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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion and  
Protection of Human Rights  
Working Group on Minorities  
Tenth session, 1-5 March 2004

**ANNOTATIONS TO THE PROVISIONAL AGENDA**

**Note by the Secretary-General**

**Introduction**

1. The establishment of the Working Group on Minorities was recommended by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities in its resolution 1994/4 of 19 August 1994 and authorized by the Commission on Human Rights in its resolution 1995/24 of 3 March 1995, in which it called upon the Sub-Commission to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 18 December 1992. For that purpose it authorized the Sub-Commission to establish an intersessional working group. This resolution was subsequently endorsed by the Economic and Social Council in its resolution 1995/31 of 25 July 1995. By decision 1998/246 of 30 July 1998, the Economic and Social Council extended the mandate of the Working Group with a view to its holding one session of five working days annually.
2. The tenth session of the Working Group is scheduled to be held at the United Nations Office at Geneva from 1 to 5 March 2004.

## **Item 1 Adoption of the agenda**

3. The provisional agenda for the tenth session of the Working Group contained in document E/CN.4/Sub.2/AC.5/2004/1 includes items on the promotion of the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The Commission on Human Rights, in its resolution 1995/24, requested the Working Group to give priority consideration to the three main items contained in paragraph 9 of that resolution, namely:

(a) To review the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(b) To examine possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments;

(c) 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.

4. In accordance with the above-mentioned paragraph, the Working Group decided to consider the issues in the following order at its present session: reviewing the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; examining possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments; recommending further measures, as appropriate, for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities; the future role of the Working Group; and other matters.

## **Item 2 Organization of work**

5. It is proposed that the number of meetings for each agenda item would be as follows: two meetings for agenda item 3 (a); two meetings for agenda item 3 (b); and two meetings for agenda item 3 (c).

### **Item 3 (a) Reviewing the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**

6. Under this agenda item, observers representing minorities, Governments and others are invited to present information on measures which have an impact on minority rights, including obstacles and negative developments as well as positive measures taken.

7. The Working Group has suggested the reorganization of the debate under this agenda item as follows:

- (i) a general debate;
- (ii) a clustering of the issues concerning, inter alia, Roma, Afro-descendants, nomads, pastoralists, hunter-gatherers, shifting cultivators, religious and other forms of intolerance, forced displacement of minorities;
- (iii) a consideration of effective enforcement mechanisms and remedies.

**Item 3 (b) Examining possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments**

8. The Working Group will continue its examination of solutions to minorities' problems. Mr. Jose Bengoa will present a working paper on the relationship and differences between self-determination and autonomy approaches to dealing with minority issues (E/CN.4/Sub.2/AC.5/2004/WP.1), as was suggested at the ninth session of the Working Group on Minorities (see E/CN.4/Sub.2/2003/19, para. 86, subpara. 5 (a)).

9. The Working Group will also continue its examination of ways to mainstream minority rights in development with the submission of a paper by the Minority Rights Group (E/CN.4/Sub.2/AC.5/2004/WP.5).

10. Conference room papers relating to this agenda item will be made available, including on the role of national human rights institutions in protecting minority rights.

**Item 3 (c) Recommending further measures, as appropriate, for the promotion and protection of persons belonging to national or ethnic, religious and linguistic minorities**

11. In paragraph 86 of the report of the Working Group on its ninth session (E/CN.4/Sub.2/2003/19), the Working Group expressed its gratitude to and accepted the invitation by the Government of Finland to explore the situation of minority protection in that country. The conclusions and recommendations from that visit will be made available as document E/CN.4/Sub.2/AC.5/2004/2.

12. An overview of the work of the nine previous sessions of the Working Group is provided in the working paper submitted by Mr. Tom Hadden (E/CN.4/Sub.2/AC.5/2004/WP.3) and will be drawn upon under this item of the agenda.

**Further measures**

13. The Working Group will continue to discuss further measures for the protection of persons belonging to minorities. Observers are invited to make proposals or present existing measures which could act as examples or be replicated. The report of the United Nations High Commissioner for Human Rights to the sixtieth session of the Commission on Human Rights (E/CN.4/2004/75), submitted in accordance with Commission resolution 2003/50, will be made available.

**Item 4 The future role of the Working Group**

14. The Working Group recommended that it should, in accordance with its mandate, continue to act as a forum for dialogue and exchange of ideas, information and experiences with a view to the elaboration of proposals for constructive group accommodation and further measures to promote and protect the rights of persons belonging to minorities.

**Item 5    Other matters**

15.    Under this item, members of the Working Group may consider a range of issues relating to its mandate and its activities.

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