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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS,
CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL
RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

Report of the independent expert on minority issues, Gay McDougall*

* The present document is submitted late to reflect the most up-to-date information possible.

Summary

The mandate of the independent expert on minority issues was established by the Commission on Human Rights in its resolution 2005/79. The independent expert is required, *inter alia*, to promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and to identify best practices by States and possibilities for technical cooperation by the Office of the High Commissioner for Human Rights. The independent expert submitted her previous report to the Human Rights Council in February 2008, in which she provided a summary of her activities and addressed in detail the thematic issue of minorities and the discriminatory denial or deprivation of citizenship.

The present report provides a summary of activities undertaken by the independent expert since the submission of her previous annual report. The independent expert has undertaken official country missions to Guyana, from 28 July to 1 August 2008, and to Greece, from 8 to 16 September 2008. The report includes a review of the ongoing collaboration of the independent expert with the United Nations Development Programme (UNDP) with the aim of strengthening UNDP engagement with minorities in development processes. It also provides details of the inaugural Forum on Minority Issues and thematic recommendations of the Forum (see A/HRC/10/11/Add.1).

Human Rights Council resolution 6/15 of 27 March 2008 established a Forum on Minority Issues to be held annually for two days in Geneva. The resolution requires the independent expert on minority issues to guide the work of the Forum and prepare its annual meetings, and invites her to include in her report thematic recommendations of the Forum and recommendations for future thematic subjects, for consideration by the Human Rights Council. In accordance with resolution 6/15, the forum will, *inter alia*, identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The inaugural session of the Forum on Minority Issues was held on 15 and 16 December 2008. The Forum considered the thematic issue of "Minorities and the Right to Education".

Education is a basic human right for all children. And yet in all regions of the world minority children continue to suffer disproportionately from unequal access to quality education. Failure to ensure equal opportunities and equal access to education creates new generations of those who are disadvantaged in all walks of life, who cannot fulfil their potential in employment, and cannot contribute fully to their own communities and to wider society. Lack of access to education perpetuates the cycle of poverty that is often experienced most acutely by minority communities facing discrimination and exclusion, yet conversely, education provides a vital key to sustainable poverty alleviation. Education provides a gateway to the full enjoyment of a wide array of other rights, without which individuals and societies remain economically, socially and culturally impoverished. Ensuring equal access to education is one of the most serious challenges for minorities and States alike, and also offers one of the greatest opportunities for the advancement of the full rights and freedoms of persons belonging to minorities.

Equal access to education must be understood in the holistic sense of the rights to non-discrimination and equality. The concept goes beyond issues of physical or economic accessibility to focus on the ultimate goal of equal access to achievement outcomes. Disproportionate outcomes should be considered to implicate State responsibility for the promotion and protection of these rights.

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I. INTRODUCTION

1. The independent expert is pleased to submit to the Human Rights Council her fourth annual report pursuant to Council resolution 2005/79. The present report provides an overview of her activities since her previous report, submitted in February 2008 (A/HRC/7/23) as well as a review of the ongoing collaboration with UNDP with the aim of strengthening UNDP engagement in minorities in development processes. The report also includes the recommendations of the inaugural Forum on Minority Issues as required in Human Rights Council resolution 6/15 (see A/HRC/10/11/Add.1).

II. ACTIVITIES TO PROMOTE THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHTS OF MINORITIES INCLUDING THROUGH CONSULTATIONS WITH GOVERNMENTS

A. Country visits

2. Since the presentation of her previous report, the independent expert has undertaken official country missions to Guyana, from 28 July to 1 August 2008 (A/HRC/10/11/Add.2), and to Greece, from 8 to 16 September 2008 (A/HRC/10/11/Add.3). The independent expert thanks the Governments of Guyana and Greece for their exemplary cooperation during the preparation and conduct of her visits.

3. The independent expert's visit to Guyana focused on the relations between and comparative situations of Afro-Guyanese and Indo-Guyanese. She considered the legacy and impact on communities of an ethnically divided society and ethnic-based politics, and made recommendations to ensure non-discrimination and equality is achieved through legislation, policy and practice.

4. The independent expert's visit to Greece enabled her to gather substantial information on the challenges as well as positive practices related to the rights of minorities and disadvantaged groups. She considered the situation of the Roma, Muslims in the region of Western Thrace, other religious minorities and communities claiming ethnic Macedonian identity.

5. In pursuance of her mandate to promote the implementation of the Declaration on the Rights of Minorities and to identify best practices in every region, the independent expert welcomes the positive response of the Government of Kazakhstan to her request for a country visit in 2009. She looks forward to continuing a dialogue with Bangladesh, Colombia, the Islamic Republic of Iran, Malaysia, Nepal, Nicaragua, Panama, Surinam, Sri Lanka, Thailand and Turkey, to whom she has made requests to visit.

B. Other activities

6. The independent expert issued a number of press releases and public statements on issues and situations of immediate concern. On 4 January 2008 she joined several mandate holders in expressing serious concern and alarm over the deteriorating situation in Kenya following disputed elections. The mandate holders called for a swift political solution and an immediate end to ethnically based violence and killings. On 28 February 2008 the independent expert joined the Special Rapporteur on adequate housing as a component of the right to an adequate standard

of living in calling on the United States Government to halt ongoing evictions and to take immediate steps to protect the human rights of African-Americans affected by Hurricane Katrina and the demolition of public housing in New Orleans, Louisiana. On 10 April 2008, the independent expert was one of seven mandates which called for restraint by all parties and transparency as mass arrests were reported in the Tibet Autonomous Region and surrounding areas in China. On 15 July 2008, the independent expert, the Special Rapporteur on contemporary forms of racism and the Special Rapporteur on the human rights of migrants criticized as discriminatory a policy of the Government of Italy to fingerprint all Roma, emphasizing that the policy contributes to an environment of hostility, antagonism and stigmatization of the Roma. On 20 November 2008 the independent expert, jointly with the Special Rapporteur on contemporary forms of racism, issued a press release urging Europe-wide action to stop violence against Roma following incidents of violence in a number of European countries.

7. In pursuance of her mandate requirement to promote implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the independent expert receives information from diverse sources including Member States and non-governmental organizations regarding challenges to implementation of the Declaration and alleged violations of the rights of persons belonging to minority groups. On the basis of information received, and in order to solicit additional information from relevant States, the independent expert consults with Governments by sending communications in the form of letters of allegation, urgent appeals and thematic communications. The independent expert has consequently sent communications in relation to numerous situations involving minorities. Communications have been sent jointly with other relevant thematic mandate holders, and details are reflected in the summary reports of cases transmitted to Governments and replies received of those mandates.¹

III. ACTIVITIES TO APPLY A GENDER PERSPECTIVE

8. Pursuant to the requirement under her mandate to apply a gender perspective in her work, the independent expert has placed a high priority on the issues of minority women. Information received by the independent expert consistently reveals that women belonging to minorities experience unique challenges and multiple or intersectional discrimination emanating from their status as members of minorities and as women or girls.

9. The independent expert has established a practice of holding forums dedicated to minority women's views and voices during her country visits. She has conducted such forums during her visits to Hungary, Ethiopia, France, Dominican Republic, Guyana and Greece. These forums for

¹ During the period under review the independent expert joined communications to: China, India, the Islamic Republic of Iran, Iraq, Italy, Malaysia, Slovakia and the Sudan. Details of these communications are included in the summary reports of cases transmitted to Governments of the mandates including: the Special Rapporteur on freedom of opinion and expression; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on human rights defenders; the Special Rapporteur on the right to education.

women have revealed highly significant country and community specific information about the lives of minority women, which is reflected in the visit reports of the independent expert. They have been vital to a deeper understanding of issues facing minority communities in general.

10. The forums for women have also revealed, over the course of several forums, a number of issues that are common to women from many minority communities. Particular problems are faced by girls in accessing educational institutions and continuing their education through higher levels, especially in highly patriarchal family and community structures. Poverty and discrimination add to the weight of the “burden of family care” shouldered by most women. Minority women, whose families are most often extended ones, find those burdens particularly constraining. Heightened levels of domestic violence and physical assaults in public places, coupled with a multifaceted denial of access to justice have been common complaints heard from women from marginalized minority communities. They also face blockages within their homes and communities that deny them a role in decision-making. In the larger society they are denied a voice in decisions of the national polity because they are women and because they are minorities.

IV. ACTIVITIES TO COOPERATE WITH EXISTING UNITED NATIONS BODIES, MANDATES, MECHANISMS AND REGIONAL ORGANIZATIONS

11. Article 9 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities reminds the specialized agencies and other organizations of the United Nations system that they are to contribute to the full realization of the rights and principles set forth in the Declaration within their respective fields. Additionally, the independent expert’s mandate requires her “to cooperate closely, while avoiding duplication, with existing relevant United Nations bodies, mandates, mechanisms as well as regional organizations”. In her initial report to the sixty-second session of the Commission on Human Rights, the independent expert said that in carrying out this aspect of her mandate, she “will explore possible means of collaboration with other United Nations bodies and specialized agencies whenever their work bears on her mandate. She will consult with these bodies to share information and strengthen understanding and capacity in regard to minority issues, as appropriate to their specialist fields of activity and programmes of work”.

A. Collaboration with the United Nations Development Programme: minorities, poverty and development processes

12. The independent expert has developed a fruitful collaboration with UNDP. Her first thematic report (A/HRC/4/9) was on minorities, poverty alleviation strategies and the Millennium Development Goals (MDGs), in which she stated that: “The poorest communities in almost any region tend to be minority communities that have been targets of long-standing discrimination, violence or exclusion. As such, poverty within minority communities must be viewed as both a cause and a manifestation of the diminished rights, opportunities, and social advancement available to the members of that community as a whole. Without a targeted focus on their needs and rights, they will remain disproportionately impoverished. And without a more coherent effort to reduce poverty through targeted strategies that specifically reach out to minority communities, the international community will fail to achieve, or sustain, the important targets set within the Millennium Development Goals.”

13. She concluded that more must be done in all regions to focus the development process sharply on the needs of minorities. In the report, she strongly encouraged States and international development actors “to share with her further information on positive practices undertaken to develop strong policies and technical cooperation initiatives on poverty reduction in communities of historically marginalized minority populations”.

14. Pursuing her work in the area of poverty alleviation and realization of MDGs for minorities, the independent expert co-convened with UNDP in 2006 the consultation “UNDP’s Engagement with Minorities in Development Processes”. The co-conveners were the Democratic Governance Group of the Bureau for Development Policy (DGG/BDP) and the Office of the High Commissioner for Human Rights (OHCHR). The Consultation was to take stock of key issues, challenges, and gaps with regard to UNDP engagement with minorities in relevant practice areas and identify entry points that would help UNDP to better address issues related to minorities in development.² Following were the key conclusions and recommendations:

(a) Empirical research should be carried out to generate enhanced understanding of minorities, followed by capacity development support for UNDP staff and relevant partners;

(b) There is a lack of knowledge of the United Nations mechanisms related to minority issues, including the mandate of the independent expert, and of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(c) There is need to undertake specific programmatic activities focusing on minority communities, grounded by clear policy and practical guidance for the staff of country offices, and to review ongoing projects and programmes with an intention to redefine target groups, and develop strategies for promoting non-discrimination, participation and transparency;

(d) As a longer term objective, a UNDP Guidance Note on Minorities in Development³ would be useful, whilst a Resource Guide on Minorities in Development should be elaborated, as a medium-term objective.

² Experiences of UNDP Nepal, Romania, Guatemala, Ecuador, Kenya, Regional Indigenous Peoples’ Programme in the Asia Pacific, as well as the Regional Roma Initiatives in the CIS/CA regions were shared and further analysed.

³ A study commissioned by UNDP to suggest ways for more effective UNDP engagement with national or ethnic, religious and linguistic minorities, concluded, inter alia, that the existing policy/practice notes, such as the Policy of Engagement with Indigenous Peoples (2001), UNDP and Civil Society Organizations: A Policy of Engagement (2001), Poverty Reduction and Human Rights (2003) and Human Rights in UNDP (2005), were not sufficient to address the particular concerns of the minorities and that enhanced attention to minority issues should be an essential component to promote inclusive development processes. The study recommended that developing a UNDP Policy Note on Minorities would be an important tool for country offices to start and/or to strengthen their work with minorities.

15. In 2008 the independent expert continued her collaboration with UNDP towards a UNDP Guidance/Policy note on minority issues. A UNDP Resource Guide on Minorities in Development was produced in cooperation with OHCHR and following extensive consultations with UNDP country offices and staff. A validation consultation on the draft UNDP Resource Guide on Minorities in Development was subsequently held on 2 and 3 December 2008 in New York to critically review the draft guide. The consultation also sought, inter alia, to share challenges and good practice in addressing minority issues in development, and to further enhance the inclusion of minority issues in UNDP programming. The guide will be finalized by mid-2009.

16. The primary target groups of the proposed Resource Guide are the UNDP country office practitioners and those with policy advisory responsibilities. However, it can also serve as a reference document for other United Nations agencies, government counterparts and other relevant partners. It is hoped that the final product will enable the target group(s) to understand the conceptual issues and fundamental principles relating to the promotion and protection of minorities, learn how to draw on the available international and regional standards to engage minorities in programming processes, influence policy choices, as well as increase their opportunities for meaningful participation and representation in development processes.

B. Collaboration with the Inter-Parliamentary Union/United Nations Development Programme on minorities and parliamentary representation

17. The independent expert has highlighted in her country and thematic work the importance of ensuring that minorities are represented in elected bodies at the national and local levels. As a member of the Advisory Group to the joint Inter-Parliamentary Union (IPU) and UNDP project entitled "Promoting Inclusive Parliaments: The representation of minorities and indigenous peoples in parliament", the independent expert has contributed to the development of this ongoing project. This project builds on IPU's long experience in working to promote inclusiveness in national parliaments, including promoting women's political participation. The first phase of the project is to gather data on different aspects of inclusiveness in parliament including through a questionnaire survey sent to national parliamentary authorities, parliamentary party groups represented in national parliaments, and individual parliamentarians.

C. Collaboration with the Inter-Agency Working Group on Minorities

18. Under the auspices of the OHCHR Indigenous Peoples and Minorities Unit and the independent expert, the Inter-Agency Working Group on Minorities meets regularly to share information about ongoing initiatives relating to minorities. The Inter-Agency Working Group consists of the OHCHR, UNHCR, UNICEF, UNDP, UNESCO, OCHA, UNITAR, ILO, UNCTAD and WHO. A practical outcome of this inter-agency group has been an information note entitled "Towards Developing Country Engagement Strategies on Minorities", which answers commonly asked questions regarding minorities and identifies possible elements that should be included in strategies to address the situation of minorities in United Nations country programmes. The Inter-Agency Group also offered practical opportunities for sharing of information and discussion including in regard to preparations for the inaugural Forum on Minority Issues.

D. Expert Meeting on Integration with Diversity in Policing

19. In her initial report the independent expert identified as a key thematic priority for her work: “to enhance understanding of minority issues in the context of promoting inclusion and stability”. In this context, and consistent with her dialogue with the Human Rights Council in March 2007, she is supporting work by the Indigenous and Minorities Unit of OHCHR in the area of policing in multi-ethnic societies. On 15 and 16 January 2008, she was co-organizer with OHCHR, ILO and UNODC of a global meeting on integration with diversity in policing, held in Vienna, which brought together experts in policing issues and diversity from every region. A summary report on the expert meeting was submitted to the Human Rights Council as document A/HRC/10/38/Add.1.

V. ACTIVITIES TO TAKE INTO ACCOUNT THE VIEWS OF NON-GOVERNMENTAL ORGANIZATIONS

20. The independent expert places a high priority on her engagement with non-governmental organizations from all regions. She benefits greatly from the views and information provided by them in regard to all aspects of her work.

21. As part of her interaction with country and regional NGOs the independent expert attended the Regional Workshop on Minority Issues in Southeast Asia from 21 to 23 January 2008, held in Bangkok. The workshop was organized by the Asian Forum for Human Rights and Development (Forum-Asia) in cooperation with the International Movement Against All Forms of Discrimination and Racism (IMADR), and Minority Rights Group International (MRG). The workshop brought together some 30 representatives of minority communities and minority rights organizations in Southeast Asia engaged in the promotion and protection of minority rights. The objectives of the workshop included to promote awareness of the situations of minority groups in Southeast Asia; to identify issues and challenges in specific countries and the region as a whole; and to facilitate and strengthen networking among minority groups and human rights defenders working on minority issues in Southeast Asia.

22. The workshop was the first on the theme of minority issues to take place in the region. It considered minorities in the region in the context of numerous thematic issues including the right to culture; economic and development participation; health, education and the MDGs; political participation; and the situation of minority women. Country situation papers were presented on Cambodia, Indonesia, Laos, the Philippines, Thailand, Timor-Leste and Viet Nam. Concern was expressed by participants regarding the general situation of minorities and indigenous peoples in the Southeast Asia region. A statement issued by participating NGOs following the workshop made a number of recommendations to States in the region and highlighted a range of key challenges which include:

(a) Non-recognition of the diversity of ethnic, racial, religious and other identities within States in the region by national Governments;

(b) Laws and policies that discriminate against persons belonging to ethnic, national, religious or linguistic minorities, combined with the imposition of exclusivist national identities by States, often based on the ethnicity and identity of the ethnic majority;

(c) Statelessness and the denial or deprivation of citizenship of ethnic minorities, despite residence for generations within present-day State territory, causing the denial of essential rights and services;

(d) Disadvantaged situations - poverty, non-participation, exclusion, marginalization - generally being experienced by minorities and indigenous peoples;

(e) Lack of effective participation and representation in all stages of decision-making, as both an effect and cause of their already disadvantaged positions;

(f) The continuing serious situation faced by many minority women who face multiple discrimination, and the lack of integration of women and children's concerns within existing national and international law and institutions that seek to address minority and indigenous issues;

(g) The need for effective State compliance with and domestic application of international human rights standards on minorities and indigenous peoples, including the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

23. All States in the region were urged by the workshop participants to ratify the major United Nations human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination, and comply with obligations including in regard to timely reporting to treaty bodies. States were further requested to commit to engage with OHCHR and special procedures mandate holders, including the independent expert on minority issues. Members of ASEAN were called upon to develop effective terms of reference for an ASEAN human rights body as mentioned in the ASEAN Charter signed at the 13th ASEAN Summit in Singapore on 20 November 2007, in accordance with international human rights standards, with full and meaningful participation by civil society and, in particular, representatives of minorities and indigenous peoples.

VI. FORUM ON MINORITY ISSUES

24. In its resolution 6/15 of 28 September 2007, the Human Rights Council established a forum on minority issues, inter alia to provide a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, as well as thematic contributions and expertise to the work of the independent expert on minority issues. The Forum is also required to identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

25. Resolution 6/15 in paragraph 5 decided that "the independent expert on minority issues shall guide the work of the Forum and prepare its annual meetings". Furthermore it requested the President of the Human Rights Council to appoint for each session, on the basis of regional rotation and in consultation with regional groups, a chairperson of the Forum among experts on minority issues, nominated by members and observers of the Council. In accordance with this requirement, the President of the Human Rights Council appointed Ms. Viktória Mohácsi of Hungary and of Roma minority origin as the Chairperson of the first session of the Forum. The

Chairperson is required to prepare “a summary of the discussion of the Forum, to be made available to all participants of the Forum”. The Chairperson is responsible for the preparation of a summary of the discussion of the Forum, which is available on the website of the Forum on Minority Issues.⁴

26. The inaugural session of the Forum took place on 15 and 16 December 2008 at the Palais des Nations in Geneva. The thematic focus of this first session of the Forum was “Minorities and the Right to Education”. The Forum was opened by the President of the Human Rights Council and opening remarks were made by the United Nations High Commissioner for Human Rights, the independent expert and the Chairperson of the Forum.

27. The President of the Human Rights Council noted the Council’s willingness to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities. This includes the sharing of best practices, challenges, opportunities and initiatives for the promotion of mutual understanding of minority issues. He stated that education is an issue which engages us all as we strive to promote and protect the rights of children from all communities, especially the most disadvantaged.

28. The High Commissioner for Human Rights reflected that her personal and professional experience had led her to emphasize that education is both a human right in itself, as well as an indispensable instrument for achieving many other rights, whether civil, cultural, economic, political, or social. However, persons belonging to national, ethnic, religious and linguistic minorities disproportionately suffer the brunt of educational exclusion and are least integrated into national education systems, she stated. Members of minority groups all over the world face barriers in accessing education equally, including the lack of mother-tongue education; poor provision of schools and qualified teachers in the regions where they live; prohibitive costs of school fees that disproportionately affect them as the poorest groups; and curricula that do not reflect community priorities for learning.

29. In her opening remarks, the independent expert stated that education is a fundamental human right of every man, woman and child. And yet in all regions of the world minority children suffer disproportionately from unequal access to quality education. Failure to ensure equal opportunities and equal access to education robs people of their full human potential and their ability to contribute fully to their own communities and to the wider society. Education provides a gateway to the full enjoyment of a wide array of other rights, without which individuals and societies remain economically, socially and culturally impoverished. Lack of access to education perpetuates the cycle of poverty that is experienced most acutely by minority communities facing discrimination and exclusion. Conversely, education provides a vital key to sustainable poverty alleviation. Ensuring equal access to education is one of the most serious challenges for minorities and States alike.

30. Equal access to education must be understood in the holistic sense of the rights to non-discrimination and equality. Minorities often face systematic discrimination which creates blockages to their full enjoyment of their rights, including their right to education. To fully

⁴ <http://www2.ohchr.org/english/bodies/hrcouncil/minority/forum.htm>.

protect the right to education for those who have been subjected to historical systematic discrimination, we must go beyond issues of physical or economic accessibility to focus on the ultimate goal of equal access to quality education and to equal achievement outcomes. Disproportionate educational outcomes along racial, ethnic or religious lines must be considered evidence of discrimination that implicates State responsibility for the promotion and protection of these rights.

31. The Durban Programme of Action urged States “to ensure equal access to education for all in law and in practice, and to refrain from any legal or any other measures leading to imposed racial segregation in any form in access to schooling”.

32. We have also learned that enforced segregated schools not only violates the rights of minorities but also robs the entire society of its best opportunity to foster social cohesion and respect for a diversity of views and experiences.

33. As required in resolution 6/15, the Forum achieved the active participation of representatives of Member States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues, and NGOs. Over 370 individuals were accredited from all categories to participate in the Forum, including delegates from over 40 States, including several participants at ministerial and ambassador level. Some 90 NGOs were represented.

34. The views of experts and participants from minority communities were given a particularly high priority within the proceedings of the Forum. Several experts from each region were identified on the basis of criteria including their belonging to a minority group and their professional expertise in the field of education, particularly as it interfaces with the rights and experiences of minorities. Valuable insights were provided from such experts with professional and practical experience in working to promote equality in education and in the design and delivery of education solutions to address the needs of minorities.

35. Paragraph 6 of resolution 6/15 expresses the expectation that the Forum will contribute to the efforts of the United Nations High Commissioner for Human Rights to improve cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to minorities, including at regional level. Equally, the mandate of the independent expert requires her to cooperate closely, while avoiding duplication, with existing relevant United Nations bodies, mandates, and mechanisms. In view of these provisions, the independent expert engaged fully with such institutions early in her preparations in order to solicit their cooperation and substantive contributions.

36. She wishes to thank the following special rapporteurs and members of treaty bodies for their participation and contributions to the Forum, and welcomes their continued engagement: Mr. Vernor Munoz Villalobos, Special Rapporteur on the right to education; Mr. Prasad Kariyawasam, expert member of the Committee on Migrant Workers; Ms. Helen Keller, expert member of the Human Rights Committee; Mr. Lothar Krappmann, expert member of the Committee on the Rights of the Child; Mr. José Molintas, expert member

of the Expert Mechanism on the Rights of Indigenous Peoples; Ms. Dubravka Šimonovic, chair and expert member of the Committee on the Elimination of Discrimination against Women; Mr. Patrick Thornberry, expert member of the Committee on the Elimination of Racial Discrimination; Ms. Barbara Wilson, expert member of the Committee on Economic, Social and Cultural Rights; and Ms. Mona Zulficar, expert member of the Human Rights Council Advisory Committee.

37. The independent expert will seek to continue and to enhance her consultation and cooperation with the chairs and expert members of relevant treaty bodies. She welcomes future opportunities to identify possibilities and modalities through which the recommendations of the Forum may become most useful to the work of treaty bodies, taking into account their established processes and working practices. The independent expert wishes to engage the treaty bodies including in regard to the extent to which the recommendations may benefit States and committees in regard to State reporting on issues relevant to minorities and the right to education.

38. The independent expert greatly welcomes and values the substantive engagement and participation of United Nations specialized agencies in the Forum, including UNESCO, UNICEF and UNDP. The Forum benefited in particular from the close collaboration of the independent expert with UNESCO, which in cooperation with the Organisation internationale pour le droit à l'éducation et la liberté de l'enseignement (OIDEI), held a thematic debate on "Overcoming Inequalities in Education: the Importance of Inclusion" as a side event for Forum participants during which they presented conclusions and recommendations of an international conference held on 25 November 2008 on the subject of inclusive education. The independent expert expects that substantive collaboration with relevant specialized agencies will continue to attract increased attention to minorities and the right to education within the scope of their work. The substantive engagement of specialized agencies in the shaping of the recommendations of the Forum will help to ensure that they are meaningful to their ongoing activities in the field.

39. The mandate of the independent expert requires her to cooperate closely, while avoiding duplication, with regional organizations. She therefore notes with appreciation the engagement and participation in the Forum of representatives of regional organizations including: the African Union, the Council of Europe Secretariat of the Framework Convention for the Protection of National Minorities, the Organization of the Islamic Conference and the OSCE High Commissioner on National Minorities. She notes the attention paid by these regional intergovernmental organizations to minority issues and the education rights of minorities. She greatly values the regional perspectives which they contributed. In addition, she welcomes the participation of representatives of national human rights institutions who were accredited participants, including those of Fiji, Mexico, the Philippines, Poland, Southern Sudan, Sweden, and Switzerland.

40. On the basis of the provisions of resolution 6/15 and in the wider context of promoting implementation of the Declaration in all regions, the focus of discussions was broadly based around three core elements: identification of challenges and problems facing minorities and States; identification of good practices in relation to minorities and education; and consideration of opportunities, initiatives and solutions. A set of draft recommendations was prepared and circulated prior to the Forum. The draft recommendations were developed in collaboration with Patrick Thornberry who was formally appointed as Rapporteur of the Forum. The draft further

benefited from information, surveys and studies received by the independent expert. Participants were invited to target their contributions towards developing, improving and refining the draft as the subsequent outcome recommendations document.

41. Pursuant to the requirement for the independent expert to include in her report to the Human Rights Council thematic recommendations of the Forum, a series of recommendations emerged from the proceedings (see A/HRC/10/11/Add.1). The recommendations are intended for a wide readership of not only Governments but also international organizations and agencies, civil society, all educators and those who learn from them. They are phrased in broad terms with a view to their effective implementation in countries with diverse historical, cultural and religious backgrounds, with full respect for universal human rights. The range of issues included in the recommendations is not exhaustive. They represent only minimum requirements for an effective education strategy for minorities, without prejudice to further efforts made by individual States to address the needs of individuals and groups concerned. They should be interpreted in a generous spirit in cooperation with the communities, in the light of the demand that human rights instruments be interpreted and standards applied to be effective in practice, so that they can make a real difference to the lives of human beings.

42. Resolution 6/15 invites the independent expert to include in her annual report recommendations for future thematic subjects, for consideration by the Human Rights Council. Further to her consultations and taking into account the views of a variety of stakeholders, issues which are envisaged as future thematic subjects of the Forum by the independent expert include: minorities and political participation; minorities and the media; and minorities and development processes.
