



minority
rights
group
international

Know your rights

a community guide to
the UN Declaration
on Minorities

Contents

4 The UN Declaration on Minorities

12 Rights in Action

18 Using the Declaration: Suggestions for change

Visit the Minority Voices online newsroom

www.minorityvoices.org for stories and multimedia content from minorities and indigenous communities around the world.

Follow us



www.twitter.com/minorityrights



www.facebook.com/minorityrights

Author **Nicole Girard** is Programme Coordinator for the Asia component of MRG's Global Advocacy Programme. She has been researching and writing on minority issues for nearly a decade.

Minority Rights Group International (MRG) is a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide and to promote cooperation and understanding between communities.

Our activities are focused on international advocacy, training, publishing and outreach. We are guided by the needs expressed by our worldwide network of partner organizations which represent minorities and indigenous peoples. MRG works with over 150 organizations in over 50 countries. Our governing Council, which meets twice a year, has members from 10 different countries.

MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), and observer status with the African Commission on Human and Peoples' Rights (ACHPR). MRG is registered as a charity and a company limited by guarantee under English law.

Registered as
Minority Rights Group

Charity no. 282305

A company limited by
guarantee in the UK
no. 1544957



Cover: A Uighur girl waits for her teacher to arrive at an English school in Urumqi, Xinjiang, China. Chloë Dewe Mathews/Panos.



Back cover: A Dalit woman sits in the doorway of her house in Jangpura, New Delhi, India. Mikkel Ostergaard/Panos.



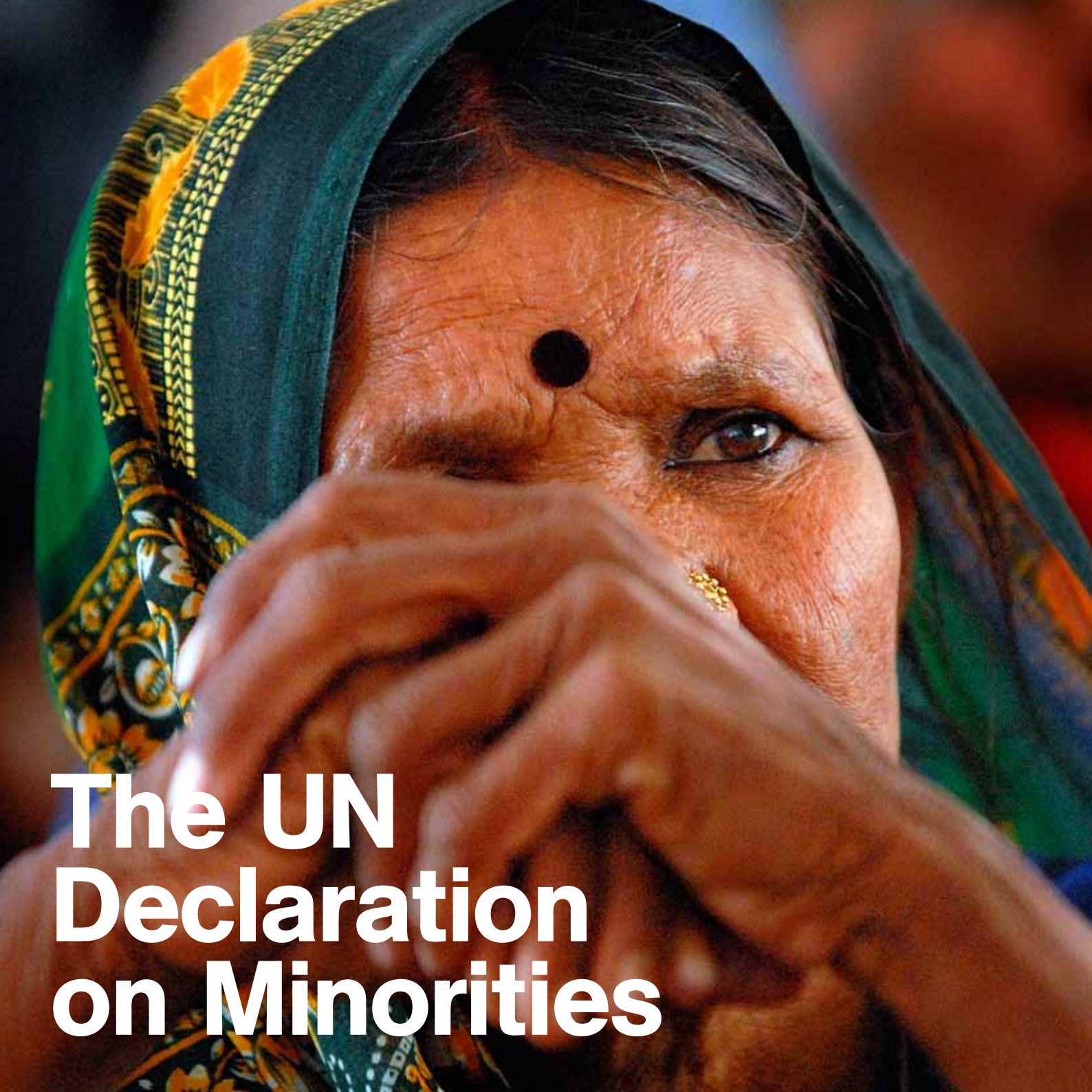
This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of MRG and can under no circumstances be regarded as reflecting the position of the European Union.

This year marks the 20th anniversary of the United Nations (UN) Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. It was unanimously adopted by the UN General Assembly on 18 December 1992 and is the primary UN document dedicated to the rights of minorities.

Minorities throughout the world have benefited from the adoption of the Declaration as the international community recognized and codified their rights, and national governments took action to protect these rights. But there is still a long way to go in order to fully implement this historic Declaration.

This guide aims to celebrate the international recognition of minority rights and to help community activists protect their rights at the national and local levels. We hope this guide will promote awareness of the Declaration among minority communities and help ensure that more governments respect the principles that it contains.

General Assembly The main body of the UN that comprises all 193 member states, which have equal representation and voting powers.



The UN Declaration on Minorities

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The Universal Declaration of Human Rights outlines the rights of all persons, but because minorities suffer exclusion and discrimination, they can have a difficult time achieving their human rights.

The Declaration on Minorities outlines the rights held by persons belonging to minorities; the responsibilities and duties that states have in order to protect and promote those rights; and the responsibility of the UN and its bodies.

UN declaration A declaration is a non-binding legal document that provides a standard for how states should act.

Who are minorities?

The Declaration does not define who is a 'minority'. The terms used (national or ethnic, religious and linguistic) aim to cover those groups which may need protection. A core principle underpins the Declaration, namely that of 'self-identification'.

According to this principle, an individual can choose whether or not to identify as a minority. No law, government authority or private person can tell someone whether or not she or he is a minority person. Most crucially, if a person chooses not to identify with a minority, then no one, including the state, can impose this identity on her or him.

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

Protection of existence includes protection from genocide, mass violence and hate crime, as well as threats. It also includes protection against forced assimilation and discrimination. States are also required to promote the identity of minorities. This includes protecting sites that are part of a minority's religious or cultural heritage, such as mosques, synagogues, temples, churches and other sacred sites.



Constitutional recognition of minorities, particularly national minorities, is one way to officially acknowledge the existence of minorities in the wider society and provide a foundation to protect their rights in national legislation. National days that celebrate multiculturalism and minority communities can also promote diversity within the wider culture.

Hate crimes Crimes motivated by bias based on ethnicity, religion, national origin, sexual orientation, age, gender, disability or any other similar attributes.

2. States shall adopt appropriate legislative and other measures to achieve those ends.

States must meaningfully involve minorities in the design and implementation of laws and policies affecting their communities. Existing legislation that discriminates against minorities must be reviewed and amended, taking special consideration of the rights of vulnerable groups within the minority such as women, elderly people, children, disabled people, and lesbian, gay, bisexual, and transgender individuals.

Far left: A Dalit woman attends a Vanangana conference in Chitrakoot, India. Vanangana, a women's group dedicated to human rights issues, receives strong support from the Dalit community. Ami Vitale/Panos.

Left: A Filipino Muslim wraps cloth on his head before Eid al-Fitr celebrations at the Blue mosque in suburban Manila. Associated Press/Aaron Favila.



Top: Sabeen-Mandaean brides participate in a wedding ritual on the banks of the Tigris River, Baghdad, Iraq. Shihō Fukada/Panos.



Above: A Roma father and son take a break from picking porcini mushrooms in a forest on the Apuseni mountains, Romania. Tim Dirven/Panos.

Right: A Tigray woman and child in northern Ethiopia. Pietro Cenini/Panos.

Anti-discrimination laws should be in place to protect the rights of minorities.

‘Other measures’ can include consultative panels or committees composed of representatives from minority communities, covering issues in many realms of public life, including judicial, administrative and education systems. For example, in the Philippines, a National Commission on Muslim Filipinos made up of members from the minority Muslim community appointed by the President, gives advice on inclusive policy ranging from cultural matters to conflict resolution.

What constitutes ‘appropriate’ must be decided through meaningful consultation with affected communities. Different policies will be required for different communities to respond to various needs and issues.

Special Procedures Mechanisms of the Human Rights Council, usually a working group or an individual, that monitor human rights in a given country or look at thematic issues (health or education); they are often called ‘independent experts’ or ‘special rapporteurs’.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities ... have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

States must undertake protective measures and encourage conditions that allow minorities to enjoy their cultures, religions and languages, not only through non-discrimination but

also positive reinforcement. In this way, minority cultures will be celebrated as part of the wider national culture, leading to greater understanding and peace between groups.

2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

The effective participation of minorities in decisions that affect their lives is crucial to realizing all other rights. Minorities can promote their interests and values through participating in decision-making on education, health and economic policies. ‘Public life’ includes holding office, taking part in elections, being elected, being given judicial responsibilities, as well as freely participating in civil society and charity organizations, for example.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

Participation should be effective – that is, minorities should be heard and their opinions taken into account. Their participation can only be effective if minority representatives truly represent their communities; moreover, any information needed to make a meaningful decision should be provided in relevant ways (including in the communities’ own languages).

States may develop their own systems to ensure such meaningful participation; these may include minority advisory or consultative

panels, and decision-making bodies. In Kosovo, for example, the constitutionally mandated Consultative Council for Communities, located in the Office of the President of Kosovo, provides a way for representatives from minority communities to express their views on legislation and programmes that affect them.

4. Persons belonging to minorities have the right to establish and maintain their own associations.

Minorities have the right to set up associations, clubs or cultural

centres to maintain and enjoy their cultural or religious life, including schools or religious institutions. Such associations must still adhere to human rights principles and must not discriminate against women or other vulnerable groups.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom

they are related by national or ethnic, religious or linguistic ties.

Minority cultures can only continue to thrive and develop by remaining in contact with others from their group. Collaboration between minority groups can strengthen advocacy for minority rights at the national or international level.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

Minority rights are held by each individual; they are not group rights but may be exercised as a group. Minorities should not be persecuted for exercising their group identity.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

States should not target those persons working to defend and promote the rights of minorities. And minorities should be able to choose freely whether or not they wish to assert their rights. Individuals within a minority group have the right to not adhere to cultural roles that discriminate against them.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.



Case study Minorities in the media

Supporting minority language media is a key way to promote minority cultures and identities, and provide marginalized groups with access to information about wider social issues. It is equally important that minority voices and issues are incorporated into mainstream media and culture.

In Slovenia, Italians and Hungarians are official national minority communities. Under the Constitution, minorities are guaranteed the right to develop activities in the field of publishing and public media, and the state provides financial and moral support for this. The public service broadcasting law has implemented these rights and guarantees support for radio and television programmes for Italians and Hungarians. The public broadcasting service RTV Slovenia carries, produces and broadcasts these programmes with support from the government. Dedication to coverage of minority issues is explicit in RTV Slovenia's ethical code.

While positive, a question remains about adequate programming for other minority communities in the country. This underscores the need to revisit any special measures regularly, in order to ensure that they truly reflect and address the concerns of minority communities – including those which may have been established more recently.

States have this obligation for all individuals but because minorities are often more vulnerable, it is explicitly stated here. Implementing this article may require states to take 'special measures' for minorities to address the impact of discrimination and specific barriers minorities face in achieving their rights. For example, Brazil reserves university entrance places for students from Afro-descendant and indigenous communities, in numbers proportional to their population in each state.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

It is not enough for a state to just tolerate minorities; it must actively support minority cultures, especially in the case of language. This requires both institutional and economic support and includes permitting expression of identity and promotion of culture. Cultural practices of any group may not violate human rights standards and any restrictions of practices must have reasonable and objective grounds.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

Language binds culture together, and minorities that wish to pass on their

language to their children must be given support to do so. Mother-tongue education for minority children in primary school is one way to improve access to education and increase the attendance of minorities at secondary schools. Education in other national languages should be included to ensure access to employment and services in the wider society.

This right is restricted by the words 'wherever possible', which means that states may decide it is not realistically feasible (for example, if the minority is dispersed throughout the country and there is a lack of adequate resources to provide for mother-tongue instruction).

Over the last two decades Ethiopia has reformed education policy to allow the use of mother-tongue languages in primary schools, despite relatively limited resources. Primary level students now receive education in a mix of their mother tongue, Amharic (former official language), and English depending on the region.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

This is important because the history and culture of minorities are often neglected or misrepresented. Negative stereotypes and misrepresentations can contribute to discrimination and sometimes xenophobia, hate speech and violence. Encouraging inter-cultural dialogue can help

ease tensions and foster mutual understanding.

Bias and discrimination in history textbooks used in schools must be addressed and curricula relating to minorities must be developed in consultation with minorities. In Romania, civil society groups developed textbooks for primary school students that included information on national minorities, immigrant communities and their cultural traditions. The Ministry of Education then republished and distributed the books for use in the education system.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

This article prohibits the exclusion of minorities from development and the appropriation of resources belonging to the minority. Minorities should be able to enjoy economic development and protect their identity at the same time.

In Colombia, Afro-descendant communities have the constitutional right to be consulted on development projects, such as mining exploration, that are conducted in areas where they traditionally reside and practise small-scale mining. Despite these constitutional protections, numerous mining exploration permits have been granted to foreign companies without their knowledge or consent. Moreover, Afro-descendant community leaders have been killed or threatened. In April 2011, the Constitutional Court ruled that new mining activities should be suspended and that affected communities must be adequately



Above: An Afro-Colombian miner from the Cauca region, Colombia. MRG/Morris Producciones.

consulted. However, it remains unclear whether this ruling will be effective in halting mining activities.

States must also address employment discrimination against minorities in public and private institutions so they can benefit from economic development.

Article 5
1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Minority voices must be considered in a range of national policies, from economic policies to education, health, housing and policing policies. Minority women and other marginalized groups within minorities must be equally involved in the planning and execution of these programmes, and indeed, special measures should be taken in order to ensure their inclusion.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Development and aid projects between states which affect minority communities cannot be planned and implemented without proper consultation with those groups and their consent. International financial institutions and development agencies must adhere to these standards as well. Project impact assessments must consider the rights and well-being of minority groups; this includes respect for traditional forms of livelihood.

Article 6
States should cooperate on questions relating to persons belonging to minorities, inter alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

Protecting the rights of minorities is in the best interest of states, in order to promote peace and understanding. Long-term discrimination against minorities often results in tensions and sometimes in conflict, which can spill across borders. States should share knowledge and best practices on how to implement minority rights.

Article 7
States should cooperate in order to promote respect for the rights set forth in the present Declaration.

In Europe, for example the Office of the High Commissioner on National Minorities is a regional mechanism that works to protect minority rights. States should look at this and other successful examples to see if similar mechanisms are appropriate in their regions. International cooperation to protect the rights of minorities can be coordinated through UN human rights mechanisms.

Article 8
1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

The Declaration cannot be used to replace or modify existing commitments under international mechanisms, and the Declaration is meant to supplement and add to other



obligations. Article 27 of the International Covenant on Civil and Political Rights (ICCPR), for example, affirms the protection and promotion of the rights of minorities.

UN treaty bodies Committees of independent experts appointed to monitor a state's implementation of the core international human rights treaties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

Provisions in the Declaration are meant to enable minorities to fully realize all their human rights. Rights intended to be enjoyed in community cannot infringe on the rights of individuals belonging to that community, as in the case of those facing multiple forms of discrimination on the basis of sex, age, disability, descent, sexual orientation or gender identity, etc.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

Minority rights are meant to realize the equal rights of all, and not privilege one group over another. Equality must be the leading principle when designing laws and policies to ensure these rights.

4. Nothing in the present Declaration may be construed as permitting any

activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9
The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.

The UN Independent Expert on Minority Issues, and the Forum on Minority Issues, were set up to promote collaboration on minority issues, implement the Declaration and submit recommendations to the Human Rights Council on how to realize the rights of minorities and responsibilities of states.

In March 2012, the UN Network on Racial Discrimination and the Protection of Minorities was created, to be coordinated through the Office of the United Nations High Commissioner for Human Rights (OHCHR). It is currently drafting a guidance note for UN bodies on how to further implement the Declaration.

Independent Expert on Minority Issues A UN official who works to promote the implementation of the Declaration, taking into account international standards and national legislation concerning minorities. She or he makes country visits, submits annual reports to the Human Rights Council and makes recommendations on how to better protect the rights of minorities.



UN Forum on Minority Issues A UN gathering for promoting dialogue and cooperation on minority issues. The Forum identifies best practices, and challenges, opportunities and incentives for the protection and promotion of minority rights.

Left: A Yezidi man at the Temple of Lalish, Iraqi Kurdistan, Iraq. Shiho Fukada/Panos.

Above: Garo boys standing in a banana plantation, Pirchacha, Bangladesh. G.M.B.Akash, Panos.



Rights in Action

Vietnam Challenging social prejudice

In Vietnam, ethnic minorities face widespread discrimination. Minority groups make up 15 per cent of Vietnam's population. Many minorities – the Tay, Khmer, Mong and other smaller groups – live in remote mountainous areas. Despite positive initiatives, the government has struggled to deliver health and education programmes in these areas; and the gap between ethnic minorities and the majority Kinh population continues to grow.

'The government is aware of the fact that minorities need to further benefit from state development programmes and has thus increased its efforts over the last decade,' said Vu Phuong Thao, a researcher at the Institute for Studies of Society, Economy and Environment (iSEE), a non-governmental organization (NGO) working to promote minority rights based in Hanoi. 'But the government's efforts must be made more effective.'

Language barriers and cultural prejudices make many minorities hesitant to access health services. Ethnic minority children still struggle in schools where the primary language of education is Vietnamese. Social prejudice is a major challenge for minorities in Vietnam; mainstream society often treats them negatively.

iSEE hopes to root out these

prejudices by targeting the media. 'We consider mainstream media a very effective and secure channel to do advocacy', Thao noted. 'We have been working closely with journalists who are interested in minorities' issues, providing them with information and evidence from our research, equipping them with needed knowledge and techniques via training courses, connecting them with minority communities. By doing so, we reduce prejudices against minorities, which we consider the biggest obstacles to equal development of minorities in Vietnam.'

In early 2012, iSEE began a campaign to advocate for the participation and inclusion of minority groups in development planning. Translating and distributing the Declaration on Minorities and the UN Declaration on the Rights of Indigenous Peoples played a crucial role in their campaign.

iSEE ran workshops to train journalists on rights-based approaches to development and combating prejudice in the media. Translations of the Declaration were given to workshop participants, distributed to academics and students, to rural communities in minority languages and posted on iSEE's website.

In 2010, the UN Independent Expert on Minority Issues made an official visit to Vietnam and acknowledged that ingrained prejudices have resulted in top-down approaches that have not allowed the adequate participation of minorities.

State officials and policy-makers were largely unaware of the recommendations made by the UN expert. But iSEE created and distributed policy briefs

including the key recommendations and the Declaration.

iSEE's campaign has already resulted in some positive outcomes. The media – including newspapers read by policy-makers in the National Assembly – has started to expose negative stereotypes and cover issues of cultural identity and language loss. But Thao is realistic about the immediate impact: 'Although concrete actions have not been realized, with the Declaration as a supporting document, the voice of minority communities has reached top policy-makers.'



Left: An Adivasi man and his son in Kankasarpa village, Odisha state, India. Stuart Freedman/Panos.

Above: A Muong woman, Sa Pa, Vietnam. Jeremy Horner/Panos.

India Community groups campaign for religious freedom

In 2008, communal violence broke out in Kandhamal district of India's Odisha state, when Christian minorities were attacked by extremists from the majority Hindu community.

A local NGO, the Centre for the Sustainable use of Social and Natural Resources (CSNR) was formed in response, to protect the rights of religious minorities. 'We are advocates for victims of communal violence in Kandhamal', Dhirendra Panda, the founder of CSNR, explained: 'For those who are Dalits and Adivasis practising Christianity – for their relief and rehabilitation, justice and security, and advocacy for change in policies that restrict the rights of minorities.'

The Odisha Freedom of Religion Act of 1967 prohibits the forcible conversion of any person from one religious faith to another. But in practice it has been used to persecute communities that willingly convert from Hinduism to Christianity or Islam and to restrict the right of minority groups to freely practise their religion.

'[The Act's] use of discriminatory provisions ... threatens the activities of religious minority groups and contravenes the provisions of the Indian Constitution and the UN

Declaration on Minorities," Dhirendra explained.

CSNR has launched a national campaign to reform this discriminatory law and protect the rights of religious minorities in India. The Declaration was a primary tool used in this campaign.

First, CSNR held a National Convention in Bangalore in November 2011. They invited a wide range of civil society and government representatives, including from India's National Commission on Minorities. Speakers quoted provisions in the Declaration in order to highlight violations of the rights of religious minorities and the responsibilities of the state.

Based on this event, CSNR drafted a report on freedom of religion in India: 'We used the Declaration while analysing problems of minorities caused by communal violence, discrimination and the absence, or inadequacy, of state protection.'

CSNR also used the Declaration to prepare a report for the UN Universal Periodic Review (UPR) – a process whereby the UN Human Rights Council reviews the human rights situation of UN member states every four years. Reports prepared by civil society groups provide key evidence during this review process.

Universal Periodic Review

The process of reviewing the human rights records of all 193 UN member states once every four years. It provides an opportunity for each state to declare what actions they have taken to improve the human rights situation in their country and to meet their human rights obligations.

CSNR has also lobbied members of the National Human Rights Commission, the National Commission on Minorities, members of the national parliament and the Odisha provincial legislative assembly. In May 2012, Dhirendra travelled to Geneva for the UN Human Rights Council sessions on the UPR review process. He met with various influential UN policy-makers and took part in an event on freedom of religion.

As a result, fifteen states made recommendations in favour of minority rights in India. CSNR sent these to national policy-makers, government officials and the media. In September, India accepted some recommendations, including a recommendation to: 'Strengthen the federal government's efforts to guarantee freedom of religion to everyone in this world's largest democracy.'

Dhirendra plans to continue using the Declaration as a tool to monitor implementation of the UPR recommendations, and laws and policies to protect rights and to track violations.



Zimbabwe

Helping minority youth find a political voice

The Zimbabwe Organization for Youth in Politics (ZOYP) has been using the Declaration to lobby policy-makers to ensure that Ndebele, and other marginalized ethnic groups such as Kalanga and Tonga, can participate effectively in the country's political system.

ZOYP is a grassroots NGO based in the small mining town of Kwekwe, an area dominated by Ndebele, Zimbabwe's largest minority. ZOYP provides leadership training for youth, including youth from minority communities, to help them become more actively involved in national politics.

The Declaration has been very useful for their work. 'We have been using the Declaration to do our advocacy work thus capacitating people in our community and holding our government accountable over the respect of minority rights,' Nkosilathi Emmanuel Moyo, Executive Director of ZOYP explained.

ZOYP has translated the Declaration into the Tonga language and used it during workshops with local community organizations. 'Our trainings focus on the basics of the Declaration, what their rights are and how best the minority groups can be cohesive in pressurizing those in authority to enhance and respect the rights of minority groups.'

Zimbabwe is currently in the process of drafting a new Constitution. ZOYP



realizes this is a crucial opportunity for Zimbabwe to recognize and protect the rights of its minority communities. 'During this time, we petitioned the government to pay immediate attention to minority groups. In the petition we quoted Article 2.2 and 2.3 of the Declaration, which focuses on the right of persons belonging to minorities to participate in the political life of the country, as well as to participate in decision-making.'

Their advocacy activities have paid off. ZOYP, in collaboration with other local

groups, has successfully campaigned for the appointment of the first Tonga minister in the current government.

ZOYP is continuing to advocate for minority youth participation in the life of Zimbabwe and hopes that more funding will allow them to train people about the Declaration in all 30 districts.

**Above: Tonga girls in Zimbabwe. Frans Welman/IWGIA.
Left: An Adivasi woman at Kankasarpa village, Odisha state, India. Stuart Freedman/Panos.**

Moldova

Using the Declaration to combat intolerance

The Moldovan government has taken steps to protect the rights of minorities by incorporating provisions of the Declaration into national legislation, as well as provisions in the Council of Europe's Framework Convention for the Protection of National Minorities.

Framework Convention for the Protection of National Minorities

A legally binding convention ratified by members of the Council of Europe that entered into force in 1998, to protect the rights of national minorities and promote tolerance.

But despite legal reforms, there is a serious need to address ingrained discrimination and intolerance in the country, according Tatiana Kleiman, executive director of the National Institute for Women of Moldova 'Equality'. 'People belonging to minority groups face difficulties related to employment, education, access to health care, expression of opinion, freedom of assembly and association.' Minorities in Moldova include Armenians, Bulgarians, Gagauzians, Germans, Greeks, Poles, Roma, Russians and Ukrainians.

'Our organization tries to increase the level of political and social activities of women,' Tatiana continued. 'We strive to raise the number of women in the bodies of state power, in accordance with their real ratio in the population. For this purpose we organize courses and try to realize projects on training in leadership.' Women make up over 50 per cent of the population, but less than 20 per cent of members of parliament in Moldova.'

There has been an increasing use of hate speech and discriminatory graffiti used against minority groups in Moldova, especially against Jewish and Roma people. Anti-Semitic rallies have been held in the streets of Chisinau, Moldova's capital city. These threats to minorities are leading to what Tatiana sees as a growing intolerance among youth.

The Institute holds 'training of trainers' sessions to address these worrying trends. Recently they have trained university and public school teachers on inter-ethnic tolerance. According to Tatiana: 'The participants were acquainted with the new legislation in the field of the rights of ethnic

minorities and the mechanism of their protection,' including national legislation and the Declaration. Teachers were then expected to incorporate these lessons into their own educational settings. The Institute has also published leaflets and manuals on minority rights in Moldova for professors, teachers, students and NGO staff.

'We have been repeatedly asked to continue our sessions on this subject, as the participants have stressed that, in Moldova, obtaining such knowledge is very difficult, and no one ever organized such activities before,' said Tatiana.

The Institute draws on Moldovan legislation since it already incorporates rights outlined in the Declaration. The legally binding provisions in the Council of Europe's Framework Convention for the Protection of National Minorities are also more applicable to Moldova's situation. However, Tatiana asserted: 'We believe it is necessary to increase the use of the Declaration. We should be familiar with it, not only minorities, but also those in power.'



Right: Roma women in Moldova.
TheCursedFrog.

Far right: A Dalit community in Dhaka, Bangladesh.
MRG/Livia Saccardi.

Bangladesh

Dalits demand adequate housing

Citizen's Initiative (Nagorik Uddyog) is an NGO based in Dhaka that works to promote the rights of marginalized Dalit communities in Bangladesh.

'Still now a large section of population in Bangladesh who are known as Dalits are discriminated in all spheres of social life,' according to Md. Abdul Basar, a project coordinator at Citizen's Initiative; 'even though the Constitution has declared equal rights for all citizens,' he adds.

Citizen's Initiative is pushing the government of Bangladesh to take action to protect the rights of Dalits. First, they are advocating for a national law and policy against practices of 'untouchability' and social exclusion based on caste. They are also pushing for a reserve quota for Dalits in academic and national institutions, as well as in the private sector.

Untouchability A discriminatory practice based on the belief that different caste groups have varying degrees of purity, with Dalits, or 'outcastes', being so impure that they can 'pollute' other groups. Dalit communities are marginalized, socially ostracized and often confined to menial tasks such as removing human waste and leather-working. In India, Dalits are now 'Scheduled Castes' and discrimination against them is illegal.



Protecting Dalits' right to adequate housing is another priority. Dalits are not permitted to rent or build houses outside designated localities, so many live in urban slums, excluded from wider social and economic life. Since 2008, Citizen's Initiative and the Bangladesh Dalit and Excluded Rights Movement (BDERM), a national network for Dalit rights, have held annual advocacy seminars to persuade the government to provide more funds to Dalits, particularly for better housing, quoting provisions of the Declaration.

The government has responded to these advocacy efforts. For the last two years it has allocated significant funds in the national budget for excluded communities, including funds for building proper housing.

Basar agrees that this is a huge advocacy success for the rights of Dalits in Bangladesh, but; 'We need more national- and local-level trainings and discussion meetings on the Declaration ... then it can be an effective reference for minority rights struggle.'

Using the Declaration

Suggestions for change

Right: A Garo girl at a school in Pirchacha, Bangladesh. G.M.B.Akash/Bangladesh.



The previous case studies show how communities and NGOs can use a variety of different tactics to raise awareness of the Declaration and push for wider implementation of the rights it contains at the national and local level. This section provides further suggestions for how minority communities can use the Declaration to realize their rights.

Raising awareness

Raising awareness of the Declaration – among communities, government officials, the wider public, media and educational institutions – is an important first step in advocacy work. Campaigns to raise awareness of the Declaration should consider the following:

- Translation – The Declaration must be accessible to the population so translate it into the language of your community. But check that this has not already been done by a UN agency first.
- Spread the word – Make sure the Declaration is freely available and accessible to your target audience online, in universities, public libraries, public and private schools.
- Influence policy-makers – Write simple ‘briefs’ that highlight the main points of the Declaration so that decision-makers can understand its provisions quickly. Include components of national law that implement provisions of the Declaration where possible, such as rights enshrined in the Constitution. Invite policy-makers and national human rights institutions to take part

in discussions about how they can implement the Declaration.

- Target the media – Engage with journalists, possibly through trainings on the Declaration or study-visits to minority communities. Think of creative ways to attract journalists to cover stories on the challenges faced by your community, and stories that counteract negative stereotypes. Foster links with journalists to encourage more culturally sensitive reporting. Since the media is one of the main vehicles that can spread discrimination, it is very important people working in the media understand the rights of minorities.

- Work with other communities – Often there are many different minority groups in a country. Working alongside other communities will help you build a stronger common platform to advocate for rights at the national level.

Training sessions

Educating communities about their rights, and decision-makers about their obligations is crucial.

- Minority and majority communities – Trainings should target all members of society and are particularly effective if they are conducted through educational institutions. Make sure you include particularly vulnerable people within minority groups (such as women, and youth) and members from the majority community as well.

- Teachers – By training university and public school teachers, it is hoped that they will then be more aware of the ways in which their teaching might inadvertently encourage discrimination, and will prevent discrimination in their classrooms.

- Civil society – Many people working in NGOs are unaware of the Declaration but are in a great position to carry out advocacy work. Make sure NGOs are included in trainings, especially as part of an effort to create a wider advocacy platform among minorities.

- Lawyers and decision-makers – Lawyers must be familiar with the Declaration so that they can then invoke its provisions in court when necessary. Decision-makers, including members of national human rights institutions, should be aware of the rights and responsibilities in the Declaration.

National advocacy campaigns

Pushing for specific changes in national and local law, and policies that will serve to protect the rights of minorities, is also crucial. In the long term, advocacy campaigns can work to abolish a specific law or policies that discriminate against minorities, advocate for the creation of new laws to protect the rights of minorities, or seek to implement existing provisions. More immediate concerns might include securing adequate housing, or access to health or other services.

- Letters or petitions to government – Start by making the government aware of the issues facing minorities and its obligations under the Declaration. Letters or petitions can be used to push for the political participation of minorities.

- Public statements – Issue public statements and press releases in regard to certain laws and policies to make sure the government is reminded of its responsibilities under the Declaration.

- Promote best practice – Help your government learn about how other governments have successfully implemented the rights of minorities by describing examples in your communications.

- Meet with national human rights institutions – Make sure these institutions are familiar with your work and encourage them to prioritize the protection of minority rights.

- Meet with embassy representatives and development agencies – Ensure that international representatives consider the provisions of the Declaration in their programmes and policies. Lobby embassy representatives to take up minority concerns in their communications with your government.

International advocacy campaigns

Using the provisions in the Declaration can also be useful for international advocacy, particularly within the UN system. UN agencies and mechanisms must be reminded of and held accountable for their responsibilities under Article 9 of the Declaration.

- The UN Independent Expert on Minority Issues (IEMI) has a mandate to monitor the implementation of the Declaration. As part of this mandate, she accepts evidence from civil society. Communications to the IEMI should detail the situation of minorities in your country, and the status of implementation of the Declaration, including successes and challenges. The IEMI also makes up to two country visits each year. Lobby your government to extend an invitation to the IEMI.



minority
rights
group
international

54 Commercial Street
London E1 6LT

Tel
+44(0)20 7422 4200

Fax
+44(0)20 7422 4201

Email
minority.rights@mrgmail.org

Web
www.minorityrights.org

ISBN: 978-1-907919-31-2