Council requested the Secretary-General to prepare a follow-up report on the implementation of the provisions of the resolution, based on information provided by States and other stakeholders, with a particular focus on the impact of technological advances on prevention of genocide efforts, and on the risks of the perpetration of genocide.

2. For the preparation of the report, the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide shared a questionnaire with States and other stakeholders, requesting information on the implementation of the resolution. The information compiled from the submissions received has been organized in two main sections, the first pertaining to efforts to prevent genocide by strengthening capacities at the national, regional and international levels, and the second on the impact of technological advances on efforts to prevent genocide, and on the potential risks.

II. Strengthening capacities for the prevention of genocide

3. Genocide was first recognized as a crime under international law in 1946, in General Assembly resolution 96-I. It was codified as an independent international crime in the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), to which 153 States are parties. In the present section, the Secretary-General reports on measures taken by States to comply with their international obligations and responsibilities in this respect and identifies additional steps that could be taken to prevent genocide.

A. National capacities

4. The duty to prevent and punish genocide is well established in international law and is a responsibility that lies primarily with States. By becoming parties to the Genocide Convention, States undertake to prevent and punish the crime of genocide, thereby contributing to ensuring its non-recurrence, and ultimately its eradication. Since the previous report to the Human Rights Council on the prevention of genocide,¹ the number of States parties to the Genocide Convention has risen to 153, with the accession of Mauritius in July 2019 and Zambia in April 2022. Genocide is also recognized as one of the most serious crimes of concern to the international community under the Rome Statute of the International Criminal Court. Becoming a party to the Genocide Convention may constitute the first step in a State's efforts to criminalize genocide. In accordance with the Convention, parties undertake to enact the legislation necessary to give effect to its provisions and to provide effective penalties. In the previous report on the prevention of genocide, the Secretary-General highlighted examples of national legislation prohibiting genocide as well as national and regional mechanisms for prevention. Mechanisms such as national committees and focal points on genocide prevention can play an important role in detecting and responding to risk factors.

5. Prevention of genocide can be further enhanced through the development of legal frameworks that protect and promote human rights. As genocide represents an extreme form of human rights violations, the existence of legal frameworks that ensure the protection of human rights – including through accession to and the implementation of international human rights treaties – is central to States' national genocide prevention strategies. Genocide is rarely a single event that happens instantly. Instead, it tends to be a dynamic process that requires time, planning and resources to occur. It can take years to create an environment conducive to the perpetration of genocide, which is typically preceded by widespread and systematic human rights violations, often linked to patterns of discrimination and exclusion of population groups based on their ethnic, racial, national or religious background. Ensuring the protection of all human rights and respect for the rule of law; addressing root causes of

¹ [A/HRC/41/24](#).

discrimination and inequality; supporting a strong and diverse civil society and an independent and pluralistic media; establishing legitimate and accountable national institutions and mechanisms for prevention of genocide; and eliminating corruption, all contribute to the prevention of genocide and to recovery in societies that have experienced genocide.

6. For prevention purposes, it is important to adopt legislation that protects human rights, including the rights of ethnic, national, racial and religious minorities as well as refugees, internally displaced persons and other groups (who may also be at heightened risk, when they belong to protected groups under the Convention), in line with international norms and standards, and that codifies international crimes into national criminal law. Prevention also requires the effective implementation of such legislation and the design of policies that promote and protect those rights. On the occasion of the thirtieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the Secretary-General outlined some of the ongoing challenges facing minorities: forced assimilation, persecution, prejudice, discrimination, stereotyping, hatred and violence; deprivation of their political rights, including the right to a nationality; and stifling of their cultures, suppression of their languages and curtailing of their religious practices. If unaddressed, such challenges can become conducive or precursory to atrocity crimes.

7. As stated in the previous report on the prevention of genocide, education systems should be inclusive, reflect the ethnic, national and cultural diversity of their societies, and offer an education that promotes global citizenship, sustainable development, human rights, gender equality, a culture of peace and the appreciation of cultural diversity in order to meet target 4.7 of the Sustainable Development Goals. This includes integrating teaching about genocides into school and university curricula. Accounts of past genocides should be factual and comprehensive.

8. Educational programmes for State institutions, including security forces and other government officials, on atrocity crimes and their prevention are also important. In Thailand, for instance, members of the armed forces and military units undergo human rights training, including on the Genocide Convention, conducted by the Ministry of Defence in collaboration with the International Committee of the Red Cross.

9. The memorialization and remembrance of past atrocity crimes are an essential aspect of reconciliation processes and can contribute to prevention. Shared memories of the past can encourage social cohesion, helping to prevent the reoccurrence of genocide, while sites of memory provide spaces where those affected by violence can honour victims. States have taken measures to raise awareness of past violations. In Colombia, for example, the National Centre for Historical Memory is in charge of establishing the Museum of Historical Memory, constituting and managing human rights archives and developing guidelines on the protection of archives and on human rights, historical memory and armed conflict. In 2022, it carried out Local History Memory Initiatives to promote processes of self-reflection and memorialization in regions and communities affected by armed conflict. Türkiye has a bilingual website, *We Remember – Hatırlıyoruz*, with informative materials and documents on the Holocaust and other genocides. In Bosnia and Herzegovina, a law on missing persons has been adopted to allow for the marking of places of suffering, and the excavation and burial of the remains of victims of the war.

10. Accountability for past atrocity crimes is key to ensuring their non-recurrence and to the success of reconciliation processes and the consolidation of peace in post-conflict societies. States have obligations under international law to investigate, prosecute and punish those responsible for acts of genocide, war crimes and crimes against humanity, and to provide victims with the right to an effective remedy.

11. Various judicial options are being used to promote accountability. Besides national courts prosecuting genocide and other atrocity crimes committed within their own jurisdiction, international and hybrid mechanisms have been established for several countries. Recent examples include the hybrid Special Criminal Court in the Central African Republic, which handed down its first verdict in October 2022 against three members of an armed group found guilty of war crimes and crimes against humanity for their involvement

in the killing of civilians in the north-east of the country in May 2019. In addition, in September 2022, the Extraordinary Chambers in the Courts of Cambodia upheld previous convictions for genocide against the ethnic Vietnamese population and other atrocity crimes committed in Cambodia between 1975 and 1979. A number of States have also opted to institute national proceedings based on extraterritorial and universal jurisdiction. In January 2022, the Koblenz Higher Regional Court in Germany convicted and sentenced a senior officer of the Syrian General Security Directorate to life imprisonment for crimes against humanity in relation to torture committed in a Syrian prison. Since 2021, three judgments have been delivered by German courts in relation to crimes committed against the Yazidi community; in one of those judgments a former member of Da'esh was convicted and sentenced to life imprisonment for genocide, crimes against humanity and war crimes.

B. Regional and international initiatives

12. States can also strengthen prevention of genocide efforts through membership in regional and international networks. Regional – and subregional – mechanisms can be more effective in responding early to signs of concern, as they are well placed to access information and interact with relevant actors at the level of their region.

13. Global Action against Mass Atrocity Crimes is a global coalition of States, civil society organizations and academic institutions that supports States in establishing architectures and policies for the prevention of atrocities. Its fourth global meeting, held in The Hague in November 2021, was focused on strengthening national efforts to address hate speech and discrimination and prevent incitement. The coalition also runs regional initiatives and working groups to provide contextually relevant support to national atrocity prevention mechanisms.

14. The Office of the Special Adviser on the Prevention of Genocide also supports regional capacity-building initiatives. In August 2019, it supported the African Union Commission in integrating risk factors relating to atrocity crimes into the Continental Early Warning System, including by developing indicators, tools and a methodology for monitoring and data management. In March 2022, it held a conference on tackling hate speech with members of the International Conference on the Great Lakes Region, members of national committees on genocide prevention in the region and civil society, to discuss trends and challenges and develop a regional plan of action. In June 2022, the Office of the Special Adviser on the Prevention of Genocide held a consultation in Abuja with traditional leaders from across the world to discuss their role in preventing atrocity crimes and developing a plan of action for traditional leaders and actors. In Europe, a regional meeting of civil society organizations was held in March 2022 to develop a plan of action on countering hate speech. The Office has also supported the establishment of civil society networks on atrocity prevention, such as the Western Balkans Coalition for Genocide and Mass Atrocity Crimes Prevention.

15. The Global Forum against the Crime of Genocide, an initiative launched by Armenia in 2015, brings together States, academic institutions and civil society to examine challenges, opportunities and experiences, as well as perspectives on specific aspects of genocide. The fourth Global Forum, held in Yerevan in December 2022, was dedicated to the prevention of genocide in the era of new technologies.

C. Actions by the United Nations system

16. The Framework of Analysis for Atrocity Crimes² is a tool for States to understand risks and take appropriate action for prevention. One of the indicators of risk and potential triggers outlined in the Framework is hate speech. In 2019, the Special Adviser on the Prevention of Genocide led a United Nations system-wide effort to develop the United Nations Strategy and Plan of Action on Hate Speech, which the Secretary-General

² [A/70/741-S/2016/71](#), annex.

launched on 18 June 2019, a day subsequently designated by the General Assembly as the International Day for Countering Hate Speech in resolution 75/309.

17. In-country visits by the Special Adviser on the Prevention of Genocide provide opportunities to assess strengths at the national level and to identify areas needing further support from the international community in order to build capacity to prevent or address genocide and other atrocity crimes. The Special Adviser visited Bosnia and Herzegovina in 2021 and 2022. During the visits, she expressed concern about revisionism, noting that genocide denial and the glorification of war criminals continued to present a serious challenge to reconciliation efforts. The Special Adviser also drew attention to concerns about the segregation of the education system, including the use of different textbooks and curricula, leading to children being taught different versions of the past. This presents long-term challenges in dealing with past atrocity crimes, promoting reconciliation and sustaining peace. In July 2021, the Criminal Code of Bosnia and Herzegovina was amended to prohibit the denial and glorification of crimes of genocide, crimes against humanity and war crimes, where such acts are carried out in a manner likely to incite violence or hatred. In July 2022, the Special Adviser attended an event at the Srebrenica Memorial Center to mark the anniversary of the genocide in the former Yugoslavia and met with survivors.

18. In April 2022, the Special Adviser on the Prevention of Genocide visited Bangladesh, with the primary objective of meeting with Rohingya refugees in Cox's Bazar. The Special Adviser emphasized the importance of ensuring support for and the protection of the Rohingya community, noting that the risk of genocide facing the Rohingya community in Myanmar had remained unchanged since the outbreak of violence in 2017.

19. In May 2022, the Special Adviser on the Prevention of Genocide visited Iraq, in support of efforts by the Government, the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant and the United Nations Assistance Mission for Iraq to ensure accountability for atrocity crimes, strengthen the protection of vulnerable communities and contribute to the prevention of sectarian violence. The Special Adviser also undertook visits to Brazil, the Central African Republic, the Democratic Republic of the Congo and Nigeria, in line with her mandate.

20. The Office of the Special Adviser on the Prevention of Genocide provides technical assistance to national prevention efforts. In 2020, it supported the national committee of the United Republic of Tanzania on the prevention of genocide in organizing community-level dialogues in regions affected by ongoing intercommunal tensions, and in 2022, facilitated intercommunal dialogues in Mali aimed at promoting trust between the security forces and local communities. In Colombia, the Ombudsman's Office collaborated with the Office of the Special Adviser to assess the risks faced by vulnerable communities and support initiatives to mitigate those risks. The Office of the Special Adviser on the Prevention of Genocide has also led initiatives in Africa and Asia to develop curricula and learning material on atrocity crimes, working with national actors, including ministries of education, academic institutions and civil society. Beyond formal education, such information can also be spread through networks, such as the Latin American Network for Education about the Holocaust and Other Genocides, led by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

21. Over the past few years, there have been growing calls for the permanent members of the Security Council to voluntarily refrain from using their veto in situations involving atrocity crimes. They include two State-led initiatives: a code of conduct³ drawn up within the framework of the cross-regional Accountability, Coherence and Transparency Group and supported by over 120 States, and a political declaration presented by France and Mexico and signed by 104 States.⁴ At an Arria-formula meeting of the Security Council in October 2021, the Special Adviser briefed Security Council members on the topic of addressing and countering hate speech and preventing incitement to discrimination, hostility and violence on social media. In June 2022, the Special Adviser briefed the Security Council

³ [A/70/621-S/2015/978](#).

⁴ See "Political statement on the suspension of the veto in case of mass atrocities", available at https://onu.delegfrance.org/IMG/pdf/2015_08_07_veto_political_declaration_en.pdf.

on the maintenance of peace and security related to Ukraine, with a particular focus on the role of incitement and hate speech.

22. The Human Rights Council and its mechanisms, in particular the universal periodic review, relevant special procedure mandate holders and commissions of inquiry, play an important role in monitoring States' adherence to their human rights obligations and in raising concerns over risks of genocide. The intersessional meetings of the Council offer a space for debate and exchange among States on specific aspects and forms of prevention. The Council's mechanisms provide practical assistance to States and help them to correct structural gaps and reverse trends of increasing human rights violations. Special procedure mandate holders provide substantial analysis on conditions conducive to genocide and offer guidance and recommendations to prevent the escalation of such threats. The Council continues to address specific human rights situations that require its urgent attention and to establish investigative mechanisms on country situations – including commissions of inquiry, fact-finding missions and other similar mechanisms – to examine allegations of gross human rights violations and atrocity crimes. The work of these mechanisms allows the Council to remain focused on the warning signals of genocide and other atrocity crimes and engage at an early stage to pre-empt the escalation of tensions. For example, in its reports, the Commission of Inquiry on Burundi has used the Framework of Analysis for Atrocity Crimes as a basis for its assessment of the situation, which allowed it to issue recommendations to address specific risk factors. The mandates of United Nations mechanisms established to investigate human rights violations have been progressively expanded to include tasks such as gathering and preserving evidence, examining and qualifying documented violations under international criminal law, identifying potential perpetrators and, more recently, building criminal case files. Examples include the mandates of mechanisms established by the General Assembly to assist in the investigation of international crimes in the Syrian Arab Republic,⁵ by the Security Council related to crimes by Da'esh in Iraq,⁶ and by the Human Rights Council in relation to Myanmar.⁷ Such initiatives help to raise awareness of serious violations and support current and future accountability efforts.

23. In the previous report on the prevention of genocide, the Secretary-General emphasized the usefulness of the universal periodic review for atrocity prevention.⁸ Recommendations systematically include the ratification of the Genocide Convention, and States under review increasingly include information on measures taken to contribute to preventing genocide in their national reports.⁹ The potential for the mechanisms of the Human Rights Council to support the prevention of atrocity crimes could be further harnessed, based on the examples outlined, by more systematically including an assessment of the risk of genocide in the work of the mechanisms, its reports and processes, as well as by the stakeholders who contribute to the work of the Council's mechanisms, including civil society.

III. Technological advances: risks and opportunities for the prevention of genocide

24. Digital technologies are advancing at an exponential pace, profoundly transforming societies and giving rise to unprecedented opportunities for positive changes but also to unprecedented challenges and risks. In its resolution 75/1, the General Assembly outlined the risks associated with digital technologies, which include the risks of fuelling divisions within

⁵ General Assembly resolution 71/248.

⁶ Security Council resolution 2379 (2017).

⁷ Human Rights Council resolution 39/2.

⁸ [A/HRC/41/24](#), paras. 36–38.

⁹ Ghana ([A/HRC/WG.6/42/GHA/1](#), para. 42) and Nauru ([A/HRC/WG.6/37/NRU/1](#), para. 133), for example, provided information on the criminalization of genocide in their national legislation, while Gabon reported that it had introduced the non-applicability of statutory limitations to atrocity crimes in its Criminal Code ([A/HRC/WG.6/42/GAB/1](#), para. 11). Other States have reported on developments in transitional justice processes relating to past conflicts; they include Argentina ([A/HRC/WG.6/42/ARG/1](#), paras. 14–30), Nepal ([A/HRC/WG.6/37/NPL/1](#), paras. 23–25), Peru ([A/HRC/WG.6/42/PER/1](#), paras. 149–157) and Somalia ([A/HRC/WG.6/38/SOM/1](#), para. 21).

and between countries, increasing insecurity, undermining human rights and exacerbating inequality. While digital technologies offer ways to accelerate prevention efforts, they also provide opportunities for perpetrators of incitement of hate and violence that are new in scope, reach, speed and impact.

A. Prevention of genocide in the digital age

25. Digital technologies offer new ways for people to exercise their rights and freedoms. Online platforms provide the means to reach wider audiences, including marginalized communities, and facilitate the exercise of freedom of expression to impart and access information, including potentially in countries and societies where such freedoms are restricted. Digital technologies have contributed to expanding and reshaping civic space and public participation and to enhancing prevention efforts. The widespread and low-cost availability of digital tools to monitor situations and document and verify human rights violations that could lead to genocide, often in real time, has democratized evidence gathering and information-sharing, allowing for more effective early warning. Technologies also have the potential to support initiatives that are geared towards more inclusive sustainable development by facilitating the participation of and outreach to communities, including marginalized groups, and initiatives that address the drivers of conflict and potential indicators of the risk of genocide.

26. At the same time, digital technologies open avenues to new forms of human rights violations that pose risks to the prevention of genocide. The right to freedom of expression and other human rights can be curtailed by Internet shutdowns or by undue limitations being imposed on online conversations. Internet shutdowns to limit public scrutiny¹⁰ during conflict or tense situations, or laws that criminalize incitement of violence to silence opposition or critical voices, may be arbitrary and are often justified on “public order” or “national security” grounds, which has a negative impact on human rights. Such restrictions can facilitate the commission of genocide. Those who use the Internet to promote the prevention of genocide, including by documenting and reporting on human rights violations, can themselves become targets of attacks; human rights defenders, in particular, might face unlawful surveillance and attacks on social media, including defamation, intimidation and death threats.¹¹

27. Social media have been used in several instances as echo chambers for hate speech and incitement, on occasion leading to offline violence. Artificial intelligence-related technologies might also contribute to deepening existing inequalities and exacerbating discrimination or be misused for surveillance purposes.

28. Technological safeguards must be put in place to ensure the prevention of genocide and the protection of human rights in the digital space. The application of digital technologies has been accelerating, driven by technological advances, and sometimes with disregard for the safety and rights of users, with mechanisms for regulation and governance struggling to keep pace. The accepted principle espoused in Human Rights Council resolution 20/8, that the same rights that are protected offline should also be protected online, places the primary responsibility on the State as duty bearer. However, the lack of appropriate implementation of the international human rights framework in the digital context has created gaps in protection.

B. New technology risks: hate speech

29. Hate speech can fuel discrimination, undermine social cohesion, erode shared values and, in some cases, constitute incitement to violence. Hate speech is not new – it was a precursor and accompaniment to genocide both during the Holocaust and in the genocides in Rwanda and the former Yugoslavia.

¹⁰ [A/HRC/50/55](#), paras. 24 ff.

¹¹ [A/75/165](#), para. 34, and [A/77/178](#), para. 46.

30. The last few years have seen a growing spread of hate speech, against the backdrop of rising intolerance, xenophobia, racism, antisemitism, Islamophobia, misogyny and homophobia and their normalization. At the same time, there have been rapid societal changes generated by globalization and digitalization, global economic and financial crises, which have deepened inequalities, and, more recently, the coronavirus disease (COVID-19) pandemic, which affected people's sense of control over their lives. This has created fertile ground for the rise of populism, which purports to offer simple solutions to complex problems, capitalizing on people's fears. The ethnocentric vision it can project and the paradigm of "us versus them", portraying "the people" as homogeneous communities, fuel exclusion, discrimination and hate that may contribute to risk factors for genocide.

31. Social media and other digital platforms allow politicians to mobilize support and shape public opinion and, if misused, can pave the way to online hate speech. Politicians have rapidly harnessed the power of social media, which facilitates simplified discourses and emotional appeals and offers ample control of their narratives and unmediated access to a broad audience.

32. The use of new technologies has undoubtedly contributed to the rise and spread of hate speech. However, its root causes are not technological, as technology is merely a means through which such ideas are communicated. It is therefore important to address the offline realities that are the underlying drivers and causes of hate speech.

33. In response to these developments, the Secretary-General launched the United Nations Strategy and Plan of Action on Hate Speech, which for the first time sets out guidance for the United Nations system on how to address and counter hate speech at the national and global levels. It pursues two objectives: to enhance United Nations efforts to address root causes and drivers of hate speech; and to enable effective United Nations responses to the impact of hate speech on societies. This system-wide effort, which is coordinated by the Special Adviser on the Prevention of Genocide, supports States and civil society to address and counter hate speech in full respect of fundamental human rights and engages with social media platforms to promote policies and practices to tackle online hate speech. United Nations field presences, country teams, peacekeeping missions and political missions have a critical role to play in implementing the Strategy in cooperation with their national partners, and the Office of the Special Adviser on the Prevention of Genocide supports them in developing context-specific action plans on tackling hate speech. The Office has also developed several policy initiatives based on the Strategy, including a policy paper entitled "Combating Holocaust and genocide denial: protecting survivors, preserving memory, and promoting prevention", the Plan of Action to Counter Hate Speech through Engagement with Sports: The Game Plan, and guidance for policymakers on addressing hate speech through education,¹² which was developed jointly with UNESCO and builds on the outcomes of the Global Education Ministers Conference on addressing hate speech through education convened by UNESCO and Namibia in October 2021.

34. The Strategy is grounded in four key principles: implementation in line with the right to freedom of opinion and expression; countering hate speech as the responsibility of all – governments, societies, the private sector and individuals; support to a new generation of digital citizens, empowered to recognize, reject and stand up to hate speech; and coordinated data collection and research, including on the root causes, drivers and conditions conducive to hate speech. The working definition of hate speech for the purposes of the Strategy provides a guide for understanding and implementing measures to tackle hate speech before it reaches the threshold of incitement to discrimination, hostility or violence.¹³

35. Article 20 of the International Covenant on Civil and Political Rights prohibits advocacy of national, racial or religious hatred that constitutes incitement to discrimination,

¹² UNESCO and the United Nations Office on Genocide Prevention and the Responsibility to Protect, "Addressing hate speech through education: A guide for policy-makers" (Paris and New York, 2023).

¹³ For the purposes of the Strategy, hate speech is defined as "any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor" (United Nations Strategy and Plan of Action on Hate Speech, p. 2).

hostility or violence; article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination prohibits incitement to racial discrimination; and article III (c) of the Genocide Convention prohibits direct and public incitement to commit genocide. Freedom of expression is guaranteed by article 19 (2) of the Covenant, the scope of which embraces even expression that may be regarded as deeply offensive.¹⁴ This relationship between freedom of expression and incitement to discrimination, hostility or violence is critical. Restrictions to the right to freedom of expression are regulated by article 19 (3) of the Covenant.¹⁵ Too often, Governments of State parties use hate speech and incitement laws to silence critics and opponents, while failing to address threats resulting from speech that incites discrimination or violence. The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence provides guidance to States on implementing their international obligation to prohibit incitement to hatred, including a six-part threshold test for expressions considered as criminal offences.¹⁶

C. Scope and dynamics of online hate speech

36. Social media can play a significant role in entrenching hate speech, disseminating misinformation and disinformation and facilitating incitement of discrimination, hostility or violence. Left unchecked, the speed and reach of narratives that dehumanize already marginalized groups and rationalize violence can metastasize into more widespread and systematic forms of violence.¹⁷ The impact of this has been reported in instances such as those that have occurred in Myanmar. The independent international fact-finding mission on Myanmar noted the prevalence of hate speech and long-standing dehumanizing and stigmatizing rhetoric against the Rohingya, and Muslims in general, particularly by some religious groups. It also noted that the authorities, by condoning and promoting such narratives, had fostered a climate in which human rights violations were legitimized and incitement to discrimination and violence facilitated.¹⁸ The independent international fact-finding mission on Myanmar also pointed to the role of a major social media company in spreading hate.

37. New technologies enable the dissemination of unparalleled volumes of content at unprecedented speeds.¹⁹ The widespread prevalence of conspiracy theories, misinformation and disinformation online erodes trust in State institutions and facilitates democratic backsliding. Fearmongering, scapegoating and hate speech rose exponentially during the COVID-19 pandemic. However, in many instances, States' regulations have resulted in undue restrictions on freedom of expression and increased public distrust.²⁰

38. A dominant approach in the current business models of most social media platforms is to collect personal data for commercial purposes so that content and advertising can be more effectively tailored to individuals' consumption patterns. This raises a number of privacy issues. Large platforms derive revenue from keeping users engaged for as long as possible so that they can be shown more advertisements. The use of predictive algorithms leads to the personalization of the content displayed, including by proposing similar content and exposing the user to a less diverse range of information. Such business models, if left unchecked, risk incentivizing divisive, misleading, hateful and violent content by exacerbating exposure to hate and limiting exposure to other sources of information that may counter such narratives.²¹

¹⁴ Human Rights Committee, general comment No. 34 (2011), para. 11.

¹⁵ *Ibid.*, para. 50.

¹⁶ [A/HRC/22/17/Add.4](#), appendix, para. 29.

¹⁷ United Nations, "Our Common Agenda policy brief 8: information integrity on digital platforms" (June 2023); and Sarah Kreps, "The role of technology in online misinformation" (The Brookings Institution, June 2020).

¹⁸ [A/HRC/39/64](#), para. 73.

¹⁹ [A/77/287](#), para. 2.

²⁰ *Ibid.*, para. 41.

²¹ United Nations, "Our Common Agenda policy brief 8".

D. Emerging technologies and risks relating to artificial intelligence

39. Artificial intelligence technologies can increase efficiency and enable operating systems to function at a large scale.

40. Predictive analytics and other forms of artificial intelligence tend to reproduce and exacerbate biases reflected in existing algorithms, data and policies and can lead to discrimination based on race, gender, religion, sexual orientation or nationality.²² Gaps in the data on which artificial intelligence models are trained can likewise automate existing patterns of discrimination, which can have profound real-life consequences when such systems are used in decision-making.²³

41. Facial recognition technology, when used remotely in public places for surveillance by law enforcement and border management agencies, and increasingly for commercial purposes, without the knowledge of the individual, raises a number of human rights concerns. Real-time tracking and identification carry the risk of individuals and communities being targeted on the basis of their identity. Another critical aspect of facial recognition is its reliability and accuracy. Studies on demographic effects in facial identification revealed that rates of false positives varied widely across demographic groups, with the highest rates among people of African and East Asian origin; and media have reported that the analysis of three commercial gender-classification systems that used facial analysis algorithms showed that women of colour were the most misclassified group.²⁴

E. Impact of technologies on women, minorities and marginalized communities

42. Studies show that the adverse impacts of digital technologies on human rights disproportionately affect certain population groups, deepening inequalities and discrimination and fueling bias.

43. Women are disproportionately targeted by hate speech and suffer disproportionately serious consequences; women human rights defenders, journalists and politicians, women with disabilities, lesbian, bisexual and transgender women, Indigenous women and women belonging to ethnic minorities and other marginalized groups are particularly targeted.²⁵

44. According to the Special Rapporteur on minority issues, where disaggregated data are available, approximately 70 per cent of those targeted by online hate violence belong to minorities, including Roma, Dalits, people of African descent, migrants and refugees. Antisemitism, Islamophobia and the targeting of religious minorities are also on the rise.²⁶

45. In the digital era, the ability to obtain timely information, communicate with others and access social services is becoming increasingly dependent on access to the Internet. Affordable and reliable connection and education on the use of the Internet are therefore paramount to prevention efforts. According to the International Telecommunication Union (ITU), around 90 per cent of the population of developed countries are online compared with only 36 per cent of the population in least developed countries. Women account for an increasing share of the global offline population: in 2022, women non-users outnumbered men non-users by 18 per cent, up from 11 per cent in 2019.²⁷

²² [A/HRC/44/57](#); Committee on the Elimination of Racial Discrimination, general recommendation No. 36 (2020); and Sarah Myers West, Meredith Whittaker and Kate Crawford, “Discriminating systems: gender, race and power in AI” (AI Now Institute, 2019).

²³ [A/74/493](#), para. 77, and [A/HRC/48/31](#), para. 28.

²⁴ [A/HRC/44/57](#), para. 12; [A/73/348](#); Joy Buolamwini and Timnit Gebru, “Gender shades: intersectional accuracy disparities in commercial gender classification”, *Proceedings of Machine Learning Research*, vol. 81 (2018); and Amnesty International, “Racial bias in facial recognition algorithms”, 21 March 2023.

²⁵ [A/HRC/38/47](#), para. 28.

²⁶ [A/HRC/46/57](#), paras. 21 and 37.

²⁷ ITU, *Measuring Digital Development. Facts and Figures 2022* (Geneva, 2022), p. 3.

F. Use of new technologies to support early warning and accountability

46. Digital technologies open a myriad of new opportunities to support prevention efforts, offering a wide array of tools, granting access to numerous resources and facilitating the collection of evidence and the detection of precursory developments that could pose risks, such as movements of troops or refugee groups. At the same time, the use of technologies as predictive tools for early warning and accountability may carry risks, if developed and used without sufficient safeguards to prevent genocide and protect human rights. For example, artificial intelligence systems relying on faulty or biased data can erroneously flag an individual as a perpetrator.

47. The use of open source intelligence, including social media content, satellite imagery and geolocation, has increasingly gained traction in human rights investigations. The independent international fact-finding mission on Myanmar used satellite imagery to corroborate information provided by victims and witnesses of the “clearance operations” in August 2017, showing the destruction by fire of at least 392 villages in Rohingya-populated areas in northern Rakhine State.²⁸

48. The Berkeley Protocol on Digital Open Source Investigations, developed in 2020 by OHCHR and the Human Rights Center at the University of California Berkeley School of Law, establishes legal and ethical standards for open source investigations and provides guidelines for the identification, collection, preservation, verification and analysis of digital open source information to improve its effective use in international criminal and human rights investigations.

49. The growing use of information and communications technologies has seen the emergence of online initiatives involving non-governmental organizations, research institutes, academic institutions and non-profit technology companies. Some run platforms that support community early warning efforts by offering access to open source software and to tools and services for mapping, crowdsourcing and information management and analysis. Others work on risk assessment and early warning models and conduct research, capacity-building and advocacy on technology-related human rights issues. Several technology companies with social media platforms have launched safety advisory councils and oversight boards to detect and moderate hate speech and violent extremism. In addition, many are working closely with the Office of the Special Adviser on the Prevention of Genocide to implement the United Nations Strategy and Plan of Action on Hate Speech.

G. United Nations system initiatives

50. Digital technologies have rapidly transformed society, heralding unprecedented changes that can advance the human condition but also give rise to profound new challenges. Sensing the urgency of the matter, in July 2018, the Secretary-General convened an independent high-level panel to consider the question of “digital cooperation” – the ways of working together to address the impacts of digital technologies in order to maximize their benefits and minimize their harm, and how digital cooperation could contribute to the achievement of the Sustainable Development Goals. The High-level Panel on Digital Cooperation highlighted some critical issues and called for global digital connectivity, digital capacity-building and mechanisms to improve digital trust and security.²⁹

51. The Road Map for Digital Cooperation³⁰ contains recommendations for concrete action by the international community that could enhance global cooperation and help to ensure that all people are connected, respected and protected in the digital age. The Road Map builds on the recommendations of the High-level Panel and input from States, the private sector, civil society, the technical community and other stakeholder groups.

²⁸ A/HRC/39/64, para. 42.

²⁹ “The age of digital interdependence: report of the UN Secretary-General’s High-level Panel on Digital Cooperation”, June 2019.

³⁰ A/74/821.

52. Since 2020, the Office of the Special Adviser, in partnership with the Economic and Social Research Council's Human Rights, Big Data and Technology Project at the University of Essex, United Kingdom of Great Britain and Northern Ireland, has convened three round-table consultations to discuss the implementation of the United Nations Strategy and Plan of Action on Hate Speech in the online space. These consultations engaged technology and social media companies on their roles and responsibilities in addressing online hate speech in line with international human rights norms and standards, with a view to building partnerships for the implementation of the Strategy; recommendations addressed to technology and social media companies, States, the United Nations, civil society, academic institutions and the media were also formulated. In June 2022, the Office of the Special Adviser published a policy paper entitled "Combating holocaust and genocide denial: protecting survivors, preserving memory, and promoting prevention". The paper outlines the challenges of online Holocaust and genocide denial linked to hate speech and provides recommendations for action. In July 2023, the Office issued an additional policy paper with recommendations for tackling online hate speech, based on the round-table discussions convened.³¹

53. Strengthening human rights in the digital space is also one of the priority areas in the Secretary-General's Call to Action for Human Rights,³² which emphasizes that advances in new technologies must not be used to erode human rights, deepen inequality or exacerbate existing discrimination and that governance of artificial intelligence needs to ensure fairness, non-discrimination, accountability and transparency.

54. In the report "Our Common Agenda",³³ the Secretary-General proposed that the United Nations, governments, the private sector and civil society come together to prepare a global digital compact to be agreed at the Summit of the Future in September 2024. In his policy brief on a global digital compact, the Secretary-General proposes shared principles for an open, free and secure digital future for all. Also in the policy brief, he proposes that States commit to avoiding blanket Internet shutdowns and recognizes the human rights risks of "data-fuelled State surveillance and predatory business models". He also calls on all stakeholders to work together to close the existing governance gap in artificial intelligence, including through actions by States to prohibit the use of technology applications "whose potential or actual impacts cannot be justified under international human rights law".³⁴ The Secretary-General has also issued a policy brief on information integrity on digital platforms.³⁵

55. The Human Rights Council can play an essential role in ensuring that new technologies contribute to the prevention of genocide. In 2012, it adopted resolution 20/8, in which it affirmed that the same rights that people have offline must also be protected online. In the past few years, the Council has been paying increased attention to the human rights impact of new and emerging digital technologies and has adopted several resolutions establishing mandates for panels, studies and expert consultations on various aspects of the impacts, opportunities and challenges of these technologies for human rights.³⁶ Special procedure mandate holders have also made valuable contributions by examining the impact of digital technologies on specific rights and issuing recommendations contributing to the prevention of genocide.³⁷

56. The Guiding Principles on Business and Human Rights are a powerful tool for governments, the private sector and civil society to ensure that innovation is managed responsibly and with respect for human rights. Effective use of the Guiding Principles can help to prevent or mitigate human rights risks relating to new technologies and to hold companies developing these new technologies accountable.

³¹ "Countering and addressing online hate speech: a guide for policy makers and practitioners" (2023).

³² "The highest aspiration: a call to action for human rights" (2020).

³³ [A/75/982](#).

³⁴ United Nations, "Our Common Agenda policy brief 5: a global digital compact – an open, free and secure digital future for all" (May 2023).

³⁵ United Nations, "Our Common Agenda policy brief 8".

³⁶ Human Rights Council resolutions 41/11 and 49/9; and [A/HRC/47/52](#).

³⁷ [A/HRC/46/57](#) and [A/77/288](#).

IV. Conclusions and recommendations

A. Strengthening capacities for the prevention of genocide

57. Prevention of genocide requires constant vigilance and action. It is important to invest in prevention early to address risk factors before they escalate into more serious concerns. A prevention of genocide approach needs to be integrated into the broader prevention agenda of the United Nations system. States are urged to prioritize prevention of genocide at the national, regional and international levels by implementing the measures set out below.

58. States should:

- (a) Build capacity to prevent genocide and establish or strengthen national mechanisms for prevention;
- (b) Consider the appointment of focal points on the prevention of genocide, who could cooperate and exchange information and best practices among themselves and with the Special Adviser on the Prevention of Genocide, relevant United Nations bodies and regional and subregional mechanisms;
- (c) Become party to the Genocide Convention and criminalize genocide in national legislation, if they have not already done so;
- (d) Develop inclusive national genocide prevention policies, fulfil their collective responsibilities to protect populations from atrocity crimes and establish or strengthen national mechanisms for genocide prevention;
- (e) Conduct regular national assessments of existing risks, which should be system-wide, include the identification of vulnerable populations and ensure the participation of those groups in the formulation of recommendations that address identified risks;
- (f) Work closely with, and support the engagement of, civil society in assessing risks and addressing identified risks;
- (g) Join existing, or create relevant, regional or subregional initiatives on the prevention of genocide. States that are already part of early warning mechanisms or networks at the regional or subregional level should work towards including an atrocity prevention lens in those mechanisms;
- (h) Continue to cooperate with the Special Adviser on the Prevention of Genocide, including by inviting the Special Adviser to provide technical and capacity-building support for country-level risk assessments and responses; brief relevant bodies, including the Security Council and the Human Rights Council, on situations of concern where elements of the risk of genocide are present; and take follow-up action accordingly, utilizing all the tools available to prevent genocide and to strengthen international accountability for such crimes;
- (i) Where relevant, consider setting up national prevention mechanisms;
- (j) Continue to promote the prevention role of the Human Rights Council by acting on warning signs of potential genocide or other atrocity crimes;
- (k) Continue to utilize tools, such as fact-finding missions, commissions of inquiry and special procedure mandate holders, to support the prevention of and accountability for atrocity crimes;
- (l) Explore further enhancing, in national reports and outcome documents of the universal periodic review, an assessment of the measures being taken to prevent genocide and specific recommendations to address risks.

59. Regional organizations are urged to:

- (a) Establish risk factors for genocide or integrate them into existing early warning mechanisms and support action to address the risks identified;

(b) Promote the exchange and sharing of good practices on preventing genocide at regional levels.

60. Civil society is urged to:

(a) Continue to monitor and raise the alarm of risk factors of genocide and bring them to the attention of States, the United Nations system and other relevant actors, including through the Human Rights Council;

(b) Support awareness-raising on the importance of prevention and teaching on past genocides through education, including specific indicators of risk, such as hate speech and Holocaust and genocide denial;

(c) Support initiatives to work with new or underutilized actors, such as the media and religious and traditional leaders, to promote prevention of genocides and address hate speech.

B. Technological advances: risks and opportunities for the prevention of genocide

61. As the primary duty bearer, the State holds the ultimate responsibility for ensuring that genocide is prevented and that international human rights norms and standards are applied in the digital sphere and in all aspects of the development and use of digital technologies.

62. Multi-stakeholder cooperation is crucial in addressing the challenges arising from new technologies, including the implications for vulnerable and marginalized communities, and in contributing to strengthening prevention efforts. Technology companies have a key role in the creation of a rights-based, inclusive digital space.

63. A genocide prevention lens must be a central element of broader prevention efforts to protect populations from the most egregious atrocity crimes. In that regard, States and the private sector are urged to implement the measures set out below.

64. To address risks related the use of digital technology, States should:

(a) Define in law what constitutes prohibited content, in accordance with States' obligations under international human rights law, including article 20 (2) of the International Covenant on Civil and Political Rights, and article III (c) of the Genocide Convention;

(b) Review existing laws on hate speech to meet the requirements contained in article 19 (3) of the International Covenant on Civil and Political Rights and ensure that new laws are in line with these requirements;

(c) Engage in regional, international and United Nations-led initiatives to counter hate speech online and offline and develop and implement measures within the framework of the United Nations Strategy and Plan of Action on Hate Speech, including national action plans, in partnership with the Special Adviser on the Prevention of Genocide as the designated focal point;

(d) Ensure equal respect for and enforcement of all human rights online and offline and place prevention at the centre of regulatory frameworks and legislation on the development and use of digital technologies, ensuring compliance with international standards;

(e) Incorporate safeguarding systems to uphold international due diligence standards, as defined by the Guiding Principles on Business and Human Rights, including due diligence throughout the life cycle of technological tools and digital infrastructure and by integrating specific risk factors related to atrocity crimes;

(f) Develop a gender-based approach to tackling online hate speech and violence against women and provide for training on gender-based hate speech for schools, communities and private companies;

(g) Ensure that the use, development and governance of artificial intelligence is in compliance with international human rights norms and standards;

(h) Consider the imposition of strict regulations on the sale and use of artificial intelligence systems that pose human rights risks, including the use of remote facial recognition in public spaces, unless and until adequate safeguards to protect human rights and prevent genocide are in place and the discriminatory impacts of using remote facial recognition in public spaces are removed;

(i) As part of the prevention of genocide, support domestic and international efforts on using digital technologies to strengthen monitoring, data collection, analysis, documentation and investigation, and ensure participation by civil society; and develop guidance on how standards related to the prevention of genocide apply in the digital age, building, inter alia, on the work of the special procedure mandate holders and treaty bodies.

65. Private companies should:

(a) Review their business models in line with the Guiding Principles on Business and Human Rights and ensure that their business operations and their data-collection and data-processing practices are compliant with international human rights norms and standards and data-protection principles;

(b) Conduct in-depth human rights assessments of their products, policies and operations, particularly concerning the role of algorithms and, for social media platforms, the role of ranking systems in amplifying content;

(c) Ensure that comprehensive human rights due diligence is conducted when artificial intelligence systems are acquired, developed, deployed and operated and before data about individuals are held, shared or used; such assessments should include specific indicators related to the risk of genocide;

(d) Work with civil society, States and the Special Adviser on the Prevention of Genocide to uphold responsibilities to prevent genocide and other atrocity crimes, with online platforms assisting by signalling patterns of hate that serve as early warning signs of genocide, taking action so that online platforms are not utilized for incitement to or the planning of atrocity crimes and preserving potential evidence of crimes, including materials removed.

66. Social media platforms should invest the resources necessary to develop their understanding of local contexts that drive hate speech and their knowledge, languages, policies and services in relation to minorities and vulnerable groups. Before entering new markets, they should conduct human rights impact assessments that include indicators of the risk of genocide, based on national contexts.