

The role of the UN, and other human rights and development actors in advancing the participation of minorities in poverty reduction and development strategies in South East Asia

Bangkok Consultation

25 and 26 September 2012

CONCEPT NOTE

I. General Context

By resolution 47/135 of 18 December 1992, the General Assembly adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (hereafter Declaration). The year 2012 marks the 20th anniversary of the adoption of the Declaration, the only UN human rights instrument devoted to minority rights. As the Human Rights Council affirmed in March 2012, the anniversary offers an important opportunity to reflect on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as on achievements, best practices and challenges with regard to the implementation of the Declaration.

In March 2012, the Secretary-General's Policy Committee stressed that the 20th anniversary of the Declaration is to be used to raise awareness and promote implementation of the Declaration and it decided to bolster system-wide work and collaboration in this area by creating a UN Network on Racial Discrimination and Protection of Minorities, to be coordinated by OHCHR.

OHCHR is marking the anniversary through a range of activities and events throughout the year, all aimed to enhance the implementation of the Declaration. Following a Human Rights Council panel devoted to the Declaration in March 2012, OHCHR is organizing a series of consultations and seminars in different regions, all focussing on topical minority rights challenges relevant to each region. These events will bring together UN experts and agency representatives, relevant regional bodies, government representatives and minority and NGO representatives to take stock of the current human rights situation of minorities in the respective regions and also to explore ways in which the UN, regional organizations and relevant mechanisms could cooperate further to implement the Declaration and advance

minority rights. The Bangkok consultation is the third in the series of these events and follows events in Vienna and Amman.

II. The role of the UN, human rights and development actors in advancing the participation of minorities in poverty reduction and development strategies in South East Asia

As the High Commissioner for Human Rights, noted in her opening remarks during the 3rd session of the Forum on Minorities Issues¹, minorities are frequently excluded from full and effective participation in economic life, even more so in times of economic hardship. While the experiences of different minorities are diverse, the impact of that economic exclusion is nearly always devastating.

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities is clear in establishing that persons belonging to minorities have the right to participate effectively in economic life. Additionally, the Declaration highlights in its article 4 that States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country. The Declaration also calls in its article 9 for the specialized agencies and other organizations of the United Nations system to contribute to the full realization of the rights and principles set forth in the Declaration.

Minority groups in all regions of the world commonly experience higher than average and disproportionate levels of poverty. Poverty is often the result of the cycle of marginalization, social exclusion and discrimination affecting minority populations and is a cause, manifestation and consequence of a wide range of economic, social and cultural rights violations. The poorest communities in almost any region tend to be minority communities that have been targets of long-standing discrimination, violence or exclusion. Equally, poor communities are generally less able to participate effectively in political decision-making or to access mechanisms of justice when their rights are violated. Greater effort is needed to ensure that minorities who are living in extreme poverty benefit fairly from national and international obligations to reduce poverty². Disaggregated data that reveals inequalities is not collected in most countries. . Equally, minority communities are rarely consulted over the design of policies or programmes meant to alleviate poverty³.

¹ Geneva, 14 December 2010.

² A/HRC/FMI/2010/2.

³ Poverty Reduction Strategy papers, Minorities and Indigenous Peoples, an Issues Paper. MRG International 2005.

Inclusive development ensures that all people are at the same time active participants and beneficiaries in the development processes. In addition, inclusive development requires that opportunities and benefits for people must be provided equitably to contribute to development. Finally, it must ensure that disadvantaged groups are protected. In order to create opportunities and benefits for all, countries must adhere to these guiding principles of inclusive development.

In South East Asia, economic disparity continues and has proven to be a driving force of ethnic tension. In many areas, majorities have traditionally dominated political and economic life while poverty is concentrated in rural areas and among ethnic groups. The remote rural regions in which minorities live and their high reliance on rural agriculture pose special challenges to poverty alleviation. Ethnic minorities, frequently experience much less benefits from development programs than the main ethnic groups. They may be concentrated in remote regions, where quality of soil is poor, infrastructure is weak, and the reach of government programs in social sectors is inadequate. They may depend heavily on subsistence agriculture. In some countries, government policies and natural resource management regimes may have contributed toward undermining their access to resources, reduced food sufficiency, and brought about “new poverty” and marginalization. Their declining situation is reflected in the increasing proportions of minorities among the poor. In particular, transition to a modernized market-based economy can increasingly marginalize the position of ethnic minorities and women in the economy, as market measurements undermine the value of their roles and livelihood practices. In this context, a more coherent policy framework is needed for ethnic minority development and for mechanisms to ensure that such a policy is translated into effective action at the provincial and commune levels. Such a policy should include mechanisms for improved consultations, to ensure that development and poverty reduction programs respond to the real needs of ethnic minority communities⁴.

The Human Rights Committee has expressed its concern about the structural discrimination against minority communities in countries in the region including with regard to the protection of their way of life. Equally, the UPR examinations of some countries noted that some ethnic minorities are excluded from receiving subsidies and support.

The 3rd session of the Forum on Minority Issues recommended that development agencies should work closely with Governments to identify and remedy the root causes of discrimination against minorities that result in economic and social exclusion. All country strategies should reflect mainstreaming of minority issues and minority rights. Consideration should also be given to the effects of intersecting forms of discrimination in all strategies. To this end, development agencies should facilitate the full, effective and meaningful participation of representatives from minority groups, including minority women, in the country strategy development process.

⁴ Reducing poverty of ethnic minorities through natural resource management. Asia Development Bank, 2008.

The Outcome Document of the United Nations Conference on Sustainable Development held in Rio de Janeiro from 20 to 22 June 2012, affirmed that green economy policies in the context of sustainable development and poverty eradication should enhance the welfare of (...) other local and traditional communities, ethnic minorities, recognizing and supporting their identity, culture and interests, and avoid endangering their cultural heritage, practices and traditional knowledge, preserving and respecting non-market approaches that contribute to the eradication of poverty.

III. Objectives and output

The consultation will take place in Bangkok on 25 and 26 September 2012. It will bring together representatives of human rights and specialized agencies and other organizations of the UN system working in the South East Asia region, the Independent Expert on Minority Issues as well as other mandate holders (i.e. the IE on human rights and extreme poverty), development actors and some representatives from the academia.

Consistent with the view to strengthen implementation of the Declaration, participants will examine the above challenges and will reflect on how to mainstream minority issues and minority rights in country poverty reduction and development strategies in order to address the exclusion of minorities in South East Asia experience with respect to benefits emanating from development programmes.

In addition, participants will explore how they could facilitate the full, effective and meaningful participation of persons belonging to minority groups including minority women, in the country strategy development processes in order to ensure that development and poverty reduction programmes respond to the real needs of minority communities.

The outcome of the consultation will be a report reflecting the discussions and suggestions made at the consultation. The report will be made available to the relevant human rights mechanisms as well as to specialized agencies and other organizations of the United Nations system with special emphasis on South East Asia.

OHCHR will report on the workshop to the fifth session of the Forum on Minority Issues in November 2012 as well as to the recently established UN Network on Racial Discrimination and Protection of Minorities. OHCHR and other participating entities will consider follow up activities in light of the suggestions made at the consultation.

