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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

## Compilation of United Nations manuals, guides, training material and other tools on minority issues\*

### Report of the Office of the United Nations High Commissioner for Human Rights

#### *Summary*

The present report is submitted pursuant to Human Rights Council resolution 13/12 of 25 March 2010 which requested the Office of the United Nations High Commissioner for Human Rights to prepare a compilation of United Nations' manuals, guides, training material and other tools dealing with minority issues. Various United Nations entities have published methodological material which can provide useful guidance in the promotion and protection of the rights of minorities. This report provides summaries of the essential contents of such material.

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\* Late submission.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–4	3
II. The Commentary of the Working Group on Minorities on the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (2005) (E/CN.4/Sub.2/AC.5/2005/2).....	5–18	4
III. The United Nations Guide for Minorities (2001).....	19–20	6
IV. United Nations Educational, Scientific and Cultural Organization: The Human Rights of Linguistic Minorities (2001).....	21	6
V. The International Labour Organization: A Handbook for Minorities and Indigenous Peoples (2002).....	22	7
VI. United Nations Educational, Scientific and Cultural Organization: First Language First (2005).....	23–26	7
VII. United Nations Economic Commission for Europe: Challenges in measuring gender and minorities (2007) (ESA/STAT/AC.140/2.3).....	27–29	7
VIII. World Health Organization: Health Equity and Ethnic Minorities in Emergency Situations (2007).....	30–31	8
IX. Committee on the Elimination of Racial Discrimination: “Early Warning Indicators” (2007) .....	32–33	8
X. Office of the United Nations High Commissioner for Human Rights Country Engagement Strategies on Minorities (2009).....	34–41	9
XI. The United Nations Development Programme Resources Guide and Toolkit on Minorities (2010) .....	42–54	11
XII. OHCHR Booklet on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (2010).....	55	13

## I. Introduction

1. The present report is being submitted in accordance with Human Rights Council resolution 13/12 of 25 March 2010 requesting the Office of the United Nations High Commissioner for Human Rights to prepare a compilation of United Nations manuals, guides, training material and other tools dealing with minority issues. The material identified by the Office shows that the protection of minority rights continues to be recognized as an integral part of the United Nations' work for the promotion and protection of human rights, sustainable human development, peace and security. The primary goal of the United Nations as stated in its Charter is the maintenance of international peace and security. To this end, it is vital that conflicts be prevented and since violations of minority rights are at the root of a significant number of internal conflicts that can spill into regional or international wars, the protection of minority rights must be guaranteed in conformity with principles of justice and international law.

2. Essential treaty norms for the protection of minority rights are found in particular under the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC). Article 27 of the Covenant provides that “in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied 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”. Article 30 of the CRC stipulates that “in those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.”

3. Furthermore, the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Minorities Declaration), provides essential guidelines on the specific protection of minorities as regards protection, existence, identity, equality in treatment; and the right to effective participation in cultural, religious, social, economic and public life. Guided by the principles of equal treatment and non-discrimination, the protection of the aforementioned rights depends on creating conditions favourable to this end. Inclusion of minorities can be secured through for example: the promotion of multicultural and intercultural education; the promotion of participation in all aspects of public life; the inclusion of minorities' concerns in development and poverty-reduction processes; access to employment, health care and housing while paying special attention to the situation of women and children.

4. Creating conditions enabling the effective protection of the rights of minorities does not only serve to prevent conflict but also to bring about many other positive outcomes such as facilitating development, peaceful coexistence and democratic governance. It is in light of the positive interests that lie in giving voice to all members of society including persons belonging to minorities that most United Nations organizations, agencies, funds and programmes have developed manuals, guides and training material in their ongoing efforts to provide guidance to States and all other actors engaged in creating arrangements and opening channels to facilitate the participation of minorities in all facets of life in society.

## **II. The Commentary of the Working Group on Minorities to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (2005) (E/CN.4/Sub.2/AC.5/2005/2)**

5. The Commentary was prepared by the United Nations Working Group on Minorities to serve as a guide to the understanding and application of the Declaration. It outlines, first of all, the purposes of the Declaration, which are to promote more effective implementation of the human rights of persons belonging to minorities and more generally to contribute to the realization of the principles of the Charter of the United Nations and of the human rights instruments adopted at the universal and regional levels.

6. The Commentary provides guidance on understanding and application of the Declaration and outlines its scope through comments on individual articles. It specifies that the beneficiaries of the rights under article 27 of the International Covenant on Civil and Political Rights, which inspired the Declaration, are persons belonging to “ethnic, religious or linguistic minorities” and that the Declaration on Minorities adds the criterion “national minorities”.

7. Before entering into analysis of the articles, the Commentary clarifies that, unlike European regional instruments for which “national minorities” only comprise groups composed of citizens of the State; the Declaration on Minorities has a much wider scope. As the Declaration is inspired by article 27 of the International Covenant on Civil and Political Rights, the Working Group on Minorities deduces that the Declaration has at least as wide a scope as that article. Therefore, in conformity with article 2 of the Covenant, States parties are under an obligation to respect and ensure the application of article 27 to everyone within their territory and under their jurisdiction, whether the person or group of persons are citizens of their countries or not.

8. The Commentary recalls that this is also the view expressed by the Human Rights Committee in its general comment No. 23, according to which persons who are not citizens of the country in which they reside may form part of, or belong to, a minority in that country. It concludes that while citizenship as such should not be a distinguishing criterion that excludes some persons or groups from enjoying minority rights under the Declaration, other factors can be relevant in distinguishing between the rights that can be demanded by different minorities. For example, those who live compactly together in a part of the State territory may be entitled to rights regarding the use of language, and street and place names which are different from those who are dispersed, and may in some circumstances be entitled to some kind of autonomy. In the application of the Declaration the “old” minorities have stronger entitlements than the “new”.

9. Among other issues, the Commentary clarifies that the duties of the State to protect the identity of minorities and to ensure their effective participation might in some cases be best implemented by arrangements for autonomy in regard to religious, linguistic or broader cultural matters, even if the Declaration does not provide group rights to self-determination. It also explains that the autonomy can be territorial, cultural and local, and can be more or less extensive. Such autonomy can be organized and managed by associations set up by persons belonging to minorities in accordance with article 2.4 of the Declaration.

10. The Commentary analyses the articles of the Declaration one by one, providing a useful interpretation for their application. Regarding Article 1, The Commentary underlines that minority protection is based on four requirements: protection of the existence, non-exclusion, non-discrimination and non-assimilation of the groups concerned. On the protection of the existence of minorities, the Commentary specifies that it includes their physical existence, their continued existence on the territories on which they live and their

continued access to the material resources required to continue their existence on those territories. Protection of their existence requires respect for and protection of their religious and cultural heritage, essential to their identity, including buildings and sites such as libraries, churches, mosques, temples and synagogues.

11. With regard to article 2, the Commentary makes clear that the Declaration, by comparison with article 27 of the ICCPR, is more explicit in requiring positive action by the State for the realization of the rights of minorities to enjoy their culture, profess their religion or use their language and to participate in public life.

12. Article 3 specifies that persons belonging to minorities shall not be subjected to discrimination for exercising, individually or collectively, their minority rights, and that they shall also not be disadvantaged in any way for choosing not to belong to the minority concerned. This provision is directed both towards the State and the agencies of the minority group. The State cannot impose a particular ethnic identity on a given person by the use of negative sanctions against those who do not want to be part of that group; nor can persons belonging to minorities subject to any disadvantage persons who on objective criteria may be held to form part of their group but who subjectively do not want to belong to it.

13. Under article 4, the Commentary makes clear that States are generally obliged under international law to ensure that all members of society may exercise their human rights; however States must give particular attention to the human rights situation of persons belonging to minorities because of the special problems they confront, in particular with regard to discrimination.

14. The Commentary explains that under article 5, the interests of minorities should be given reasonable weight by comparison with other legitimate interests that the Government has to take into consideration. Planning of educational policy, health policy, public nutrition policy or housing and settlement policies are among the many aspects of social life with regard to which the interests of minorities should be taken into account. While the authorities are required to take only “legitimate” interests into account, this is no different from what is required in relation to majorities: an accountable Government should not promote “illegitimate interests” of any group, whether majority or minority.

15. Regarding article 6, the Commentary underlines that the implication of the cooperation of States on minority issues is to share and exchange knowledge about good practices, whereby States can learn from each other, and to promote mutual understanding and trust. It also recalls that in accordance with the Charter of the United Nations, States should observe the principle of non-intervention in their bilateral relations. They should abstain from any use of force and also from any encouragement of the use of violence by parties to group conflicts in other States, and should take all necessary measures to prevent incursion by any armed group or mercenaries into other States in order to participate in group conflicts. At the same time, they should, in their bilateral relations, engage in constructive cooperation to facilitate, on a reciprocal basis, the protection of equality and promotion of group identities.

16. The Commentary says with respect to article 7 that States’ cooperation as called for in this article can be undertaken at the regional and subregional levels, as well as at the level of the United Nations.

17. Article 8 indicates that the Declaration is intended to strengthen the implementation of human rights in regard to persons belonging to minorities, but not to prejudice anyone’s enjoyment of universal human rights. Consequently, it recalls that the exercise of rights under the Declaration must not negatively affect the enjoyment of human rights for persons who do not belong to a minority, nor for persons who belong to the minority.

18. According to Article 9, wherever possible, the agencies and bodies of the United Nations system shall contribute to the full realization of the Declaration.

### **III. The United Nations Guide for Minorities (2001)**

19. The aim of the United Nations Guide for Minorities is to assist minorities in understanding how to seek protection of their rights through the different procedures existing at the international and regional levels. Practical advice is given on how to take legal action where members of minorities consider that their rights under a particular treaty have been violated. The first part of the Guide contains the text of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the text of the Commentary to the Declaration.

20. The second part, which consists of a series of pamphlets, covers the following thematic areas: (a) Minorities, the United Nations and Regional Mechanisms: this section offers an overview of the purposes and structure of the United Nations and then describes in greater detail those bodies that are likely to be the most important in promoting and protecting the rights of persons belonging to minority groups. The second section provides a brief outline of human rights norms and international law, so that minority rights may be understood in their proper context. (b) The United Nations Working Group on Minorities: this pamphlet describes the creation, composition, mandate and functions of the United Nations Working Group on Minorities. It points out that the Working Group on Minorities was established by the Sub-Commission on Promotion and Protection of Human Rights to ensure more effective protection of the rights of persons belonging to minorities. (c) The Charter-based system of the United Nations: this pamphlet outlines ways of addressing the human rights situation in any Member State of the United Nations through mechanisms created by United Nations organs. These mechanisms are referred to as “Charter-based”, since the authority to create them stems from the United Nations Charter. (d) Human Rights Treaty Bodies and Complaint Mechanisms. The pamphlet describes six of the major international human rights treaties, outlines the system of State reporting common to all human rights treaties and suggests ways in which minorities and their representatives can raise their concerns before international treaty bodies. Finally it describes complaint mechanisms that are available under four of the treaties to individuals who believe their rights have been violated. The Guide also gives details of the efforts being undertaken by United Nations organizations, agencies, programmes and funds to promote and protect minority rights. An updated version of the Guide is currently under preparation and should be made available in the near future.

### **IV. United Nations Educational, Scientific and Cultural Organization: The Human Rights of Linguistic Minorities (2001)**

21. “The Human Rights of Linguistic Minorities and Language Policies” is a collection of articles published by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in the International Journal on Multicultural Societies. It focuses on the governance of linguistic diversity. This material analyzes linguistic rights from a comparative perspective in the European Union, South Africa, Central Asia and Baltic States. It emphasizes the similarity of problems faced by governments in adopting linguistic legislation in different regions; at the same time, it highlights specific historical conditions leading to regional differences in Governments' regulation of language use. The articles collected highlight context-specific problems of effectively implementing the human rights of linguistic minorities and focuses more on attempts by Governments to strike a balance

between the conflicting forces of their desire for convenience and to effect social change and language rights.

## **V. The International Labour Organization: A Handbook for Minorities and Indigenous Peoples (2002)**

22. This Handbook provides an insider's view of how the International Labour Organization (ILO) works. It explains how ILO can be used by non-governmental organizations and others to promote and protect minority and indigenous people's rights. It offers practical advice and case studies as well as step-by-step guidance on working with ILO, how to influence its agenda, and how to work with bodies such as trade unions to further minority and indigenous people's concerns.

## **VI. United Nations Educational, Scientific and Cultural Organization: First Language First (2005)**

23. *First Language First: Community-based Literacy Programmes for Minority Language Contexts in Asia* deals with education programmes that use learners' "first language first" as a medium of instruction, for adults as well as children, in various Asian contexts. It is divided into two parts:

24. Part I addresses the planning and implementing of a sustainable multilingual literacy programme. It highlights experiences from nine countries, Bangladesh, Cambodia, China, India, Indonesia, Nepal, the Philippines, Thailand and Viet Nam, focusing on community mobilization, identification of learning needs, development of minority language writing systems, development of curriculum and materials, training of facilitators, strategies/tools for evaluation, strategies for Government policy and sustainability. The study highlights the important role language plays in learning. "First language first" education programmes use the learners' first language for teaching beginning literacy and initial curriculum content, then gradually introduce the second language, usually a national language, as another medium of instruction. Programmes such as these have also been called "mother tongue first bilingual education" or "mother tongue-based bilingual education."

25. Part II contains resource papers and examples of good practice from countries participating in the project. It includes papers written by linguists and descriptions of best practices in mother-tongue literacy from five countries in the region. This publication is directed to policymakers, planners and practitioners in planning and organizing quality literacy programmes for members of minorities

26. The objective of UNESCO through this study is to promote mother tongue instruction and bilingual/multilingual education and to improve the quality of education, especially for disadvantaged groups, and to promote cultural and linguistic diversity in societies.

## **VII. United Nations Economic Commission for Europe: Challenges in measuring gender and minorities (2007) (ESA/STAT/AC.140/2.3)**

27. "Challenges in measuring gender and minorities" presents an overview of practices adopted to define and measure minority populations in the United Nations Economic Commission for Europe region in the past and highlights the operational challenges in

enumerating and measuring minority populations keeping gender stratification in mind. The tool begins with a discussion on existing practices of defining and measuring gender and minority status. It highlights the measurement of challenges and concludes with some recommendations for more consistent data collection and analysis on gender and minority status.

28. It is important to underline how the paper recognizes that producing reliable data may be problematic due to the lack of confidentiality. It is also important to note that despite the provision of individual data protection, minority individuals may still not be confident enough to disclose their real identities due to distrust towards Government claims that individual data are intended for fair treatment rather than discrimination. The paper recommends that the free and self-declaration of respondents remains an essential principle in the collection of official data on migrant and ethno-cultural characteristics of individuals.

29. The paper also highlights that in some countries, it is sensitive to directly identify minority status by race, ethnicity or religion. In these countries it may be useful to use the country of birth (parents' country of birth or ancestry) as a proxy for ethnicity to identify the ethno-cultural characteristics of minority groups. It also specifies that where data collection is by self-completion forms, clear instructions to respondents need to be communicated appropriately. Finally the paper suggests that involvement of minority communities in the data collection is helpful to establish trust and improve data quality.

## **VIII. World Health Organization: Health Equity and Ethnic Minorities in Emergency Situations (2007)**

30. In *Health Equity and Ethnic Minorities in Emergency Situations* the World Health Organization presents two types of experiment on the development of intersectoral action applying a broad approach to public policy and a human rights-based approach to ethnic groups in Colombia. The first type includes projects applied generally to these communities, primarily "Aboriginal or Afro-Colombian", using strategies in which the human rights approach methodology was not made explicit. The second type includes projects with an explicitly defined ethnic human rights-based approach, where cultural perspectives of the community were considered and programmes were adapted to their needs. The lessons drawn from the experiments are proposed as tools in implementing programmes for reducing inequality in health services among the most vulnerable population groups and in particular ethnic groups. The main finding is that projects that make specific reference to ethnic minorities and use a human rights-based approach are more successful in addressing the causes of discrimination and in providing equal access to health care.

31. The creation and adoption of an emergency and disaster relief care plan for "Aboriginal or Afro-Colombian" communities in diminishing the vulnerability and exposure of ethnic minority populations to the internal armed conflict also proved particularly effective. Moreover the coordination and integration of the initiatives of the development sectors involved have led to increased recognition at the national level of the need for affirmative action to benefit "Aboriginal, Afro-Colombian, Raizal and Romani peoples".

## **IX. Committee on the Elimination of Racial Discrimination: "Early Warning Indicators" (2007)**

32. The Committee on the Elimination of Racial Discrimination has established an early warning mechanism to draw the attention of Member States to situations where racial

discrimination has reached alarming levels. The Committee has adopted early warning measures and urgent procedures to prevent as well as to respond more effectively to violations of the Convention.

33. Early warning measures can include confidence-building measures to strengthen and reinforce racial tolerance, particularly to prevent a resumption of conflict where it has previously occurred. The urgent procedures are designed to respond to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention. The early warning measures could be taken when the following indicators are present (CERD, A/62/18, 2007): (a) Presence of a significant and persistent pattern of racial discrimination, as evidenced in social and economic indicators; (b) Presence of a pattern of escalating racial hatred and violence, or racist propaganda or appeals to racial intolerance by persons, groups or organizations, notably by elected or other State officials; (c) Adoption of new discriminatory legislation; (d) Segregation policies or de facto exclusion of members of a group from political, economic, social and cultural life; (e) Lack of an adequate legislative framework defining and criminalizing all forms of racial discrimination or lack of effective mechanisms, including lack of recourse procedures; (f) Policies or practice of impunity regarding: violence targeting members of a group identified on the basis of race, colour, descent or national or ethnic origin by State officials or private actors; grave statements by political leaders/prominent people that condone or justify violence against a group identified on the ground of race, colour, descent, national or ethnic origin; development and organization of militia groups and/or extreme political groups based on a racist platform; (g) Significant flows of refugees or displaced persons, especially when those concerned belong to specific ethnic groups; (h) Encroachment on the traditional lands of indigenous peoples or forced removal of these peoples from their lands, in particular for the purpose of exploitation of natural resources; (i) Polluting or hazardous activities that reflect a pattern of racial discrimination with substantial harm to specific groups. These indicators are a relevant tool to identify and prevent human rights violations against persons belonging to national or ethnic, religious and linguistic minorities.

## **X. Office of the United Nations High Commissioner for Human Rights Country Engagement Strategies on Minorities (2009)**

34. The information note "*Towards Developing Country Engagement Strategies on Minorities*" was prepared by the Office of the High Commissioner for Human Rights to encourage staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and colleagues in other United Nations organizations and specialized agencies to be more aware of the issues minorities face and the rights to which they are entitled. The objective of the Note, which is in the process of being updated, is to assist United Nations colleagues working at the country level in strengthening programmes benefiting minorities. The Note is structured as a series of questions and answers that aim to provide practitioners with basic information about United Nations definitions, standards and mechanisms related to minorities (Part II) and ideas and practical checklists for developing country engagement strategies on minority issues (Part III).

35. Part I is an introduction that outlines the purpose of the Note and some of the challenges minorities face in the enjoyment of their rights. Part II starts with issues of definition of minorities, pointing out that there is no internationally agreed definition as to what constitutes a minority. The difficulty in arriving at an acceptable definition lies in the variety of situations in which minorities live. Some live together in well-defined areas, separated from the dominant part of the population, while others are scattered throughout the country. Some minorities have a strong sense of collective identity or a well-remembered or recorded history; others retain only a fragmented notion of their common

heritage. The term minority as used in the United Nations human rights system refers to national or ethnic, religious and linguistic minorities, as laid out in the United Nations Minorities Declaration.

36. Action for the protection of minorities should focus primarily on the protection of the physical existence of persons belonging to minorities which includes, *inter alia*, their protection from genocide and crimes against humanity. In situations of conflict, the physical integrity of persons belonging to minority groups is of course at greatest risk and attention should be paid to ensuring that minorities, including those displaced internally within their own country or externally as refugees, have access to humanitarian aid and relief including food, shelter and health care. Protection of existence also requires, for example, the protection of cultural or religious monuments which are important expressions of a minority's culture and existence. Non-assimilation requires that diversity and plural identities are not only tolerated but protected and respected. Minority rights are about ensuring respect for distinctive identities while ensuring that any differential treatment towards groups or persons belonging to groups does not mask discriminatory practices and policies.

37. The principle of non-discrimination prohibits any distinction, exclusion, restriction or preference having the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by all persons, on an equal footing of all rights and freedoms. There is no requirement to demonstrate discriminatory intent and the principle concerns discrimination in legislation and policies as well as their implementation. International human rights law prohibits both direct and indirect discrimination.

38. The participation in public affairs and in all aspects of the political, economic, social and cultural life of the country where minorities live is in fact essential to the preservation of the minority's identity and to combating social exclusion. Mechanisms are required to ensure that the diversity of society in regard to minority groups is reflected in public institutions and bodies including national parliaments, the civil service, police and judiciary, and that persons belonging to minorities are adequately represented, consulted and have a voice in decisions which affect them, or the territories and regions in which they live. Participation must be meaningful and not symbolic and the participation of minority women is of particular concern.

39. Part II relates to international human rights instruments for the protection of minorities and in particular the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

40. Part II outlines the existing mechanisms for the protection of the rights of persons belonging to minorities: The United Nations independent expert on minority issues; The United Nations human rights treaty bodies and in particular the Committee on the Elimination of Racial Discrimination and its early warning mechanism to draw the attention of its members to situations where racial discrimination has reached alarming levels; the United Nations Special Adviser on the Prevention of Genocide; the Forum on Minority Issues; the Universal Periodic Review; the ILO Committee of Experts on the Application of Conventions and Recommendations, the Committee on the Application of Standards; the UNESCO Committee on Conventions and Recommendations of the Executive Board for complaints regarding alleged human rights violations within the fields of competence of UNESCO.

41. Finally Part III recommends using innovative approaches to awareness-raising and provides specific checklists to promote the rights of women and children belonging to minorities and effective participation by minorities in public life. The first step is to assess and understand the situation of minorities in a given country, such as finding out what are the most relevant concerns for minorities in the country, *i.e.* gaps, the rights to which

minorities are entitled but are not being enjoyed and for what reasons. The second step is to identify and promote structures and settings to improve the situation of minorities. As a third step, the tool proposes a checklist to identify priority areas for action, clarifying that in situations of serious human rights violations or in armed conflicts priority areas might need to be identified for immediate action. However this should not happen at the expense of a more general protection framework that must cover a wide range of civil, political, economic, social and cultural rights. Traditionally, attention has focused primarily on civil and political rights. The tool insists that an analysis of the situation of minorities would be incomplete without a thorough assessment of their enjoyment of economic, social and cultural rights, with particular attention being paid to the situation of women and of children. Finally Part III recommends using innovative approaches to awareness-raising and provides specific checklists to promote the rights of women and children belonging to minorities and effective participation in public affairs.

## **XI. The United Nations Development Programme Resources Guide and Toolkit on Minorities (2010)**

42. *Marginalised Minorities in Development Programming: A UNDP Resource Guide and Toolkit* (2010) (“The Toolkit”) provides essential guidance and practical tools on minority issues for United Nations Development Programme (UNDP) field staff and other practitioners. The document aims to clarify the conceptual issues and fundamental principles relating to the promotion and protection of minorities. It also offers approaches on how to use the available international and regional standards to engage minorities in development programming processes, influence policy choices and increase their opportunities for meaningful participation and representation.

43. The Toolkit is divided into four parts. Part I examines the key conceptual issues and fundamental principles for the promotion and protection of minority rights. First, it identifies objective and subjective criteria for defining minorities and outlines minority rights and protection, underlining that recognition of minorities facilitates development, peaceful coexistence and democratic governance. Part I also provides details as to the positive and negative obligations of States to respect, protect and fulfil identity rights, which are key factors in managing diversity and creating stability. Education is presented as a key component in the protection of minority identity. Issues of particular concern are access to education, the language of educational instruction and the cultural content of education. Access of minorities to education is often hampered by fewer resources made available to schools in areas where minorities live, and segregation of minority children from mainstream schools. In addition, minorities tend to have access only to lower levels of educational attainment. Both direct and indirect discrimination play a role in this. The curricula and textbooks used might perpetuate discriminatory attitudes towards minorities. Therefore States are required not only to ensure equal access for all to education, but to ensure non-discrimination in the quality of education provided as well.

44. Part II of the Toolkit also reviews programming opportunities and relevant strategies for UNDP to integrate minorities in development, including capacity development support for Government officials and institutions, UNDP staff and minorities, as well as possible entry points for effective advocacy and partnership building efforts. The Toolkit specifies that the strategy for integrating minorities in development programmes will vary with the national context. It proposes four indicative steps to ensure the inclusion of minorities in Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF). Part II also points out that another important strategy to reduce the exclusion of minorities is to build the capacity of Governments and other partners to integrate minorities into development programme.

45. Part III provides eight tools to assist UNDP staff in building and/or strengthening their work on minorities in development programming and conflict prevention efforts. The tools are clustered as follows: Tool 1 – Checklist for Developing Programmes and Projects on Minorities in Development; Tool 2 – Vulnerability Assessment; Tool 3 – HRBA Causality Analysis; Tool 4 – Collecting Quantitative Ethnic Data; Tool 5 – Survey Design, Data Collection and Sampling Method: Case Example from UNDP Ukraine; Tool 6 – Measuring ‘Ethnic Distance’; Tool 7 – Early Warning on Minorities and Conflict; Tool 8 – Integrating Minorities into the UNDP Programme Cycle.

#### **Tool 1 – Checklist for developing programmes and projects on minorities in development**

46. This tool can be used for collecting a range of baseline information to help build activities to promote and protect rights of minorities. It draws from an Information Note developed by OHCHR for its staff and other practitioners, with the support of the Inter-Agency Group on Minorities. Several sections address the needs and rights of particular minority groups, including displaced minorities, minority women, and religious minorities. In its final part it offers guidelines on how the United Nations can support the effective participation of persons belonging to minorities.

#### **Tool 2 – Vulnerability assessments**

47. This tool has been adapted from the UNDP Toolkit for a Human Rights Based Approach and Gender Analysis for Local Governance. It was developed by UNDP Bosnia and Herzegovina’s Rights-based Municipal Development Programme (RMAP) project. It includes a “Vulnerable Groups List”, which is an extensive list of pertinent indicators and questions for identifying potentially vulnerable groups and assess likely human rights issues affecting them in the country context. The list includes groups such as women, persons with disabilities, national minorities, Roma, displaced persons, refugees and returnees, children, the elderly, trafficked persons, detainees, HIV positive persons, homosexuals and the very poor. The Vulnerability Assessment for Roma is provided as an example of how to target assessment to a specific minority group. The questions can be adapted for other minorities.

#### **Tool 3 – HRBA causality analysis**

48. The UN Common Learning Package on the Human Rights-Based Approach (HRBA) has developed a causality analysis process. To make a development intervention produce sustainable results, activities need to address the root causes of discrimination and inequalities. This tool aims at highlighting the underlying causes to non-fulfilled rights and development challenges. It analyzes not only the immediate causes for a situation but also the underlying and structural causes of social exclusion, poverty, discrimination or any other condition related to non-fulfilment of human rights. This tool can be useful for determining root causes of the marginalization of minority groups. It proposes the Problem Tree/Objectives Tree to facilitate causal analysis.

#### **Tool 4 – Challenges in collecting quantitative ethnic data**

49. This tool was developed by the UNDP Regional Centre for Europe and Commonwealth of Independent States. It draws from the experiences of data collection on minority groups, including innovative surveys conducted in support of the UNDP Regional Human Development Report on the Roma, “Avoiding the Dependency Trap” (2003) and “At Risk: Roma and the Displaced in Southeast Europe” (2006). This tool provides a detailed introduction to the approaches and challenges of collecting disaggregated data by ethnicity, religion and/or language. It provides guiding principles for new data collection on minorities such as household incomes and expenditures and in labour force surveys disaggregated by ethnicity or religion.

**Tool 5 – Survey Design, Data Collection and Sampling Method: Case Example from UNDP Ukraine.**

50. This tool is provided by UNDP Ukraine. The Autonomous Republic of Crimea is the region where the surveys were conducted. It is a multiethnic region comprised of numerous minorities. This tool provides an example of the rationale, processes and outputs of data collection on ethnic groups. It complements Tool 4 by demonstrating the application of many of the principles of good practice in ethnic data collection and how to operationalize them. The tool gives priority to the collection of comparable and concrete data on social conditions linked to economics, land/housing/living and education issues. The aim is to understand differences between various key demographic subgroups and ensure an overview of the general population of the region.

**Tool 6 – Measuring ‘Ethnic Distance’**

51. Ethnic distance means the degree of understanding and intimacy between members of social groups, which is manifested in readiness to establish more or less close social relationships with members of this group, or lack thereof. Ethnic distance surveys are useful for assessing the impact of project interventions by making comparative surveys before, after and during the project intervention. Ethnic distance surveys are also used to monitor for early warning indicators of increasing/declining tensions and possible conflict. The tool should be used in collaboration with minority civil society organizations to determine the questions to be asked.

**Tool 7 – Early Warning on Minorities and Conflict**

52. This tool assists in early warning by assessing whether a country is at risk of violent conflict involving minorities. It is adapted from three sources: indicators identified by the United Nations Special Advisor to the Secretary-General on the Prevention of Genocide; the Indicators for Preventing Genocide adopted by the Committee on the Elimination of Racial Discrimination (CERD) and indicators suggested by Minority Rights Group International in the report *Minority Rights: The Key to Conflict Prevention* (2007). This tool is presented as an example only and indicators should be adapted to the specific country situation.

**Tool 8 – Integrating Minorities into the UNDP Programme Cycle**

53. This tool is intended to offer tips for UNDP to integrate consideration of minorities into each stage of the programme cycle and in some key components of work, such as the Millennium Development Goals and the Human Development Reports and general engagement with civil society. It includes many of the recommendations made in other components of this Resource Guide and Toolkit.

54. Part IV of the Toolkit provides an overview of the international legal standards and mechanisms relevant for minority rights and regional summaries of minority rights protection. In particular it outlines the main features of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the relevant United Nations Human Rights Treaties and the functions of its monitoring bodies. It also explains in detail, inter alia, the mandate and the work of the independent expert on minority issues, the Forum on Minority Issues and the Working Group of Experts on People of African Descent.

## **XII. OHCHR Booklet on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (2010)**

55. OHCHR has produced a booklet on the Declaration in an effort to raise awareness about the existence and the contents of its provisions. It puts forward a simplified and user-friendly presentation of the Declaration's provisions. The objective is to encourage United Nations officials, representatives of Governments, national human rights institutions, civil society, and other actors worldwide to use it to support their efforts in defending the rights of minorities. The Declaration offers guidance on the promotion and protection of the rights of minorities and is a valuable tool for the interpretation and implementation of these rights.

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