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Agenda item 3

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

**Albania^{*}, Armenia^{*}, Austria, Bosnia and Herzegovina^{*}, Chile, Costa Rica, Croatia^{*},
Cyprus^{*}, Czech Republic, Denmark^{*}, Estonia, Ethiopia, Finland^{*}, Georgia^{*}, Germany,
Greece^{*}, Guatemala, Honduras^{*}, Hungary^{*}, Ireland, Italy, Liechtenstein^{*},
Luxembourg^{*}, Mexico^{*}, Montenegro, Norway^{*}, Peru, Poland, Romania, Russian
Federation^{*}, Slovakia^{*}, Slovenia^{*}, Sweden^{*}, Switzerland, the former Yugoslav
Republic of Macedonia^{*}, Timor-Leste^{*}, United Kingdom of Great Britain and
Northern Ireland^{*}, Uruguay^{*}: draft resolution**

22/... Rights of persons belonging to national or ethnic, religious and linguistic minorities

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by consensus by the General Assembly by its resolution 47/135 of 18 December 1992,

Taking into consideration article 27 of the International Covenant on Civil and Political Rights, as well as other relevant existing international standards and national legislation,

Recalling all resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recalling also the commitment reached in the Vienna Declaration and Programme of Action and the Durban Declaration and Programme of Action with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

^{*} Non-Member State of the Human Rights Council.

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing their economic and social conditions and marginalization, as well as to end any type of discrimination against them,

Emphasizing also the importance of dialogue among all relevant stakeholders on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices, such as for the promotion of a mutual understanding of minority issues, managing diversity by recognizing plural identities, and promoting inclusive and stable societies, as well as social cohesion therein,

Emphasizing further the importance of national processes aimed at promoting and strengthening dialogue between all relevant stakeholders on issues relating to the rights of persons belonging to national or ethnic, religious and linguistic minorities with a view to ensuring the realization of their rights without discrimination and to help build stable societies,

Acknowledging that the United Nations has an important role to play regarding the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, taking due account of, and giving effect to, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Noting that 2012 marked the twentieth anniversary of the adoption of the Declaration,

Affirming that the above-mentioned anniversary offered 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, and reaffirming the principles and commitments therein,

Recognizing, in this context, the important role played by the Independent Expert on minority issues in promoting the implementation of the Declaration,

1. *Takes note* of the report of the Independent Expert on minority issues on persons belonging to linguistic minorities,¹ and of the report on the recommendations of the Forum on Minority Issues at its fifth session,² as well as of the report of the Special Rapporteur on freedom of religion or belief on persons belonging to religious minorities;³

2. *Also takes note* of the report of the United Nations High Commissioner for Human Rights on the rights of persons belonging to national or ethnic, religious and linguistic minorities⁴ and of the summary of the panel discussion to commemorate the twentieth anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;⁵

3. *Urges* States to undertake initiatives to ensure that persons belonging to national or ethnic, religious and linguistic minorities are aware of and able to exercise their rights as set out in the Declaration and in other international human rights obligations and commitments;

¹ A/HRC/22/49.

² A/HRC/22/60.

³ A/HRC/22/51.

⁴ A/HRC/22/27.

⁵ A/HRC/20/6.

4. *Also urges* States to develop appropriate mechanisms for effective participation of and consultation with persons belonging to minorities in order to take into account their views in decision-making processes affecting them, with a view to promoting greater participation in the political processes of the country and providing inclusive, informed and sustainable policymaking and implementation;

5. *Recommends* that States ensure that all measures taken with a view to implementing the Declaration are, to the fullest extent possible, developed, designed, implemented and reviewed with the full, effective and equal participation of persons belonging to national or ethnic, religious and linguistic minorities;

6. *Urges* States to strive to ensure the protection of persons belonging to national or ethnic, religious and linguistic minorities who may be at a greater risk of violence and to develop, where appropriate, protection programmes;

7. *Welcomes* the successful completion, in November 2012, of the fifth session of the Forum on Minority Issues addressing the implementation of the Declaration and which, through the widespread participation of stakeholders, provided an important platform for promoting dialogue on this topic and, as part of its outcome, identified in its recommendations achievements, best practices and challenges for the further implementation of the Declaration, and encourages States to take into consideration relevant recommendations of the Forum;

8. *Commends* the Independent Expert on minority issues for the work undertaken to date, for the important role that she has played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities, and for her guiding role in the preparation and work of the Forum on Minority Issues, which contributes to efforts to improve cooperation among all United Nations mechanisms relating to the rights of persons belonging to minorities;

9. *Welcomes* the panel discussion held by the Human Rights Council at its nineteenth session to commemorate the twentieth anniversary of the adoption of the Declaration, and takes note with appreciation of other multilateral, regional and subregional initiatives aimed at celebrating the anniversary;

10. *Calls upon* States, while bearing in mind the themes of the first five sessions of the Forum on Minority Issues, and with a view to enhance the implementation of the Declaration and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, to take appropriate measures by, inter alia:

(a) Developing and implementing inclusive education policies that ensure equal access to education for persons belonging to national or ethnic, religious and linguistic minorities;

(b) Improving the representation of and effective participation of persons belonging to national or ethnic, religious and linguistic minorities in all levels of political and public life;

(c) Ensuring the full and effective participation of persons belonging to national or ethnic, religious and linguistic minorities in economic life, including by promoting equal access to new information and communications technologies;

(d) Recognizing the importance of adopting measures, policies and programmes to address discrimination against and the exclusion of women and girls belonging to national or ethnic, religious and linguistic minorities;

11. *Encourages* States to ensure that due regard is given to the situation of persons belonging to national or ethnic, religious and linguistic minorities in times of national economic difficulties or other grave challenges, and to avoid adopting measures, including austerity measures, that disproportionately negatively affect them;

12. *Welcomes* the inter-agency cooperation of United Nations agencies, funds and programmes on minority issues, led by the Office of the High Commissioner, and urges them to further increase their cooperation by, inter alia, developing policies on the promotion and protection of rights of persons belonging to minorities, drawing also on relevant outcomes of the meetings of the Forum;

13. *Takes note* in particular in this regard of the establishment of the United Nations network on racial discrimination and the protection of minorities, coordinated by the Office of the High Commissioner and aimed at enhancing dialogue and cooperation between relevant United Nations agencies, funds and programmes, and invites the network to cooperate with the Independent Expert on minority issues and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and to consult and engage with persons belonging to national or ethnic, religious and linguistic minorities and civil society actors;

14. *Invites* the human rights treaty bodies and special procedures of the Human Rights Council to continue to give attention, within their respective mandates, to the situations and rights of persons belonging to national or ethnic, religious and linguistic minorities and, in this regard, to take into consideration relevant recommendations of the Forum;

15. *Reaffirms* that the universal periodic review, as well as the United Nations human rights treaty bodies, constitute important mechanisms for the promotion and protection of human rights and fundamental freedoms and, in that regard, calls upon States to effectively follow up on accepted universal periodic review recommendations relating to the rights of persons belonging to national or ethnic, religious and linguistic minorities, and further encourages States parties to give serious consideration to the follow-up to treaty body recommendations on the matter;

16. *Encourages* regional intergovernmental bodies to promote greater attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities within their respective regions, including by actively raising awareness of and promoting the Declaration in their work, as well as by encouraging its implementation at the national level;

17. *Encourages* national human rights institutions to pay due attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, considering establishing, for instance, a department, section or focal point within their secretariats to address those rights;

18. *Encourages* civil society organizations, including non-governmental organizations, to promote awareness of the Declaration and to review the extent to which they integrate the rights of persons belonging to national or ethnic, religious and linguistic minorities and the Declaration into their work, as well as to inform persons belonging to national or ethnic, religious and linguistic minorities about their rights;

19. *Requests* the High Commissioner to present an annual report to the Human Rights Council containing information on relevant developments of United Nations human rights bodies and mechanisms, as well as on the activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of and respect for the provisions of the Declaration;

20. *Requests* the Secretary-General and the High Commissioner to continue to provide all the human, technical and financial assistance necessary for the effective fulfilment of the mandate of the Independent Expert and for the activities of the Office of the High Commissioner in the area of rights of persons belonging to national or ethnic, religious and linguistic minorities;

21. *Decides* to continue its consideration of this issue in accordance with its annual programme of work.
