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**Human Rights Council Resolution 49/9**

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**Intersessional Meeting**

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**4 December 2023, Geneva**

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**Palais des Nations, Room XX**

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**CONCEPT NOTE**

1. **INTRODUCTION**
2. On 8 April 2022, the Human Rights Council adopted resolution 49/9 on the “prevention of genocide”. In this resolution, the Council has requested the United Nations High Commissioner for Human Rights to convene, before its fifty-sixth session, a one-day intersessional meeting “to mark the seventy-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide and to discuss the role of social media platforms and their instrumentalization by those seeking to spread hate leading to real-world discrimination and violence, which will provide a space for a thorough examination of the issue and a dialogue with various stakeholders”[[1]](#footnote-1).
3. The present concept note details the content, methodology and expected outcome of the one-day intersessional meeting that will take place on 4 December 2023.
4. **BACKGROUND**
5. Resolution 49/9 follows a series of resolutions adopted by the Human Rights Council on the prevention of genocide, including resolutions 7/25 of 28 March 2008, 22/22 of 22 March 2013, 28/34 of 27 March 2015 and 37/26 of 23 March 2018, and 43/29 of 29 June 2020. In line with these texts, resolution 49/9 restates the gravity of the crime of genocide and notes that genocide has inflicted great losses on humanity at all periods of history. While welcoming the significant progress made since the adoption of General Assembly resolution 96 (I) of 11 December 1946 to prevent, criminalise and punish acts of genocide and the adoption on 9 December 1948 of the Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention),[[2]](#footnote-2) it highlights however the need to further international cooperation to facilitate the timely prevention and punishment of genocide. The resolution underlines also the importance of ensuring accountability, truth, justice, reparation, guarantees of non-recurrence and preservation of historic memory, and to combating genocide denial and other forms of hate speech. This year marks the 75th anniversary of the adoption of the Genocide Convention. The intersessional meeting will help inform and contribute to the overall commemoration of this important anniversary, which will also be marked by a high-level commemorative event to be organized by the UN Office of the Special Adviser on the Prevention of Genocide in New York on 8 December 2023 under the theme of: *A Living Force in World Society: The Legacy of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.*
6. Resolution 49/9 insists on the need to prevent genocide at national, regional/sub-regional and international levels. In this respect, it reiterates the responsibility of each individual State to protect its populations from genocide and reaffirms its support to the mandate and the work of the Special Adviser to the Secretary General on the Prevention of Genocide. It also stresses the critical role played by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.
7. The resolution notes with concern that the crime of genocide, war crimes and crimes against humanity are often preceded or accompanied by statements by political leaders and public figures that express support for the affirmation of superiority of a race or an ethnic group, dehumanize and demonize persons belonging to minorities, disseminating hostility and prejudice against ethnic, religious or racial groups, or condone or justify violence against them. It also underlines that misuse of new technologies, in particular social media platforms, can amplify hate speech and contribute to national, ethnical, racial or religious polarization.
8. **INTERSESSIONAL MEETING**

**Overall Theme**

1. As requested in resolution 49/9, the intersessional meeting will consist of a dialogue on the role of social media platforms and their instrumentalization by those seeking to spread hate leading to real-world discrimination and violence.

**Date and Venue**

1. This intersessional meeting will take place at Palais de Nations, Room XX, on 4 December 2023 in Geneva.

**Participants**

1. The meeting will bring together, as requested by resolution 49/9: “States, relevant United Nations bodies and agencies, the Special Adviser to the Secretary-General on the Prevention of Genocide, the treaty bodies, the special procedures of the Human Rights Council and regional human rights mechanisms, as well as with civil society, including non-governmental organizations, and national human rights institutions and other stakeholders, including academic experts, transnational corporations and other business enterprises.”[[3]](#footnote-3)

**Methodology and Programme of Work**

1. The meeting will seek to encourage a thorough examination of the role of social media platforms and their instrumentalization by those seeking to spread hate leading to real-world discrimination and violence, through the exchange of views, experiences and good practices.
2. After introductory remarks, the meeting will be organised in three sessions, which will start with presentations by panellists, followed by an exchange with the floor. The last session of the seminar will consist of a wrap-up and closing remarks.
3. The seminar will be structured as follows:

***10:00-10:30 Opening remarks***

***10:30-12:00 Panel 1: The Use of Social Media Platforms to Amplify Hate Speech that could Lead to Genocide: Defining the Problem***

1. This session will discuss the use of social media platforms by people or entities who wish to amplify hate speech and cause violence, which could lead to genocide, war crimes, and crimes against humanity. It will attempt to deconstruct and define the problem, discussing the extent to which individuals, entities, or States instrumentalize social media platforms, and how discrimination and violence can move from the online world to the offline world. This session will also stimulate a dialogue on how to define hate speech and establish a nuanced view of the relationship between hate speech and social media.

***12:00-13:00 Panel 2: State Obligations for Preventing Direct and Public Incitement to Genocide in the Digital Space***

1. Having defined the problem in the first session, this session will focus on underscoring state obligations for preventing direct and public incitement to genocide in the digital space by discussing the international legal frameworks for the prevention of genocide and other atrocity crimes and the protection of fundamental rights such as the rights to freedom of opinion, expression, and peaceful assembly. Particular care will be taken to fully convey the balance that must be struck between Articles 19 and 20 of the ICCPR and underscoring that the risk of genocide and related atrocity crimes increases when there is no scope for dialogue.
2. Panellists will refer to a variety of international legal instruments and guidance documents, including the Genocide Convention, International Covenant on Civil and Political Rights, UN Strategy and Plan of Action on Hate Speech, UN Framework of Analysis for Atrocity Crimes, UN Rabat Plan of Action on Hate Speech, and UN Guiding Principles on Business and Human Rights. Reference will also be made to the recent report of the Secretary General on the prevention of genocide (A/HRC/53/45), which focuses on prevention of genocide and digital technologies.

***13:00-15:00 Break***

***15:00-16:00 Continuation of Panel 2***

***16:00-17:50 Panel 3: Role of Social Media Platforms in Responding to Content that Incites Violence and Discrimination***

1. Having defined the problem in the first session and established the legal obligations for preventing the incitement of genocide in the digital space in the second session, the third session will look at the role of social media platforms in responding to crisis situations where content is being disseminated that incites violence, discrimination, or genocide. Panellists will discuss how social media platforms moderate content in response to concerns presented by constituencies around the world and the challenges related to this moderation. The session will explore how social media companies engage with civil society and respond to government requests based on national laws.

***17:50-18:00 Closing Remarks***

1. **OUTCOME**
2. Human Rights Council resolution 49/9 requests “the Office of the High Commissioner to prepare a summary report on the intersessional meeting and to submit it to the Human Rights Council at its fifty-ninth session and to the General Assembly.”

1. Operative paragraph 42 of the resolution. [↑](#footnote-ref-1)
2. The Genocide Convention entered into force on 12 January1951. [↑](#footnote-ref-2)
3. Operative paragraph 43 of the resolution. [↑](#footnote-ref-3)