

## **The rights of minorities**

### **Sub-Commission resolution 2003/23**

*The Sub-Commission on the Promotion and Protection of Human Rights,*

*Noting* Commission on Human Rights resolution 2003/50 of 23 April 2003 on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

*Having considered* the report of the Working Group on Minorities on its ninth session (E/CN.4/Sub.2/2003/19) and in particular the conclusions and recommendations contained therein,

*Disturbed* at the continued widespread occurrence of violent conflicts in many parts of the world where ethnic or religious hostility is engendered and exploited by one or more of the parties to the conflict,

*Reiterating* the need for States, minorities and majorities to search for peaceful and constructive solutions to problems affecting minorities,

*Affirming* that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and de facto equality for all, as well as full and effective participation in matters affecting them contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

*Emphasizing* the importance of the timely identification of human rights problems and situations involving national or ethnic, religious and linguistic minorities, and the necessity of taking measures for the prevention of tension and conflict,

*Emphasizing* the need for system-wide cooperation within the United Nations to facilitate peaceful solutions to situations involving minorities,

*Noting* General Assembly resolution 57/337 of 3 July 2003 on prevention of armed conflict, in which the Assembly affirmed, inter alia, that the ethnic, cultural and religious identity of minorities must be protected,

*Welcoming* the work of the Working Group on Minorities in promoting regional and local initiatives for the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by organizing regional expert seminars,

1. *Endorses* the conclusions and recommendations of the Working Group on Minorities at its ninth session as contained in its report (E/CN.4/Sub.2/2003/19);

2. *Reaffirms* the importance of the Working Group and its uniqueness as the only forum in the United Nations with a mandate to deal exclusively with minority issues;

3. *Expresses satisfaction* with the progress report of Mr. Asbjørn Eide (E/CN.4/Sub.2/2003/21) and reiterates its request that the final report updating his 1993 study on peaceful and constructive approaches to situations involving minorities be submitted to the Sub-Commission at its fifty-sixth session;

4. *Welcomes* the Working Group's practice of requesting its members, and of encouraging the Working Group's partners, to prepare papers on thematic issues;

5. *Welcomes* the holding of the first Asian Subregional Seminar on Minority Rights: Cultural Diversity and Development in South-East Asia at Chiang Mai, Thailand, from 4 to 7 December 2002 and its reports (E/CN.4/Sub.2/AC.5/2003/2 and E/CN.4/Sub.2/AC.5/2003/WP.14) and endorses the proposal of the Working Group to hold seminars in other subregions of Asia, particularly South and East Asia, with a view to considering regional guidelines, principles or codes of conduct at such meetings;

6. *Welcomes* the intention of the Working Group to hold seminars in the West and Central African subregions and an inter-American seminar as a follow-up to the seminar held from 21 to 24 March 2002 in La Ceiba, Honduras, as well as its intention to cooperate with the Council of Europe for the holding of a seminar on the Roma, to which Roma representatives from non-European countries should also be invited, and recommends that the participation of minority experts from developing countries in those meetings be facilitated;

7. *Welcomes* the invitation from the Government of Finland to the Working Group to visit that country and the similar offer from Switzerland;

8. *Invites* the Office of the United Nations High Commissioner for Human Rights to consider organizing training workshops at the national level on the implementation of the rights of minorities;

9. *Notes* that the tenth session of the Working Group will be held in 2004 and welcomes the proposal to hold, immediately prior to that session, a two-day meeting on promoting the protection of minority rights, and recommends that minority experts, members of national human rights institutions, representatives of regional mechanisms, including on conflict prevention issues, as well as representatives of other intergovernmental organizations such as the United Nations Development Programme and the World Bank be invited to provide information on their policies concerning minority situations and on the incorporation of such concerns in their country programmes, including from the perspective of conflict-impact assessments, and to address the exclusion of disadvantaged minorities when considering policies for reaching the millennium development goals;

10. *Takes note* of the recommendation that the Office of the High Commissioner for Human Rights prepare additional pamphlets for inclusion in the *United Nations Guide for*

*Minorities*, in particular on the work of conflict-prevention mechanisms for the promotion and protection of the rights of persons belonging to minorities;

11. *Recommends* that the High Commissioner for Human Rights, when inviting, among others, Governments to submit their views on how best to protect the rights of persons belonging to minorities, also request them to consider providing the names of experts with a view to facilitating their participation in regional and international meetings and in advisory services and to consider providing information about recent cases relating to minority rights considered in the highest courts of the country;

12. *Requests* the Commission on Human Rights to ask the Office of the High Commissioner for Human Rights to seek information from Governments on the national or ethnic, religious and linguistic minorities recognized within their countries, on whether the principle of self-identification is recognized in law or practice and on the measures in place for protecting the identity of minorities, and to transmit that information to the Working Group;

13. *Appeals* to all States, specialized agencies, non-governmental organizations and scholars to continue to participate actively in the work of the Working Group;

14. *Recommends* the proclamation of an international year for the world's minorities, to be followed by a decade, with a view, inter alia, to advancing the implementation of article 9 of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities relating to inter-agency cooperation among the specialized agencies and other organizations of the United Nations system for the full realization of the rights and principles set forth in the Declaration, within their respective fields of competence, and decides to prepare a draft decision on that matter for the consideration of the Commission on Human Rights at its sixtieth session;

15. *Recommends* the establishment of a voluntary fund to facilitate the participation in the Working Group and its related activities of minority representatives and experts from developing countries and for the organization of other activities relating to the protection of minorities, and decides to prepare a draft decision to that effect for the consideration of the Commission on Human Rights at its sixtieth session;

16. *Urges* the Office of the High Commissioner for Human Rights, when drafting the report to the Commission on Human Rights at its sixtieth session requested in Commission resolution 2003/50 of 23 April 2003, to reflect the discussion which took place during the ninth session of the Working Group on Minorities with regard to the possible establishment of a special procedure on minority issues.

*22nd meeting*

*13 August 2003*

[Adopted without a vote. See chap. VII.]