

## Pamphlet No. 2

### **MINORITIES AND THE UNITED NATIONS: THE UN WORKING GROUP ON MINORITIES**

**Summary:** The diversity that minorities bring to the States in which they live contributes to cultural richness both nationally and internationally. However, tensions between majority and minority groups have been frequent throughout history. Only recently has the United Nations formally addressed the rights of persons belonging to minorities, and interest has increased significantly since the adoption in 1992 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. This pamphlet discusses the Working Group on Minorities that was created to review implementation of the Declaration.

#### **A Brief History**

Almost all States have one or more minority groups within their national territories, groups distinguished by their own ethnic, linguistic, or religious identity that differs from that of the majority population. Harmonious relations among minorities and between minorities and majorities, as well as respect for each group's identity, are a great asset to society. Meeting the aspirations of minorities and ensuring their rights acknowledges the dignity and equality of all individuals, fosters participatory development, and contributes to the lessening of tensions both within and among States.

Until recently, the protection of minorities' rights did not attract the same level of attention at the United Nations as that of other rights. Interest in issues affecting minorities has grown, however, as ethnic, racial and religious tensions have escalated, all too often as a result of violations of minority rights.

Today, minority rights are violated in many parts of the world. Minorities seek to be recognized as such by their governments and wish to secure their rights to identity, to speak their own language, to profess and practice their own religion, to enjoy their own culture, and to establish and maintain their own associations. They also want to participate in public and political life and in designing and implementing development policies and projects that affect them.

The international community now recognizes that it is not sufficient merely to ensure that there is no discrimination against minorities. Special measures are essential to protect and promote the rights of minorities, particularly those necessary for minorities to preserve their identity and culture. Only over the past decade has the international community taken such measures. These include the adoption of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Minorities Declaration) in 1992, and the subsequent creation of the UN Sub-Commission Working Group on Minorities.

## **The Working Group on Minorities**

To ensure more effective protection of the rights of persons belonging to minorities, the Sub-Commission on Promotion and Protection of Human Rights (then known as the Sub-Commission on Prevention of Discrimination and Protection of Minorities) established the Working Group on Minorities in 1995. The Working Group is composed of five experts who are members of the Sub-Commission, one representing each of the five geographic regions the United Nations uses to apportion seats on UN bodies. (Membership of the Working Group on Minorities can be found via the web site of the Office of the High Commissioner for Human Rights: [www.unhchr.ch/html/menu2/2/subwg.htm](http://www.unhchr.ch/html/menu2/2/subwg.htm)) The Working Group meets between Sub-Commission sessions for one week each year, normally in May in Geneva. It prepares a formal report that is submitted to and discussed by the Sub-Commission when it meets each August. The report also is made available as a background document for the Commission on Human Rights. (For further information on the Sub-Commission and Commission, see Pamphlet No. 3).

## **The Working Group's Mandate**

The Working Group was established to examine ways and means to promote and protect the rights of persons belonging to minorities as set out in the Minorities Declaration. The three major tasks of the Working Group are:

- to review the promotion and practical realization of the Minorities Declaration
- to examine possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments
- to recommend further measures, as appropriate, for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities

These three elements are discussed at each of the sessions of the Working Group, often from the perspective of different rights or sets of rights.

The Working Group provides a framework within which non-governmental organizations (NGOs), members of minority groups or associations, academics, governments, and international agencies may meet to discuss issues of concern and attempt to seek solutions to problems. The hope is that these meetings and the dialogue they foster will lead to greater awareness of the different perspectives on minority issues and to increased understanding and mutual tolerance among minorities and between minorities and governments. The Working Group also provides a forum for encouraging peaceful and constructive solutions to problems involving minorities and on the application, meaning, and scope of the principles contained in the Minorities Declaration.

Under the major headings set out above, the agenda of the Working Group includes a wide range of subjects. Issues discussed under the item on the promotion and practical realization of the Minorities Declaration have included a review of the status of the Declaration in various countries and the meaning of specific rights set forth in the Declaration. One of the Working Group's primary activities during its first few sessions has been discussion of a commentary on the Minorities Declaration prepared by its Chairperson, which is available as an additional pamphlet (See Part I of the UN Guide for Minorities). Other topics have included language rights, intercultural and multicultural education, and the right to participate in political and public life.

When information is presented about the situation of minorities in a specific country, that country's representative may respond. If no representative is present, the Working Group may forward information presented by minority representatives or NGOs to the government concerned in order to give the government an opportunity to provide additional information.

Discussion of possible solutions to problems involving minorities has thus far included examining the role of national human rights institutions, the role of the media in protecting minorities, and the benefits of autonomy and integrative arrangements for encouraging greater respect for minority rights.

Many of the recommendations proposed by participants (not just members of the Working Group) are set forth in the Working Group's annual report to the Sub-Commission. The Sub-Commission may then forward suggestions for new measures to promote and protect minority rights to the Commission on Human Rights and the Economic and Social Council for action.

Within its mandate, the Working Group is also open to suggestions as to how it might improve its effectiveness or which issues it should address in the future. It has discussed how to make best use of the papers submitted as background documents at the various sessions; creation of a database on information pertaining to minorities; and potential links between the Working Group and other bodies, such as the committees that supervise implementation of international human rights treaties, Special Rapporteurs, international agencies, regional mechanisms, and national human rights institutions.

The Working Group also has organized, together with national institutions and NGOs, a series of seminars on various topics related to the Minorities Declaration or specific rights contained therein. The reports of the seminars then serve as a basis for further discussion during Working Group sessions. Since 1995, seminars have been organized on the issue of intercultural and multicultural education (Geneva, Switzerland, and Montreal, Canada), the role of the media in protecting minorities (Geneva), the effective participation of minorities (Flensburg, Germany), multiculturalism in Africa (Arusha, Tanzania, and Kidal, Mali) and Afro-descendants issues of the Americas. The reports of these seminars or workshops may be found on the web site of the Office of the High Commissioner for Human Rights ([www.unhchr.ch](http://www.unhchr.ch)).

### **Participating in the Working Group**

A unique feature of the Working Group on Minorities is that it has adopted very flexible arrangements to encourage participation in its sessions by all those interested in and able to contribute to its work. As a result, relevant NGOs, representatives of minority groups, and academics with expertise on minority issues, in addition to governments and international agencies, may participate in person, including providing written submissions, in the Working Group's sessions. The only limits placed on such participation is that participation may be refused if a person or group advocates the use of violence or if an NGO created along ethnic lines has become a political party.

The procedure for applying to participate in a session of the Working Group is as follows:

1. Write a brief letter or send an e-mail to the Secretariat of the Working Group with information about your organization, its activities in the field of minority protection, and any further information that you feel may be relevant to the Working Group.
2. On the basis of the letter you have sent, you will generally be accredited to [attend follow](#) the Working Group on Minorities (or, in exceptional cases, you will receive an

explanation as to why your participation has been rejected). Decisions regarding participation are normally made by the Secretary of the Working Group. In special cases, the request may be referred to the Chairperson of the Working Group, who may consult with any of the Group's members who are familiar with NGOs in the regions they represent.

3. On the morning the Working Group begins, you need to visit the Villa des Feuillantines, close to the main entrance of the Palais des Nations. If your name is on the list of participants for the Working Group, you will be issued a pass that will be valid for the session of the Working Group. Having secured a pass, you should then present yourself to the security guards at the United Nations and make your way to the meeting room, normally in the Palais des Nations, E or New Building, for the opening of the session, usually at 10 a.m. on the Monday morning.

The sessions of the Working Group provide an opportunity for minorities from all over the world to meet, share experiences, and address their common interests and common challenges. It is therefore vitally important that minorities take advantage of the opportunities the Working Group offers.

At the same time, it is also important to recognize the limitations of the Working Group. It cannot provide immediate answers to queries about specific situations or find immediate solutions to minority problems. Nor is the Working Group empowered to take action on complaints about alleged violations of minority rights. Rather, the Working Group should be considered as an additional mechanism to address minority issues and one element in the process of providing more effective redress for violations and long-term solutions to current problems.

There are three main ways of participating in the Working Group: making oral statements during the Group's sessions; providing written information and/or papers; and meeting and talking with others about issues of concern to you.

### Oral Statements

If you are able to come to Geneva and participate personally in the Working Group's annual meetings, one of the best ways to bring your issue to the attention of the international community is to make a formal oral presentation during the session. By making such a statement, your concern may be recorded and included in the report of the Working Group, which is then submitted to the Sub-Commission and made available as a background document to the Commission on Human Rights.

To make a statement as effective as possible, you should keep the following suggestions in mind:

- To ask to make a statement, you must request that your name (if you are an academic) or the name of your organization be included on the list of speakers. The Chairperson will then call your organization or your name, on a first-listed, first-called basis. If you are not present, you may lose your turn and not have a chance to make your statement. If you leave the meeting for a short period, try to have someone else there to read your speech in case you are called unexpectedly.
- Prepare your statement well in advance, preferably before the beginning of the session. Make sure that it is clear and logical and that it includes facts to support the points you are

trying to make. Although you should not try to make “complaints” to the Working Group, you should illustrate your discussion of specific problems or concerns by using specific examples. However, you should avoid emotional or politically charged language. Your statement should be as relevant as possible to the agenda item under which you have decided to speak, although the items are often general in scope. In every case, it is useful to refer to the rights contained in the Minorities Declaration, since the Declaration remains the major reference of the Working Group’s agenda. It also is advisable to include specific suggestions or recommendations for further action by the Working Group.

- You must deliver your statement in one of the six official languages of the United Nations, i.e., Arabic, Chinese, English, French, Russian, or Spanish. Remember that many of the people in the room will not speak your language fluently and will therefore rely on the interpreters to know what you are saying. If the interpreters have a text, their task is made easier and your message is conveyed more effectively. You should provide them with six copies of your statement well before you are called on to speak. You also should give two copies of your statement to the Secretariat for the files.
- Although it may seem obvious, you should speak slowly and clearly. Some people become overly excited or emotional while speaking and tend to speak more quickly than normal. This often means that no one can understand them, and the impact of their statement is accordingly diminished. If you hear speakers who appear to be particularly effective in communicating their message, try to copy their techniques.
- The allotted speaking time is usually five minutes, although it may vary according to the number of items to be discussed during the session and the time remaining. Practice your statement beforehand and make sure you can read it in the time allowed. If you exceed that time, the Chairperson is likely to interrupt you and ask you to conclude. Make sure that you convey the most important points of your statement first, and be prepared to offer conclusions and recommendations that can stand on their own if you run out of time.
- When you finish speaking, people may come over to your seat and ask you for a copy of your statement. It is a good idea to have 20 or more copies ready to distribute, if possible. Generally, it ~~is would be~~ helpful ~~if you gave to give~~ the government representative from your country a copy. Many people respond better to materials in writing, and this may also ensure that your message will be communicated to those who might not have been in the room when you spoke.

### Providing Information and Background Papers

The work undertaken by the Working Group is not limited to reacting to statements delivered during its annual sessions. There are a number of ways you can provide additional information.

At each session, short papers prepared by members of the Working Group, NGOs, academics, governments, and specialized agencies provide a basis for discussion during the session. These papers are usually thematic in nature, as opposed to considering a specific country. In the past, they have dealt with such subjects as the definition and classification of minorities, education rights, best practices in the area of minority protection, citizenship and the minority rights of non-citizens, universal and regional mechanisms for minority protection, effective participation and representation of minorities, and language rights. A detailed list of the papers may be found on the web site of the Office of the High Commissioner ([www.unhchr.ch](http://www.unhchr.ch)). These papers are circulated at the sessions. Some appear in all six official



languages of the United Nations, although most are available only in French, English, and Spanish. Some papers are circulated only in their original language.

NGOs and others are encouraged to prepare papers for future sessions of the Working Group. You should contact a member of the Working Group or the Secretariat if you are willing to submit a paper, indicating the subject on which you wish to write. You should consult the agenda of the next session to ensure that your paper will be discussed. The Secretariat will inform you of deadlines, the length of the document (usually limited to six to eight pages), and other technical matters. There is no guarantee that your work will be accepted by the Working Group and distributed, but a well-written paper on a relevant topic will almost always be welcome.

### **Contacts and Networking**

The sessions of the Working Group provide an opportunity to meet with a wide range of people who are members of minority groups themselves or who are involved in minority issues. Given that many international, specialized, and humanitarian agencies are based in Geneva, it is also relatively easy to make appointments with officials of these agencies during your stay. Of course, it is best to meet such officials when you have specific questions to pose or information to provide, although many agencies consider it part of their job to maintain contacts with minority organizations. Contact details for the secretariat working on minority issues in a particular agency, ~~is to~~ [may](#) be found in [the relevant other](#) pamphlets [in this series.](#)~~XX and XX.~~

There are several NGOs based in Geneva that are willing to help participants in the Working Group. You should contact them either before you arrive in Geneva or upon your arrival. Their contact information can be found at the end of this pamphlet.

There are many opportunities during the week-long Working Group sessions to meet people informally. You should not hesitate to convey your concerns, share your experiences, or seek the support of others for your cause. You can make appointments with people in the coffee shop closest to the conference room, have a meal with them, or talk to them at the receptions that are usually held during the Working Group session. It is often easiest to contact participants and members just before the beginning or after the end of a meeting, after having noted where they are sitting in the room. If you want to talk to a member of the Working Group or a government representative, it is useful to have a clear idea beforehand of what you want to say to them. Think about what it is you wish to convey, have a clear message, and communicate it in a straightforward way.

To draw greater attention to an issue that concerns you and to further the dialogue between minorities and governments, you should encourage your own government to participate in the Working Group. This may prove particularly useful in soliciting a response from the government to any concerns that are raised, and it may even encourage your authorities to take action to remedy the situation you have highlighted. Outside of specific country situations, government participation is also essential if the Working Group's activities are to have increased visibility and credibility.

### **Impact of the Working Group**

Meetings of the Working Group are unlikely to be news in your country, and the Group can have no impact if no one knows about it. It is largely up to those who participate in the

sessions to ensure that the sessions are publicized. It is important to encourage media coverage of the Group's activities.

A press room, located in the United Nations building in Geneva, services a wide range of international media organizations. Staff at the press room can be helpful in putting you in touch with resident international press representatives or a media representative from your own country. You can simply put press releases into the pigeon holes located in the press room, but prior personal contact with journalists is often important if your press releases are to attract their interest. It is always useful to talk to media representatives in Geneva in advance of your statement and to make sure they have copies of it, but you also will need to convince them that your statement is newsworthy.

You should also have supporters at home working in tandem with you. While you are in Geneva, they can contact local media to inform them in advance of the issues you are addressing at the Working Group and encourage them to cover the story. It may be useful to provide background information on the Working Group to help local media understand the context in which you will be speaking. Make sure that you are available to any journalists who might want to contact you and that your press releases provide telephone and/or e-mail contacts.

While publicity is important in most human rights work, you should be careful about politicizing issues that may be very sensitive in your own country or that may incite your government to retaliate against you or the group you represent. Should you fear that this may happen, you may wish to bring your concern to the attention of the Secretariat of the Working Group and the Chairperson. They could then, for example, refer the matter to the new Special Rapporteur on Human Rights Defenders for inquiry or urgent action. If you or your organization are harassed, upon your return home, for statements made at the Working Group, you should inform the Secretariat of the Working Group.

### **The Role of NGOs between Sessions**

NGOs have an important role to play once the session of the Working Group is over. By referring to the studies, conclusions, and recommendations of the Working Group, you may bolster your own case and bring additional pressure to bear on the authorities in your or another country. You also can contribute to developing norms and interpretations of difficult issues in a way that will be favourable to minority demands.

Activities you may wish to undertake include:

- encouraging the adoption of specific measures at the local and national levels to implement the rights contained in the Minorities Declaration
- contributing to implementing the conclusions and recommendations adopted by the Working Group
- drawing the attention of government authorities, NGOs, and minority groups in your country to the work and recommendations of the Working Group
- organizing workshops or seminars to discuss particular issues of concern
- organizing training sessions to raise greater awareness of the rights contained in the Declaration.

## Further Information and Contacts

All communications regarding participating in the Working Group or other matters should be addressed to:

Secretariat of the Working Group on Minorities  
Office of the High Commissioner for Human Rights  
8-14 avenue de la Paix  
1211 Geneva  
Switzerland  
e-mail: [wgminorities.hchr@unog.ch](mailto:wgminorities.hchr@unog.ch)  
web site: [www.unhchr.ch](http://www.unhchr.ch)

Among NGOs that can be useful in facilitating your stay in Geneva and participation in sessions of the Working Group are:

International Service for Human Rights (for information on coverage of minority issues at all United Nations meetings, training, and strategy) - Tel: +41 22-733-5123;  
Fax: +41 22-733-0826; e-mail: [ishr@worldcom.ch](mailto:ishr@worldcom.ch) ; web site: [www.ishr.ch](http://www.ishr.ch)

Mandat International (for accommodation, word-processing, documentation centre, office space, fax and e-mail services, and photocopying) - Tel: +41 22-959-8855;  
Fax: +41 22-959-88-51; e-mail: [info@mandint.org](mailto:info@mandint.org) ; web site: [www.mandint.org](http://www.mandint.org)

Geneva International Welcome Centre (for accommodation and information on hospitals, doctors, banks, restaurants, and other services in Geneva) - Tel:+41 22-918-0270;  
Fax: +41 22-918-02-79; web site: [www.geneva.ch](http://www.geneva.ch)

Minority Rights Group, (for participating in sessions of the Working Group)  
International Secretariat, 54 Commercial Street (Floors 2-4)

London E1 6LT, United Kingdom  
Tel: 00 44 (0)20 7978 9498; Fax: 00 44 (0)20 7422 4201  
Web site: [www.minorityrights.org](http://www.minorityrights.org)

In addition to the many books and articles on minorities written by academics and activists, a number of important studies have been undertaken by members of the Sub-Commission. The classic study, first published in 1979, is Francesco Capotorti, *Study on the Rights of Persons belonging to Ethnic, Religious and Linguistic Minorities*, UN Human Rights Study Series No. 5, reprinted in 1991. Other recent studies of interest are listed on OHCHR's web site at [www.unhchr.ch](http://www.unhchr.ch)



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~~S Asbjørn Eide's report on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities (UN Doc. E/CN.4/Sub.2/1993/34 (1993)); a working paper by Erica-Irene Daes and Asbjørn Eide on distinctions between the rights of minorities and those of indigenous peoples (UN Doc. E/CN.4/Sub.2/2000/10 (2000)); and a working paper by Y.K.J. Yeung-Sik Yuen on the human rights problems and protections of the Roma (UN Doc. E/CN.4/Sub.2/2000/28 (2000)).~~