

# report

minority  
rights  
group  
international

## Promoting the rights of minority children and women: a review of UNICEF's policies and practices





Roma girl at school, Istanbul, Turkey.  
© UNICEF/NYHQ2005-1198/Roger LeMoyné.

This report is the outcome of an independent review of UNICEF's global policies and practices towards minorities, commissioned by UNICEF's Division of Policy and Practice, New York.

#### **Acknowledgements**

This report was written by Galina Kostadinova, Mark Lattimer, and Heather Labanya of Minority Rights Group International (MRG). It was copyedited by Joanna Hoare. Typesetter: Kavita Graphics.

The authors would like to thank the MRG external reviewers, Mukesh Kapila, Mehr Khan Williams, and Lydia Ramahobo, and the many members of UNICEF staff who contributed information and commented on drafts of this report, in particular Ramya Subrahmanian of UNICEF India and Eugen Crai of UNICEF Romania, who made the country case studies possible.

#### **Minority Rights Group International**

Minority Rights Group International (MRG) is a nongovernmental 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 partner network of organizations, which represent minority and indigenous peoples.

MRG works with over 150 organizations in nearly 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 charity no. 282305, limited company no. 1544957.

© Minority Rights Group International 2010  
All rights reserved

Material from this publication may be reproduced for teaching or for other non-commercial purposes. No part of it may be reproduced in any form for commercial purposes without the prior express permission of the copyright holders. For further information please contact MRG. A CIP catalogue record of this publication is available from the British Library.

**Published** November 2010. **Promoting the rights of minority children and women: A review of UNICEF's policies and practices** is published by MRG as a contribution to public understanding of the issue which forms its subject. The text and views of the author do not necessarily represent in every detail and all its aspects, the collective views of MRG and UNICEF.

# Promoting the rights of minority children and women: a review of UNICEF's policies and practices

## Contents

Introduction	2
Purpose and methodology of the review	3
Minority rights	4
What is a minority?	4
Minority rights: substantive entitlements	5
Minority children's rights	6
UNICEF's policies and human rights	8
The legal and policy framework	8
UNICEF's role in securing the rights of minority children and women	10
The Medium-Term Strategic Plan (MTSP), 2006 – 2013	10
UNICEF's practices and minority rights	13
Stock-taking of UNICEF's interventions relevant to minorities	13
Minorities and the human-rights based approach (HRBA)	19
Minority participation	22
Towards a systematic approach to promoting the rights of minority children and women	23
Case studies	25
UNICEF-India: case study 1	25
UNICEF-Romania: case study 2	34
Conclusions and recommendations	38
Conclusions	38
Recommendations	39
Notes	41

# Introduction

Ethnic, religious or linguistic minorities exist in nearly every country.<sup>1</sup> UNICEF has estimated that there are some 5,000 minority groups in the world, and more than 200 countries and territories have significant ethnic, religious or linguistic minority groups. About 900 million people belong to groups that experience disadvantage as a result of their identity, with 359 million facing restrictions on their right to practise their religion.<sup>2</sup> Minorities are among the most marginalized communities in many societies. In wealthy countries as well as in the least developed regions, they are often excluded from participation in socio-economic life, and experience long-term poverty.<sup>3</sup> People from minority groups rarely have access to political power to influence policies, or a government that is accountable to them. Furthermore, they frequently encounter obstacles to manifesting their minority identity, such as not being able to speak their own language freely, profess their religion, or enjoy traditional cultural practices. Last but not least, minorities are the habitual victims of conflict, facing violence, ethnic or religious persecution, and in the extreme case, genocide.

Consequently, people who belong to minority groups are disadvantaged not only by virtue of their socio-economic status and diminished human development capabilities,<sup>4</sup> but also by virtue of their ethnic, religious, or cultural identity, which is frequently devalued and denigrated by others.<sup>5</sup> The qualities and contributions of the group with which they identify are not validated in society. This combination of resources-based and identity-based disadvantages undermines the capacity of members of minority groups to participate in economic, social, and political life and have a voice in government, and ultimately to benefit from development processes in the same way as other members of society.

Minority children and women are in the weakest position of all. They are typically the poorest of the poor, frequently excluded from essential services and protection, and deprived of opportunities for growth and development.<sup>6</sup> For example, the *2009 State of the World's Minorities and Indigenous Peoples*, published by Minority Rights Group International (MRG) in association with UNICEF, reported that over half of the 101 million children out of school in the world were members of minority or indigenous groups, including Hausas in Nigeria, Dalits and Muslims in India, Pashtuns and Baluchis in Pakistan, and Afars and Somalis in Ethiopia. Minority

children and women are exposed to various forms of discrimination and are therefore in need of special protection. Discrimination on the grounds of minority origin can erode their self-worth and confidence, blunting the promise that is every child's birthright.<sup>7</sup> Minority children have therefore been singled out by the UN Committee on the Rights of the Child as a particularly vulnerable group, along with girls, children with disabilities, children in hospitals and foster care, and children of migrant parents.<sup>8</sup> Minority women often experience discrimination from both within and outside their communities, and they suffer disproportionately from the economic, social, and political marginalization affecting their communities as a whole.

The predicament of many minority groups in both poor and wealthy countries, however, often remains off the radar screen of governments and development agencies. National averages cannot reveal the specific impact, if any, of development policies on minorities.<sup>9</sup> Even in countries where progress is being made towards achieving targets relating to children's rights and development goals, the situation of minorities can simultaneously be worsening.<sup>10</sup> Disaggregated data is therefore necessary to identify whether social indicators vary significantly across groups within the same country, and to inform policies and development interventions.<sup>11</sup> Unfortunately, disaggregated data for minorities is not usually collected and huge inequalities remain unaddressed.<sup>12</sup> Relevant data is not usually included in national censuses, with states claiming that the reporting burden is too onerous, or that issues of ethnicity or religion are too sensitive.

## Scope

The use of the term 'minority' in this review follows Article 30 of the Convention on the Rights of the Child and Article 27 of the International Covenant on Civil and Political Rights, that is, an ethnic, religious or linguistic group, fewer in number than the rest of the population, whose members share a common identity. Under international law, most indigenous peoples can also claim minority rights; however, as UNICEF has commissioned a separate review of its practices regarding indigenous peoples, this present review concentrates on non-indigenous minorities. (See also Next section.)

Consequently, greater effort is needed to ensure that members of minority groups, and especially minority children and women, fully realize their human rights and benefit from development processes.

## Purpose and methodology of the review

The main purpose of the present review is to undertake a stock-take of UNICEF's work on minority issues, examine achievements and challenges, and provide guidance for integrating minority issues into its operations and programmes. The exercise aims to strengthen UNICEF's understanding of minority issues, and to promote the systematic inclusion of minority communities in UNICEF's programming in all countries.

The report was commissioned in 2009 by UNICEF's Gender, Rights and Civic Engagement Section (GRACE) in order to review and analyse UNICEF's approaches to minorities at both policy and implementation levels. The report aims to highlight both good practices and main challenges, to draw out key lessons, and to formulate recommendations on ways to improve UNICEF's understanding and ability to tackle the predicaments faced by minority children and women.

The main sources of information drawn on for the report were:

- a desk review of UNICEF's main strategy and policy documents relevant to minorities, including in particular the Medium-Term Strategic Plan (MTSP);
- review of 61 2008 Country Office Annual Reports (COAR);
- the results of a questionnaire-based survey to elicit additional specific information from country offices; and
- field visits to two country offices.

The review was further informed by the proceedings of the UNICEF Consultation on Indigenous Peoples' and Minorities' Issues which took place in New York on 15-17 April 2009.

# Minority rights

A focus on minority children is not only justified by the facts of minority disadvantage, as emphasized in the introduction, but is also underpinned by international human rights law. Of particular importance are Article 30 of the UN Convention on the Rights of the Child (1989) and Article 27 of the International Covenant on Civil and Political Rights (1966). Both of these treaties establish specific obligations on states to protect minorities. This chapter will summarize first the general standards on minorities, with which readers of this report may be less familiar, before considering the specific standards focusing on the rights of the child.

Human rights are universal and are inherent to all human beings, including members of minority communities. In addition to those universal rights, minorities, as individuals and groups, are entitled to minority-specific human rights linked to their minority status and identity. These distinctive human rights provisions applicable to minorities form the core of minority rights law.

Following the Second World War, the international community was primarily concerned with the protection of individual human rights. The special position and vulnerability of minorities to human rights abuses were not fully reflected by emerging international human rights law. The only institutionalized mechanism dealing specifically with minorities was the UN Sub-Commission on the Prevention of Discrimination and the Protection of Minorities.<sup>13</sup> Apart from Article 27 of the International Covenant on Civil and Political Rights (ICCPR), and Article 30 of the Convention on the Rights of the Child, there were no universal human rights provisions addressing minorities. With international law reflecting, to a great extent, the values and principles of liberal individualism, the perception prevailed that if the principle of non-discrimination was put into practice well, there would be no need for special provisions on ethnic, religious, or linguistic minorities. By guaranteeing freedom of religion, freedom of expression, freedom of association, freedom from torture and inhuman and degrading treatment, and rights to cultural and political participation on a non-discriminatory basis, human rights law was deemed sufficient to secure the rights of 'everyone', including the members of minority communities.

Minorities are, however, particularly at risk of human rights abuses, such as physical violence and persecution,

exclusion from political and social life, unequal access to various goods and services, and direct or hidden obstacles to enjoying their community's culture or language. This vulnerability of minorities was only given serious consideration much later, in the 1990s, as political conflicts involving relations between majority and minority groups became more salient and visible. The proliferation of violence driven by ethnic or religious divisions in various parts of post-communist Europe, Africa, the Middle East, and South Asia, once more rendered minority rights a matter of international concern and legislative action, as they had been during the years between the First and Second World Wars. After the Second World War, minority protection was viewed with suspicion because of fears that it might produce forms of ethnicity-based politics that threatened the political stability and territorial integrity of states.<sup>14</sup> But in the post-Cold War world, conversely, the general message has been that it is in national governments' interests to support minority protection in order to contain or minimize conflict.<sup>15</sup>

Patrick Thornberry argues that 'no question is more appropriate for regulation by the international community than minority rights.'<sup>16</sup> Originally animated by the concern to maintain peace, stability, and established territorial borders, minority rights gradually developed a new conceptual basis in which legal solutions were based on the idea that diversity, participation, tolerance, and mutual respect were values that deserve to be upheld.<sup>17</sup>

Minority rights provisions are present in general human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC). The main international minority law standards are then fleshed out by a range of minority-specific instruments, such as: the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM); and the 1995 Council of Europe Framework Convention for the Protection of National Minorities (FCNM).

## What is a minority?

Article 27 of the International Covenant on Civil and Political Rights and subsequent jurisprudence provide the main elements of a definition of the term minority; that is,

‘an ethnic, religious or linguistic group, fewer in number than the rest of the population, whose members share a common identity’. While there is a substantial body of law pertaining to minorities, different societies can have different understandings of the term minority. In addition, the characteristics of minorities differ from one context to another, for example as regards to whether their minority identity is primarily ethnic or religious.

The Human Rights Committee (HRC), the monitoring body of the ICCPR, has affirmed that the existence of a minority in a given state does not depend upon a decision by that state, but on a set of objective criteria.<sup>18</sup> More assertively, Max van der Stoep, the former OSCE High Commissioner on National Minorities, famously declared: ‘I know a minority when I see one’.<sup>19</sup> He further elaborated:

*‘The existence of a minority is a question of fact and not of definition. [...] First of all, a minority is a group with linguistic, ethnic or cultural characteristics, which distinguish it from the majority. Secondly, a minority is a group which usually not only seeks to maintain its identity but also tries to give stronger expression to that identity.’<sup>20</sup>*

## Minority rights: substantive entitlements

Minority rights are carefully defined as individual rights (‘individuals belonging to minorities’). Nevertheless, these rights are ‘distinct from, and additional to, all the other rights which, as individuals in common with everyone else, they are already entitled to enjoy [...] and must be protected as such and should not be confused with other personal rights’.<sup>21</sup> In general, on the basis of the variety of international minority rights instruments, one could infer four main protected components:

- physical existence;
- minority identity;
- effective participation; and
- equality.

### Protection of the physical existence of the group

Minorities often disproportionately suffer the effects of conflict. They are the frequent victims of crimes against humanity, and sometimes of genocide. Minorities are particularly vulnerable to human rights violations, such as population transfers and forced migration. Protection of the physical existence of the group includes protection of physical integrity and prevention of genocide. Article 1 of the 1992 UN Minority Declaration provides that: ‘States shall protect the existence [...] of minorities’. Article 6 (2) of

the FCNM stipulates that minorities should be free from ‘threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.’ Article 16 of the FCNM adds a prohibition on forced evictions and population exchanges of minority groups by banning states from ‘alter[ing] the proportions of the population’ in areas inhabited by minorities.

### Minority identity

Members of minority groups are entitled to maintain and develop their culture and to preserve the essential elements of their identity; namely their religion, language, traditions and cultural heritage.

Special minority rights, as developed by some of the main minority rights instruments include, *inter alia*:

- the right to express their minority characteristics and to develop their culture, language, religion, traditions, and customs<sup>22</sup> (as culture manifests itself in many forms, the right to enjoy their own culture has been interpreted to include the right to a particular way of life );<sup>23</sup>
- the right to establish and maintain their own associations;<sup>24</sup>
- the right to speak minority languages freely in private and in public;<sup>25</sup>
- the right to maintain minority educational and training establishments<sup>26</sup> and the right to learn mother-tongue language and have instruction in mother-tongue education;<sup>27</sup>
- the right to have their minority language, culture, or history promoted in mainstream society, as well as to have adequate opportunities to gain knowledge of the society as a whole;<sup>28</sup>
- the right to self-identify as members of a minority group and to be recognized as such by the states in which they live.<sup>29</sup>

### Participation

In order to ensure minority interest representation, minority-rights law has introduced the right to effective participation.<sup>30</sup> This right differs from the individual right to participation comprising the right to vote and stand in elections. It stipulates that states should create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social, and economic life, and in public affairs, in particular those matters affecting them.<sup>31</sup> The right to participation enshrines the understanding that minorities’ active involvement in various areas of life is essential for the development of a truly democratic, cohesive, inclusive and just society.<sup>32</sup> The right to effective participation has been interpreted to include: (1) participation in socio-economic

life; (2) participation in cultural life; and (3) participation in public affairs.<sup>33</sup>

It needs to be acknowledged, however, that there are intrinsic difficulties in designing a genuine participatory system. As noted by Palermo, ‘involving minorities always brings about the risk to mean involving only *some* minorities, *some* of their representatives, *some* of their views, *some* of their interests.’<sup>34</sup> For example, concerned that women are underrepresented in minority consultative bodies, the FCNM Advisory Committee has called for balanced representation of minority women and men in public affairs.<sup>35</sup> Promoting the effective participation of minorities therefore requires a sound application of the human-rights based approach to development, ensuring that the subjects of development play a full role in development interventions, and one that is not tokenistic but broad-based.

### Non-discrimination

The fourth indispensable component of minority rights law is the non-discrimination principle. The principle of non-discrimination in minority rights law enshrines a notion of *substantive equality*. The promotion of substantive equality includes the use of special measures (positive action) aimed at containing and ending structural or systemic discrimination. Those measures may cover ‘legislative, executive, administrative, budgetary and regulatory instruments, at every level in the State apparatus, as well as plans, policies, programmes and preferential regimes in areas such as employment, housing, education, culture, and participation in public life for disfavoured groups, devised and implemented on the basis of such instruments.’<sup>36</sup> According to the HRC, in certain circumstances that impair the ability of minorities to enjoy their basic human rights, the adoption of special measures aimed at facilitating their integration in society is mandatory.<sup>37</sup>

Minority rights law is particularly sensitive to the different experiences of discrimination faced by minority women and girls. Given the disproportionate impact of racism on women and girls because of their ethnic origin and gender, minority rights law prescribes that targeted measures should be used to remedy specific forms of discrimination faced by women belonging to national minorities.<sup>38</sup>

## Minority children’s rights

Minority children are entitled to the full enjoyment of the rights proclaimed by international human rights law, including the CRC. Their rights need to be analysed in the light of the general principles of the CRC, which are:

- non-discrimination (Article 2);
- best interests of the child (Article 3);

- the right to life, survival and development (Article 6); and
- the right to be heard (Article 12).

The Committee on the Rights of the Child has advised that the non-discrimination principle, in particular, requires States Parties to identify those individual children and *groups* of children, the recognition and realization of whose rights may demand *special measures*. Importantly, this involves the need for *disaggregated data collection* to enable discrimination, or potential discrimination, to be identified.<sup>39</sup> The non-discrimination principle further necessitates consideration of *multiple facets of discrimination* experienced by some children. It requires that particular attention should be given to girls in order to ensure that they enjoy their rights on an equal basis to boys.<sup>40</sup>

At the same time, minority children are also the addressees of special provisions, particularly addressing minority as well as indigenous children. Article 30 of the CRC provides:

*‘In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.’* (emphasis added)

There is close linkage between Article 30 of the CRC and Article 27 of the ICCPR.<sup>41</sup> Although minority children’s rights have been defined in negative terms, that is solely as regards the state’s *duty to respect*. Article 30 needs to be interpreted as including a state’s *duty to ensure* minority rights; otherwise, the principle of effectiveness in the interpretation of treaties would be violated, given that Article 30 would add little to the provisions of equality, non-discrimination, and freedom of opinion and expression also proclaimed in the Convention.<sup>42</sup>

Furthermore, the Committee on the Rights of the Child has put forward a ‘holistic concept’ of child development, embracing the child’s physical, mental, spiritual, moral, psychological, and social development. As reiterated by the Committee in General Comment No 11 on Indigenous Children, the Preamble of the CRC stresses the importance of the traditions and cultural values of each person, particularly with reference to the protection and harmonious development of the child.<sup>43</sup>

According to the Committee, the specific references to minorities in the CRC are indicative of the recognition that they require special measures in order to fully enjoy their rights.<sup>44</sup>



Article 17 (d): States Parties shall encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous.

Article 29 (1) (d): States Parties agree that the education of the child shall be directed to the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

Consequently, a minority rights legal regime offers a more robust approach than the general human rights requirement for non-discriminatory treatment of minorities. Non-discrimination is one of four key components giving full content to minority rights.

A comprehensive minority rights regime allows minorities to *integrate* as full citizens without either assimilation or exclusion. It should be noted accordingly that *minority rights* are different from *indigenous peoples' rights* which also seek to protect culture and identity, but which have a stronger focus on maintaining 'separateness' rather than promoting integration. It is against this understanding of minority rights law that UNICEF's policies and practices will be analysed and assessed in the remainder of the study.

# UNICEF's policies and human rights

## The legal and policy framework

UNICEF's involvement with minority children and women is not a choice but an obligation.<sup>45</sup>

### Mission statement

UNICEF's mission statement provides that UNICEF is governed by the principle that priority should be given to the most disadvantaged.<sup>46</sup> While it does not mention minorities, it nevertheless provides that 'UNICEF is non-partisan and its cooperation is free of discrimination. In everything it does, the most disadvantaged children and the countries in greatest need have priority'.<sup>47</sup> This founding principle offers a sound basis for UNICEF's engagement in minority issues, given that minority children are often the most disadvantaged in the societies in which they live.

### 'A World Fit for Children': Declaration and Plan of Action

Two major documents guiding UNICEF's policy work are the Declaration and Plan of Action, both of which fall under the heading 'A World Fit for Children'. They were adopted by some 180 countries at the UN Special Session on Children in May 2002.<sup>48</sup> They are focused on four key priorities: promoting healthy lives; providing quality education for all; protecting children against abuse, exploitation and violence; and combating HIV and AIDS. The agenda of the Declaration is closely reflected in the MTSP reviewed below.<sup>49</sup>

While the Declaration does not mention minority children, its paragraph 7, point 3, nevertheless proclaims UNICEF's commitment to leave no child behind:

*'Each boy and girl is born free and equal in dignity and rights; therefore all forms of discrimination affecting children must end.'*<sup>50</sup>

The Plan of Action to the Declaration is much more minority-rights sensitive. Paragraph 22 acknowledges that children belonging to minorities are disproportionately disadvantaged in many countries owing to all forms of discrimination, including racial discrimination. It commits UNICEF to 'take appropriate measures to end discrimination, to provide special support, and to ensure

equal access to services for these children'. In addition, the Plan of Action stipulates that:

*'national goals for children include targets for reducing disparities, in particular those which arise from discrimination on the basis of race, between girls and boys [...].'*<sup>51</sup>

In addition, the Plan puts forward strategies and actions related to minority children in the areas of 'Promoting healthy life' and 'Providing quality education':

*Promoting healthy life: 'Address any disparities in health and access to basic social services, including health-care services for indigenous children and children belonging to minorities.'*<sup>52</sup>

*Providing quality education: 'Ensure that indigenous children and children belonging to minorities have access to quality education on the same basis as other children. Efforts must be directed to providing this education in a manner that respects their heritage. Efforts must also be directed to providing educational opportunities so that indigenous children and children belonging to minorities can develop an understanding of and sustain their cultural identity, including significant aspects such as language and values.'*<sup>53</sup>

The Plan of Action, however, does not refer to minority children in the other two areas of concern; that is, 'Protecting against abuse, exploitation and violence' and 'Combating HIV/AIDS'. This omission at strategic level can be linked to the general absence of specific references to minorities in UNICEF's MTSP, and their low profile in country offices' work related to those two issues. It needs therefore to be addressed as a priority by UNICEF policy makers. Finally, both the Declaration and the Plan of Action also fall short of ensuring that minorities take part in any programmes and policies which affect them.

### UNICEF and human rights instruments

In its efforts to influence public policies in ways that prioritize children's needs, develop and assist programmes benefiting children, and stimulate public dialogue on issues

that affect children's lives, UNICEF is guided by the principles of the Convention on the Rights of the Child (CRC), as well as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>54</sup>

Significantly, UNICEF is mandated to scrutinize national policies against the norms and standards set out in the CRC. It obtains any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions.<sup>55</sup> It is represented at the consideration of state reports by the Committee on the Rights of the Child. UNICEF is entitled to provide expert advice and, upon invitation by the Committee, to submit reports on the implementation of the Convention by the States Parties.<sup>56</sup>

No evidence has been found so far of UNICEF making use of this advocacy opportunity through offering expert advice on matters relating to minority children and women and submitting reports for the consideration of the CRC. UNICEF invites its country offices to comment in their Country Office Annual Reports (COARs) on developments in national reporting to the CRC and CEDAW.<sup>57</sup> However, these reports rarely focus specifically on minority children and women, and are intended solely for internal use. This is one way in which UNICEF could consider how to make more effective use of its COARs in order to influence internal and external structures and processes, and promote office-wide efforts to produce positive change for beneficiaries.

In addition, the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Article 9) requires the UN specialized agencies, including UNICEF, to contribute to the full realization of the rights and principles set forth in the Declaration, within their respective fields of competence. This important universal minority rights instrument could therefore better inform UNICEF policy documents, including its main organizational plan, the MTSP. The current MTSP does not refer to the UN Declaration on Minorities, despite UNICEF's obligation to work to secure the fulfilment of minority rights and principles. The UN Declaration on Minorities should also be reflected in UNICEF's human-rights based approach (HRBA) and the guidelines for reporting to the country offices.

### **UNICEF's participation at international mechanisms**

So far UNICEF has not been consistently involved in minority issues at the global inter-governmental level. In this regard, the agency's approach to minorities differs significantly from its approach to indigenous peoples. UNICEF has been a key actor in UN processes related to indigenous peoples' issues. As acknowledged in a recent

stock-taking study, within the last twenty years, the agency has assumed a central role in matters relating to indigenous children and women, culminating in its active involvement in the establishment and subsequent work of the UN Permanent Forum on Indigenous Issues (UNPFII).<sup>58</sup> UNICEF, and particularly its Gender, Rights and Civic Engagement (GRACE) Section have participated in every session of the UNPFII since its creation in 2002, and have made contributions to ensure that the Forum addresses the needs of indigenous children and women. GRACE has participated in UNPFII technical workshops and has given presentations and submitted papers on indigenous peoples' education, mother and child care, cultural diversity, and socio-economic development. A review of UNICEF's submissions to the UNPFII has identified some 205 good practices outlining positive trends in the implementation of UNICEF's approach to indigenous children and women.<sup>59</sup>

At the same time, UNICEF has not taken an active role in making submissions, bringing in participants from minority NGOs, or giving presentations at the UN Forum on Minority Issues or its predecessor, the Working Group on Minorities. The thematic focus of the Forum's first session in December 2008 was 'Minorities and the Right to Education'. The purpose was to gather analysis and comments from a broad array of experts into a document on Minorities and the Right to Education, so that they would be adopted as an interpretation of international law on what governments and others should do to guarantee that children and young people from minority groups have equal access to quality education, without sacrificing their cultural identities. As a voice for the world's children with a global expertise on children rights and education, UNICEF's limited participation at the Forum could be seen as an opportunity missed.

UNICEF has no flagship position or policy on minority children and education,<sup>60</sup> or indeed on minority children generally. This is also the case for indigenous peoples, although the UNPFII has consistently encouraged UNICEF to develop such a policy. UNICEF has, however, held early discussions on the possibility of developing a joint organizational policy on minority and indigenous children, which would mark a significant step forward (see below).

The disparity between the approaches to minorities and indigenous peoples' issues reflects to a certain extent the higher standing of indigenous peoples' issues within the UN system; it may also, of course, be influenced by the fact that the UNPFII takes place in New York, where the UNICEF headquarters are based, while the UN Forum on Minority Issues meets in Geneva. The UNPFII is a high level advisory body that represents indigenous peoples to the Economic and Social Council (ECOSOC).<sup>61</sup> It has a mandate to submit recommendations to the Council and to UN programmes, funds, and agencies, including UNICEF.

Conversely, the position of minority bodies has historically been relatively junior in the UN system. This is beginning to change, however: the new UN Forum on Minority Issues is an organ of the new UN Human Rights Council, although its recommendations are fed in through the report of the Independent Expert on Minority Issues. These recommendations contain important direction for the various UN programmes, funds, and agencies, including UNICEF.

Still, most importantly, UN agencies generally lack comprehensive policies to guide their activities in line with international minority rights law. This is despite their obligation to ensure the realization of minority rights, as provided by the UN Declaration on Minorities. Of course, this is within the context of the lack of a truly global movement for minority rights (like the movement for indigenous peoples' rights). But the reality is that ignoring the needs of 900 million at-risk minority communities presents a formidable obstacle to meeting the Millennium Development Goals (MDGs).<sup>62</sup>

There are complex reasons why this is the case. One reason, as discussed above, is the relatively junior position of mechanisms dealing with minorities in the UN system, reflecting a lack of elaboration of minority standards in international law at the universal level. But behind this, the very diversity of the communities that fall under the heading of 'minorities' worldwide mitigates against the growth of a coherent or focused global lobby for minorities. Without such a strong lobby, the campaign for the MDGs naturally has focused on the 'big picture', on progress towards indicators encompassing populations as a whole; concentrating effort on what are sometimes regarded as special groups who may have been left behind is seen as a diversion.

## UNICEF's role in securing the rights of minority children and women

Despite the plethora of human rights commitments endorsed by UNICEF, it has to be emphasized that the primary obligation to ensure that standards relating to minority rights, children's rights, and women's rights are adequately implemented rests with states.<sup>63</sup> It is, therefore, national governments' responsibility to safeguard minority children's and women's rights, promulgate inclusive policies, and bring about improvement in their lives.

At the same time, the role of international actors such as UNICEF is paramount. These actors have the power to pressure national governments to keep their work (e.g. poverty reduction programmes or educational and health

care interventions) in line with minority rights. Unlike other non-governmental actors, UNICEF is an inter-governmental agency with a wide network of offices in both the global South and the global North. It has more than 120 country offices that work in cooperation with host governments. UNICEF is in a unique position to encourage the introduction of minority issues onto governments' public policy agendas, and thus to make a difference in minority children's and women's lives. In this regard, recent examples include the UNICEF-Romania Roma educational programmes (see Chapter 5 below). This unique reach and access to most governments in the world puts UNICEF in a stronger position than other actors to negotiate or influence policies, even in countries that are not minority friendly. The downside of the agency's cooperation with governments is that the partnership may also sometimes restrain its ability to denounce rights violations and criticize the policies and actions of governments, particularly on sensitive issues such as minority rights.

In the most disadvantaged regions and countries in the world UNICEF is capable not only of influencing policies but also of *supporting governments' efforts* and *directly delivering assistance* to minority children and women. Through carefully tailored approaches targeting minority children and women, UNICEF can provide redress to their most pressing problems. An example is the UNICEF-India polio project (see Chapter 5), which focuses on Muslim communities in specific geographical areas where the polio virus is concentrated. Given that UNICEF lacks a specific minority rights policy, it is paramount that minority issues are mainstreamed into its policies and practices. Targeted minority-specific actions should not be the only tool for addressing minority issues. In addition, general programmes addressing young child survival and development; basic education and gender equality; HIV, AIDS, and children; child protection from violence, exploitation and abuse; and policy advocacy and partnerships for children's rights, should all mainstream minority rights. Importantly, when UNICEF's programmes are designed, delivered, monitored and evaluated, minority families, women, and children should be involved at all stages.

## The Medium-Term Strategic Plan (2006–2013)

UNICEF's MTSP, 'Investing in Children: the UNICEF contribution to poverty reduction and the Millennium Agenda', is a time-bound corporate plan, initially covering the period 2006–2009, and recently extended to 2013. It covers five focus areas: young child survival and development; basic education and gender equality; HIV,

**Table 1:** MTSP's five focus areas

Focus Areas	
Focus Area 1	Young child survival and development
Focus Area 2	Basic education and gender equality
Focus Area 3	HIV, AIDS and children
Focus Area 4	Child protection from violence, exploitation and abuse
Focus Area 5	Policy advocacy and partnerships for children's rights

AIDS and children; child protection from violence, exploitation and abuse; and policy advocacy and partnerships for children's rights.

The MTSP also includes cross-cutting principles, such as a human-rights based approach to cooperation and gender equality, and cooperation with civil society and other UN agencies. As an organizational framework for UNICEF's work, the MTSP directly contributes towards achieving the Millennium Development Goals (MDGs). Consequently, the analysis of the relevance of the MDGs to minorities is also applicable to the goals set in the MTSP.<sup>64</sup> In addition to the Millennium Declaration, the MTSP reflects UNICEF's mission statement, the guiding principles of the CRC, and the Declaration and Plan of Action 'A World Fit for Children'.<sup>65</sup>

The MTSP, particularly in regard to its key result areas and indicators, provides a concrete framework for UNICEF to target its work strategically towards populations at need, including 'vulnerable', 'disadvantaged' or 'marginalized' groups. It therefore strongly promotes and enables specific measures targeted at such vulnerable groups, including for example emphasizing the value of disaggregated data (see for example Focus Area 2: Basic education and gender equality, key result areas 1 and 2, and Focus Area 5: Policy advocacy and partnerships for children's rights, key result area 1). More specifically, some of the key interventions listed could in theory have a strong positive impact on minority communities; for example the promotion of campaigns to register births detailed in Focus Areas 1 and 4. Registration of births is a priority for enabling many previously-excluded minority communities to benefit from public services and development interventions, and to participate in social, economic, and political life.

The MTSP reflects the complex issues related to intersectional discrimination experienced by minority women. When addressing discrimination against women, the MTSP highlights the problem of the double exclusion of minority women and girls. Its main approach is not to tackle gender issues in general, but to bring attention to the situation of girls and women as a sub-group within groups that are already disadvantaged, such as ethnic minorities. It states that: 'women and girls [...] carry the [...] burden of

exclusion in most societies and within minority and other vulnerable groups as well'.<sup>66</sup>

The five focus areas and their key result areas do not, however, explicitly recognize the rights of minorities and do not call for specific and targeted efforts to reach out to minority children. For example, none of the four key result areas of Focus Area 1 emphasizes the need for special attention to be given to minority groups in the field of young child survival and development, nor refers to the use of data, disaggregated by ethnic, religious, or linguistic origin, or any other feature that would identify minority children and women. Similarly the MTSP log-frame comprises no dedicated targets or indicators on minorities. At the same time, the MDG Task Force has required a much stronger focus to be given on addressing inequalities in the provision of services, rather than relying on a trickle down approach focused only on the aggregate picture: 'Those who are marginalized and discriminated against are unlikely to benefit from the generic scaling up of services'.<sup>67</sup> In that sense, additional indicators such as the proportion of minority girls and boys having regular access to services can be useful for measuring progress. It is also worth recalling the recommendation of the Independent Expert on Minority Issues that:

*'States and other development and human rights actors must collect and use disaggregate data which reveals the situation of minorities relative to other groups. Mechanisms must be established for a meaningful dialogue and consultation with minorities. The legal and regulatory frameworks for addressing discrimination must be strengthened. Targeted and aggressive affirmative action policies for addressing exclusion ought to be adopted. [...] It is crucial to address the root causes of discrimination, particularly in the areas of education, employment, land and property rights and participation in decision making.'*<sup>68</sup>

The focus areas usually refer to '[marginalized, vulnerable, excluded] MVE' groups, and sometimes, to 'MVE and [minorities and indigenous] MI groups'. Sporadically, they

also mention ‘under-served’ groups. Most references are to ‘vulnerable’ groups, without mentioning in particular minority children and women. There is a danger that this approach may mean that UNICEF’s work fails to reach minority communities and may even contribute to reinforcing existing power imbalances between majority and minority communities. For example, without specifically targeting minorities, UNICEF’s interventions are likely to reach out predominantly to poor children and women from non-minority backgrounds. UNICEF needs to ascertain the real situation of disadvantaged minority groups in the countries where it works, and set itself tangible and concrete indicators enabling the realization of the rights of children and women from these groups.

This isn’t just a question of ticking the correct boxes or including the term ‘minority’ for the sake of form. The range of interventions promoted and encouraged by the MTSP flow from the key result areas, and in some Focus Areas the omissions seem particularly striking. For example, in the results matrices for Focus Area 2 there is no mention of mother-tongue education or linguistic factors in the education system. This is despite overwhelming evidence of the systematic exclusion of many minority children from education because of the lack of availability of mother-tongue education, particularly for very young children.

Similarly, Focus Area 4 (Child protection from violence, exploitation and abuse), makes no mention of the impact of violence affecting minority ethnic and religious groups, despite the fact that in over 70 per cent of the world’s armed conflicts, most of the killing is targeted at specific ethnic or religious groups. Furthermore, Focus Area 1, key result area 4 does not take into consideration that minorities are disproportionately affected in the aftermath of emergency situations and natural disasters, because they face discrimination and live in the poorest and most marginalized neighbourhoods.<sup>69</sup>

UNICEF acknowledges that if there is a common pattern of vulnerability, it covers the poorest of the poor, those confined to the bottom of the social strata.<sup>70</sup> The vulnerability and exclusion of minorities is most often a result of discrimination. However, discrimination triggers a two-way process: due to traumatic experiences in the past, some minority families feel mistrust and suspicion towards state-led interventions,<sup>71</sup> and the community as a whole may purposefully try and isolate itself from wider society. A minority-inclusive policy needs to take these factors into account and push for responses tailored to the specific vulnerability of minority children and women, which is different from that experienced by other vulnerable groups in society.<sup>72</sup>

# UNICEF's practices and minority rights

Having examined the legal and policy framework in which UNICEF operates, this study will now look at the practical implementation of policies, i.e. the work of UNICEF's country offices. This part of the study is based on information contained in 61 Country Office Annual Reports (COARs), as well as data collected from open and closed questionnaires sent to UNICEF country offices around the world.

## Stock-taking of UNICEF's interventions relevant to minorities

Our review of 61 UNICEF COARs revealed that the focus areas 'Basic education and gender equality', 'Child protection from violence, exploitation, and abuse' and 'Policy advocacy and partnerships for children's rights' involve most work relevant to minorities. This was confirmed by our survey of 26 country offices,<sup>73</sup> as well as interviews and open questionnaires with country office staff. Less work in regard to minorities is being carried out within Focus Areas 1 and 3: 'Young child survival and development' and 'HIV, AIDS, and children (see Table 2).

As to the spread of activities concerning minority communities across key results within the five focus areas, the country offices who took part in the survey identified that most work on minority issues is being done on:

- Focus Area 5 (Partnerships and advocacy), key result area 1;
- Focus Area 2 (Basic education and gender equality), key result area 1 and 3; and
- Focus Area 4 (Child protection), key result area 1 and 5 (see Table 3).

### Focus Area 1: Young child survival and development

Focus Area 1 covers activities related to young child survival and development, such as: immunization services and prevention and control of malaria, diarrhoea, pneumonia, and other major child killers; eradication of polio and guinea worm disease; care of pregnant women and newborn babies; food fortification; improvement of family and community care practices for young children; and access to water and sanitation, including in emergency situations.

The first focus area is linked to the realization of the fourth MDG on reducing child mortality. It is also linked to the human right to an adequate standard of living. This right is provided by Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as the highest attainable standard of health, provided by Article 12 of the ICESCR and, more specifically, by Articles 6 and 24 of the CRC, which oblige States Parties to 'ensure to the maximum extent possible the survival and development of the child' and 'to diminish infant and child

**Table 2:** MTSP focus areas in which country offices address issues directly relating to minority groups

Focus Areas	Responses from all 26 participating country offices
1: Young child survival and development	12
2: Basic education and gender equality	16
3: HIV, AIDS, and children	12
4: Child protection from violence, exploitation and abuse	17
5: Policy advocacy and partnerships for children's rights	15

**Table 3:** Key result areas covered by country offices that are directly related to minority groups

	Focus Area 1: key result areas				Focus Area 2: key result areas				Focus Area 3: key result areas			Focus Area 4: key result areas					Focus Area 5: key result areas			
	1	2	3	4	1	2	3	4	1	2	3	1	2	3	4	5	1	2	3	4
Country response	8	14	5	8	14	12	15	8	7	6	12	15	12	6	9	15	17	11	13	13

**Table 4:** Key result areas of Focus Area 1

Key result areas	
1:	Scale up interventions to reduce the number of deaths from preventable and treatable causes.
2:	Capacity-building for improved family care practices.
3:	Increase access to water and sanitation systems to control water-borne illnesses.
4:	Efforts to ensure that every child has access to life-saving interventions during emergencies.

mortality'. The right to the highest attainable standard of health also requires proactive measures to overcome deeply entrenched inequalities.<sup>74</sup>

Our stock-taking identified that the most prevalent work with regards to minorities in Focus Area 1 is related to capacity-building for improved family care practices (key result area 2). One such example involves encouraging minority participation in health projects, particularly through social workers or health mediators (see Table 3). This practice is most common in Eastern Europe in the case of the Roma/Ashkalia/Egyptians minorities. For example, UNICEF-Romania works with its partners to strengthen a network of social workers, community nurses, and Roma health mediators to increase accessibility and the quality of community-level health and social services, mainly for vulnerable groups.<sup>75</sup> Similarly, UNICEF-Argentina provided training to 30 leaders from seven indigenous communities on children's rights and health care issues, among other issues.<sup>76</sup>

UNICEF also works to strengthen the capacity of health care providers and policy makers to work with minority communities. UNICEF-Brazil, for example, strengthened the capacity of municipal health professionals and provided them with the required knowledge to identify, address, and prevent institutional racism in health care services, and to promote a respectful and discrimination-free health care service for *quilombola* and indigenous families.<sup>77</sup> UNICEF-Argentina made sure that Indigenous Associations took part in processes monitoring the right to health in the country,<sup>78</sup> and ensured that indigenous issues were taken into account by supporting and sustaining efforts at the local level managed by indigenous social actors.<sup>79</sup>

Communication campaigns on health issues targeting minorities, such as events taking place at minority-populated locations, or in minority languages, or through minority media, or produced in a minority-sensitive way, represent another type of positive practice related to minorities. For example, UNICEF-Iraq supported the development and printing of resource materials in Kurdish, including life skills and reproductive health manuals for educators, educational leaflets for young people and caregivers, and guidelines for professionals.<sup>80</sup> UNICEF-Uganda has produced 64 child-participatory radio shows and supplied Karamojong

minorities with 5,000 wind-up radios. These interactive programmes produced by young people have transmitted key messages on issues ranging from sexual and reproductive health to education.<sup>81</sup> UNICEF-Georgia initiated a campaign which raised the level of knowledge of vaccine preventable diseases (VPD) amongst the general population by 17 per cent from the baseline. A remarkable improvement in awareness of VPD was found among ethnic minority mothers (an increase of 13 per cent in the ethnic Azeri population and 48.5 per cent in the Armenian population).<sup>82</sup>

Frequently, UNICEF is involved in providing services targeting minority children and women directly or indirectly. For example, UNICEF-Indonesia has established water supply and sanitation facilities in several schools in Aceh where Acehnese minorities live.<sup>83</sup> In Ethiopia almost 2 million children under the age of five were covered by vaccination (wild polio and tetanus, tuberculosis) and immunization activities in areas with large numbers of minority communities, including Oromia region.<sup>84</sup> UNICEF-Uganda set up Early Childhood Development (ECD) centres in regions where Teso, Lango, and Acholi minority groups are concentrated.<sup>85</sup> This was done in a minority-friendly way as it used facilities such as parish halls, churches, and homes which were convenient for the community to use.

Providing essential health services in conflict and emergency situations with special consideration for minorities is another type of work in which UNICEF has been engaged in some countries. For example, UNICEF gave ongoing support to 20 mobile WASH health and nutrition teams providing outreach therapeutic feeding support to children under five affected by the conflict in Ogaden, Somali region. During 2008, 68,594 outpatient children were seen, of whom 3,616 were acutely malnourished.<sup>86</sup> Furthermore in Somali region, WASH supported the development or repair of 75 community water supplies, benefiting approximately 165,000 people acutely impacted by prolonged extreme drought.<sup>87</sup>

## Focus Area 2: Basic education and gender equality

Basic education and gender equality, the second MTSP focus area, seeks to implement the right to education for



every boy and girl as stipulated in the CRC (Articles 28 and 29). Article 28 section 1(a) of the CRC provides that States Parties recognize the right of every boy and girl to free primary education. In particular, Article 29 (1) (c), encourages the direction of children’s education by States Parties towards:

*‘the development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.’*

It is important also to recall Article 5 of the UNESCO Convention Against Discrimination in Education (1960), which read as follows:

*‘it is essential to recognize the right of members of national minorities to carry out their own educational activities, including the maintenance of schools depending on the educational policy of each State, the use or the teaching of their own language, provided however : (i) that this right is not exercised in a manner that prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty.’*

Furthermore, the focus area contributes to the achievement of MDG 2 regarding the achievement of universal primary education, and MDG 3, which promotes gender equality and the empowerment of women.

Education is a key human right for many minority children, but one that is often denied through discrimination, stigma, and ethno-political unrest. The majority of the 101 million children out of school and the 776 million adults who are illiterate belong to minority groups. Where minority children participate in education, most find themselves receiving education of a lower quality and standard than other non-minority children, often as a result of their treatment in schools by majority children and/or teachers. The problem is

also exacerbated by the fact that States Parties may not provide the necessary infrastructure and resources to facilitate the participation of children from minority groups, such as providing teaching in accessible languages to facilitate learning through mother tongue and majority language, and a culture-inclusive curriculum that recognizes minority groups and their identity, yet also teaches about the majority culture. By 2015, the MDG on education aims for all children to be able to complete primary education. In order to reach this goal, every child, including every minority child, deserves the necessary attention to enable them to complete primary school.

Most of the references to minorities concerned Focus Area 2. We have found a number of excellent examples of UNICEF interventions, especially under key result area 3: improving educational quality and increasing school retention, completion and achievement rates; and key result area 1: improving children’s developmental readiness to start primary school on time, especially marginalized children.

Good practices in this area were detailed in a number of COARs and in responses to questionnaires. For example, UNICEF-Sudan piloted child clubs in 11 schools, which benefited 2,750 children in South Darfur from a number of different ethno-linguistic communities.<sup>88</sup> In Thailand, 200 Islamic teachers received training in the Child-Friendly School quality standards approach (aimed at improving education quality); this benefited approximately 5,000 children from the minority Muslim population who had been affected by conflict. At the same time, the agency’s school readiness programmes ensured the participation of 40 migrant children.<sup>89</sup>

In an effort to reduce gender-based and other disparities in relation to increased access, participation, and completion of quality basic education under key result area 2, UNICEF-Uganda developed Girls’ Education Movement (GEM) clubs in Lango communities.<sup>90</sup> GEM clubs have provided supportive forums for both boys and girls to discuss their concerns and prevented many students, especially girls, from dropping out, while dealing with barriers to girls’ education among many minority communities. Furthermore, in the Northern Province of Sri Lanka, affected by conflict and with a large minority Tamil population, 70 education

**Table 5:** Key result areas of Focus Area 2

Key result areas	
1:	Improve children’s developmental readiness to start primary school on time, especially marginalized children.
2:	Reduce gender-based and other disparities in relation to increased access, participation and completion of quality basic education.
3:	Improve educational quality and increase school retention, completion and achievement rates.
4:	Ensure that education is restored in emergency and post-conflict situations, and to help to safeguard education systems against threats such as HIV and AIDS.

officers were trained in Emergency Preparedness and Response Plans (EPRPs). These officers carried out rapid assessments and re-opened schools in areas where internally displaced children were concentrated, to ensure minimal disruption to education.<sup>91</sup> In addition, 1,260 teachers and principals from more than 300 schools were trained in developing school-level EPRPs. Elsewhere, in relation to education and HIV prevention, Acehnese young people in Indonesian schools were trained as peer educators to work with at-risk young people in their communities.<sup>92</sup> Particularly impressive in the area of education are the activities of UNICEF-Romania (see Case Study 2) and Brazil. In Brazil, UNICEF developed and disseminated a Municipal Guide to support educators to teach about African History and Culture in Primary Schools. The guide was distributed in all municipalities of the Semi Arid Region (which has a large Afro-Brazilian population).<sup>93</sup> In a similar vein, UNICEF is mobilizing six municipal governments and eight Afro-descendant civil organizations in Rio de Janeiro State.<sup>94</sup> UNICEF-Brazil recognized that inequalities are often masked by statistics, especially on indicators relating to race, gender, and regional disparities.<sup>95</sup>

### Focus Area 3: HIV, AIDS and children

Focus Area 3 covers activities related to reducing and preventing HIV infections, treatment for HIV-positive women and children, care and services for children orphaned and made vulnerable by HIV or AIDS, and increasing awareness of HIV and AIDS through the use of gender-sensitive information, skills, and services. It is linked to the realization of the sixth MDG 'Combat HIV/AIDS, malaria and other diseases'. It is also linked to the human right to the highest attainable standard of health (see above, Focus Area 1).

In respect of HIV and AIDS, minority communities are disproportionately affected, largely as a result of inadequate or no dialogue with minorities about HIV prevention and treatment. For example, a report released in 2003 found that the dissemination of effective anti-HIV messages among minorities and indigenous communities in Botswana was hampered by the fact that Radio Botswana only broadcast health advice in English and Setswana,

languages that were unfamiliar to many remote minority communities.<sup>96</sup> The impact of the inaccessibility of HIV prevention education, combined with gender-based violence and abuse against women and girls, also increase their vulnerability to HIV.

Overall, the lowest number of activities targeting minorities reported by UNICEF offices concerns work on HIV and AIDS. Of those activities that were being implemented, the greatest number of initiatives under Focus Area 3 concerned key result area 3: reducing adolescent risks and vulnerability to HIV by increasing access to, and use of gender-sensitive prevention information, skills, and services. In Ethiopia, a 'Girls' Forum Initiative', seeking to enhance the participation of girls in HIV or AIDS-related development programmes, increased its coverage to 1,500 students, including minority girls from Oromia region (where there are large numbers of people from minority groups).<sup>97</sup> Another example of good practice is found in UNICEF-Brazil, which supports a network of Afro-descendant adolescent girls who are active in ensuring that their communities are involved in the planning, implementation, and monitoring of HIV-related initiatives, including on issues of gender and race.<sup>98</sup> Furthermore, the UNICEF-Iraq HIV/AIDS awareness-raising campaign is a good example of mainstreaming minority rights. The office prepared educational materials for parents and young people in both Arabic and Kurdish languages.<sup>99</sup>

Key result area 1 was next in line in terms of inclusion of minorities in activities under Focus Area 3, that is: number of paediatric HIV infections reduced; proportion of HIV-positive women receiving ARVs increased; proportion of children receiving treatment for HIV or AIDS increased. That said, country offices did not provide any examples of activities that had brought about reduced infections and improved treatment rates among minority children, or an increase in ARV use among minority women.

Of all MTSP areas, key result area 2 received the second lowest response in terms of the involvement of minority children. This key result area seeks to increase the proportion of orphaned children and other children affected by HIV or AIDS receiving quality family, community, and government support. In the Oromia, Afar, and Amhara

**Table 6:** Key result areas of Focus Area 3

Key result areas	
1:	Number of paediatric HIV infections reduced; proportion of HIV-positive women receiving ARVs increased; proportion of children receiving treatment for HIV or AIDS increased.
2:	Increased proportion of children orphaned and made vulnerable by HIV or AIDS receiving quality family, community, and government support.
3:	Reduce adolescent risks and vulnerability to HIV and AIDS by increasing access to and use of gender-sensitive prevention information, skills and services.

regions of Ethiopia, where there are large numbers of ethno-linguistic minorities, UNICEF-Ethiopia supported 1,200 young people who care for themselves and other disadvantaged children with livelihood initiatives, and by providing them with food, tutorial support, and educational materials.<sup>100</sup>

#### Focus Area 4: Child protection from violence, exploitation and abuse

Particularly relevant to this focus area, Section VI of the Millennium Declaration engages the international community's support in achieving the protection of children from violence, abuse and exploitation,<sup>101</sup> as envisioned under Focus Area 4. It is also worth recalling Article 1 of the UNDM, which provides that: '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'. In addition, the Convention on the Prevention and Punishment of the Crime of Genocide (1948),<sup>102</sup> explicitly protects against genocide, stipulating the application of protection against acts constituting genocide, which include the 'intent to destroy, in whole or in part, a national, ethnical, racial or religious group'.

The heightened threat of conflict and all other forms of violence against minorities as compared to non-minorities is well documented internationally, both in practice and in international and national laws seeking to protect against abuses. Some of the longest-running conflicts the world has witnessed – from Kashmir to Kosovo, Darfur, Chechnya, and Northern Ireland – involve ethnic, religious, linguistic and/or cultural dimensions.<sup>103</sup> Although minority issues have been at the heart of many conflicts, the international community gives less attention to this fact than it did when minority rights were first recognized as an issue, when the impetus was focused on protecting minorities from conflict. The reality is that, today, the situation for Tamils in Sri Lanka, Acholi and Lango communities in Uganda, and

those in other areas of recent conflict reminds us that while greater protection exists today than in 1919, each minority child is still greatly vulnerable to violence, exploitation, and abuse, as long as discrimination and hatred along religious, ethnic, linguistic or cultural lines exists.

We have found a number of examples of good practice relevant to minorities under Focus Area 4, particularly under key result areas 1 and 5. Under key result area 1, UNICEF-Philippines undertook an assessment aiming to increase the effectiveness of monitoring and reporting mechanisms of violations against children in Mindanao, where many conflict-affected Muslim minority groups reside.<sup>104</sup> UNICEF-Thailand strengthened child protection monitoring and referral systems, as well as psychosocial support and training benefiting migrant and displaced children from Myanmar.<sup>105</sup> Under key result area 5, UNICEF-Sudan's advocacy and support led to the government pardoning 99 detained children, and the eventual reunification of many with their families in Chad.<sup>106</sup> In addition, UNICEF-Indonesia supported the participation of the Papuan government, care managers, social workers, and NGOs in seminars aimed at supporting vulnerable families to avoid unnecessary child care interventions.<sup>107</sup>

The second key result under Focus Area 4 concerning minorities was in regard to key result area 2: 'support for effective legislative and enforcement systems and improved protection and response capacities to protect children from all forms of abuse, neglect, exploitation and violence, including exploitative child labour'. For example, in Uganda, UNICEF supported the effectiveness of child protection support systems by increasing its coverage from 22 per cent to 61 per cent in two conflict-affected regions where many minority communities live.<sup>108</sup> In the Philippines, efforts to identify and register separated and unaccompanied children were undertaken in conflict-affected areas where many Muslim minority communities live.<sup>109</sup>

**Table 7:** Key result areas of Focus Area 4

Key result areas	
1:	Ensure that government decisions are increasingly influenced by better knowledge and awareness and improved data and analysis on children's rights to protection.
2:	Support for effective legislative and enforcement systems and improved protection and response capacities to protect children from all forms of abuse, neglect, exploitation and violence, including exploitative child labour.
3:	Improve mechanisms to protect children from the impact of armed conflict and natural disasters.
4:	Address national justice systems, to ensure that mechanisms are in place to provide protection for children and adolescents as victims, witnesses or offenders.
5:	Reduce the number of children separated from their families and strengthen national capacities to ensure access by poor families to services and safety nets needed to protect and care for their children.

Key result area 4 was deemed the third most responsive of key results involving minorities under Focus Area 4; i.e. addressing national justice systems to ensure that mechanisms are in place to provide protection for children and adolescents as victims, witnesses or offenders. In Kenya, UNICEF provided free legal aid through civil society partners to 150 children affected by the post-election ethnic violence.<sup>110</sup>

Last under Focus Area 4 is key result area 3, involving the improvement of ‘mechanisms to protect children from the impact of armed conflict and natural disasters’. In Sudan, a gender-inclusive National Reintegration Strategy for Children associated with the armed forces and other armed groups was developed by UNICEF and government authorities. This has facilitated more appropriate support to girls who have participated in conflict, including those from minority communities.<sup>111</sup> UNICEF supported the development of four Integrated Service Centres (legal, medical, and social services, including relating to trafficking) for women and child victims of abuse and exploitation in the areas where many Indonesian Papuan minority groups live.<sup>112</sup>

#### Focus Area 5: Policy advocacy and partnerships for children’s rights

Focus Area 5, policy advocacy and partnerships for children’s rights, is the final focus area under the MTSP. Concerning communication and advocacy, Articles 17 and 30 of the CRC stipulate that states should oblige national mass media to respect and/or promote the identity and culture of minorities. In relation to the participation of minority children, the UNDM provides that states should ensure that ‘persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life’ (Article 2).<sup>113</sup> The participation and advocacy components of this focus area contribute to MDG 8 on global partnerships, but also indirectly contribute to the achievement of the other MDGs, since partnerships and advocacy are crucial to tackling them.

Policy advocacy informed by disaggregated data and the effective participation of minority groups makes an essential contribution to the improvement of most developmental indicators. Effective participation of minorities in mapping, planning, implementation, and monitoring and evaluation, coupled with relevant advocacy initiatives within and around affected minority communities, facilitates the development of tailored initiatives that truly meet the needs of communities. Most of the 26 UNICEF offices that responded to our survey stated that key result area 1 most served minority communities under Focus Area 5. An example is Nepal’s flagship programme, Decentralized Action for Children and Women (DACAW), which uses an evidence-based framework informed by data disaggregated by ethnicity, and uses participatory approaches with marginalized groups, including Dalits.<sup>114</sup> Key result areas 3 and 4 were deemed the second most inclusive key results under Focus Area 5 in relation to minorities, receiving an equal number of responses from UNICEF offices. Under key result area 3, regarding the use of evidence-based analysis in partnership with other relevant organizations for advocacy and policy dialogue with decision makers at all levels of society, in the Philippines the Al-Mujadilah Development Foundation, Inc. (AMDF) implemented a project facilitating the participation of Muslim women in the application of CEDAW.<sup>115</sup> Key result area 4, the third in line under this focus area in terms of including minorities, addresses participation issues relating to children, adolescents, and young people. For example, in Rwanda, UNICEF supported a government initiative, the Children Summit, which strengthened participation mechanisms for children and aimed to improve the culture of peace in Rwanda.<sup>116</sup> The Summit, entitled ‘The role of the child in the fight against the genocide ideology’, enabled children to participate at sector, district, and national levels. The development and dissemination of high-quality research and policy analysis on children and women in

**Table 8:** Key result areas of Focus Area 5

Key result areas	
1:	Support for collecting data and information on the status of children and women to inform strategic decision making, and disaggregation of data by sex, wealth, ethnic group, location, etc., to reflect existing disparities and enable focus on the conditions of marginalized and vulnerable groups.
2:	Support research and policy analysis on children and women, collaborating with partners to produce and disseminate high-quality research and analysis addressing the implications of development issues and strategies, national legislation and public policies for the rights of children and women.
3:	Utilizes evidence and analysis for advocacy and policy dialogue with decision makers at all levels of society, in partnership with other concerned organizations; and also envisages the use of UNICEF procurement services, where appropriate.
4:	Addresses participation by children, adolescents and young people.

collaboration with partners embodies the final key result under this Focus Area 5, key result area 2. The UNICEF-Nicaragua agreement with the University of the Autonomous Regions of the Caribbean Coast of Nicaragua, a community university focusing on Afro-descendant communities, has generated socio-anthropological research for UNICEF.<sup>117</sup>

## Minorities and the human-rights based approach (HRBA)

As established in the third section of this study, UNICEF is bound to apply a HRBA, and therefore human rights should underpin the design, implementation, and monitoring and evaluation of its interventions.<sup>118</sup> There are numerous facets of the HRBA to development, elaborated in detail within the UN. It is beyond the scope of this study to analyse the full extent to which UNICEF country offices utilize and apply it in their work (and this has been done by others).<sup>119</sup> Rather, this study examines the extent to which UNICEF has given consideration to minorities as rights-holders and to their capacity to claim their rights; the diversity within minority groups, and particularly gender issues within minority communities; the availability of measurable goals and targets vis-à-vis minorities; and, last but not least, the empowerment of minority communities through participation.

The HRBA seeks to analyse *inequalities* which lie at the heart of development problems and redress *discriminatory* practices and unjust distributions of power that impede development progress. Attention to minority groups therefore lies at the centre of the HRBA.<sup>120</sup> It is important that situation analyses should be performed to assess the situation and needs of minorities in the country concerned, and a review of existing programmes undertaken to assess their relevance to meeting the needs of minority communities.

Some UNICEF country offices make explicit reference to minorities as rights holders in both their country overview and situation analysis, as well as when describing the implementation and outcome of their interventions. This approach is most frequently used in Europe (especially in regard to the various Roma communities), and the Caucasus and Latin American country offices (although, in general, most attention in Latin America is directed towards indigenous groups, and less to minorities, such as Afro-descendants).

For example, UNICEF-Moldova has initiated research into the situation of Roma children and child poverty. It has acknowledged that Roma children are less likely to survive to see their first birthday,<sup>121</sup> and has worked with Roma

minority NGOs to address the problems experienced by women and children from this minority group.<sup>122</sup> Likewise, UNICEF-Albania has paid special attention to the situation of Roma children in education, recognizing that strong disparities in education exist behind official national figures.<sup>123</sup> UNICEF-Montenegro organized a human rights event with special panels on minority rights and gender equality.<sup>124</sup> Impressive also is the work of UNICEF-Georgia, which has broken down the impact of its interventions by ethnicity/minority origin.<sup>125</sup> UNICEF-Nicaragua has run training on HRBA methodologies and tools for local NGOs working with indigenous and Afro-descendant children and adolescents.<sup>126</sup> UNICEF-Brazil reported several projects targeting or mainstreaming the rights of Afro-descendant and indigenous children and adolescents.<sup>127</sup>

Most country offices in Africa, and to some extent in southeast Asia, do not make reference to minorities, but nevertheless name the regions in which interventions have taken place. Thus any reader familiar with the ethnic map of a country could guess that UNICEF is targeting minority communities living in a particular area. For example, UNICEF-Angola is working towards Huila province, a Nyaneka-Nkumbi minority stronghold, becoming an open-defecation free province by 2012, through community-led total sanitation programmes.<sup>128</sup> UNICEF-Ethiopia has worked on exclusive breastfeeding and complementary feeding initiatives in 39 districts, including Oromo, Tigrayan and Amhara districts where many minority communities live.<sup>129</sup> UNICEF-Indonesia has established water supply and sanitation facilities in several schools in Aceh, where Acehnese minorities live.<sup>130</sup> The Uganda case is an interesting one as it appears to use references to minorities interchangeably with references to regions, although it is not clear whether the terms used *do* actually refer to regions or minority groups in Uganda, or whether the terms are used interchangeably.<sup>131</sup> Only the Sudan COAR mentions the word 'minority', and five others use the terms 'ethnic' or 'ethnicity'. For comparative purposes, the Asia COARs seem to make direct references to specific ethnic (seven), linguistic (two) and religious (16) minorities more consistently than UNICEF offices in the Africa region.

Worryingly, references to work related to minorities in the Central Asia COARs are almost non-existent. For example, UNICEF-Kazakhstan explained that there was no need for projects related to minorities in the country:

*'There is no particular need for that – minority groups in Kazakhstan have and enjoy the same rights and opportunities (incl., access to education, health care, and other services) as the non-minority ethnic group, the Kazakhs.'*

However, non-Kazakh minorities in the country cite barriers to accessing state employment and non-Kazakh and non-Russian speaking minorities face considerable linguistic barriers in education. Analysis by the UNICEF Division of Policy and Practice of data from Multiple Indicator Cluster Surveys shows significant disparities in net school attendance rates between Kazakh speakers and other groups, particularly in secondary education.

Despite a number of positive examples, a general impression from the COARs review is that many offices do not pay special attention to minority rights. References to work related to minorities are not made by all country offices. When they are made, they are not made systematically.

We have found a general tendency throughout the 2008 COARs (and also major UNICEF policy documents) to favour the terms 'vulnerable' or 'marginalized' or 'under-served' groups.<sup>132</sup> While the HRBA implies that most attention should be given to those who are worse off in society, it is necessary to identify who these individuals or groups are. The terms 'vulnerable', 'marginalized' and 'under-served' have no standing in international law; thus, using them allows for a random and *ad hoc* selection of groups and activities, and does not guard against reinforcing existing power imbalances between majority and minority communities. The body of law developed in relation to minority rights could have a valuable input into UNICEF work. Country offices need to pay specific attention to minorities, or at least to offer a checklist of vulnerable groups covered by their work. A list of vulnerable groups needs to be reviewed periodically in terms of who is considered vulnerable and why, and how and why some groups have been selected. This would follow the principle of accountability, a core principle in the HRBA to development. The MTSP specifies that indigenous children tend to be one of the most under-served groups in society; UNICEF cooperation seeks to reach out to these children as a matter of priority, where appropriate.<sup>133</sup>

In general it is difficult to understand whether, how and to what extent UNICEF's interventions have affected minority children and women.<sup>134</sup> There is a need to use data disaggregated by ethnic/indigenous origin, *inter alia*.<sup>135</sup> A number of country offices mention that statistics disaggregated by ethnicity/religion/minority origin are unavailable. However, in such cases the offices need to seek alternative means, such as sociological surveys, NGO reports, and research studies. Last but not least, country offices need to involve minority experts, minority NGOs, and community leaders so that they can acquire information to identify and reach those most in need. Importantly, they should promote and support the collection of disaggregated data on minorities for the indicators under the MTSP focus areas. The country offices should also be given specific

guidelines as to what to do when disaggregated data is not available. Currently, most COARs do not include any information on the state of minority children and women, even in their country overview.

UNICEF's MTSP acknowledges that in most countries it is girls who are disadvantaged, both as a population group and as a sub-group within groups that are already disadvantaged, such as the rural poor, ethnic minorities, and indigenous populations.<sup>136</sup> There are some excellent practical examples of UNICEF addressing intersectional discrimination issues within minority communities, as part of both its minority-specific interventions and its general programmes. For example, upon analysis of the proportion of children who drop out of school, UNICEF-Bulgaria recognized that minority girls are especially affected.<sup>137</sup> UNICEF-Kosovo's Women's Literacy Programme, targeting both majority and minority women from rural areas, indicated that along with Albanian women, the programme has reached Roma women and girls as well.<sup>138</sup> In Nepal, the Sustaining Cooperatives Programme identified the double burden faced by so-called 'untouchable' women.<sup>139</sup>

Across the board, however, UNICEF country offices mainstream gender issues without mentioning minorities; and when they deal with minorities, they do not mention the gender implications. For example, UNICEF's *The State of the World's Children 2007* report, which underlines that empowering women is pivotal to the health and development of families, communities, and nations, makes no reference to minorities, nor to minority girls and women in particular.<sup>140</sup> Also, the country offices need to pursue a dual approach, both taking special measures or targeting specific programmes towards minority children and women, and at the same time including or mainstreaming minorities into other UNICEF programmes and activities.

As explored in the third section of this report, UNICEF is mandated to scrutinize national policies against the norms and standards set out in the CRC.<sup>141</sup> UNICEF also invites its country offices to comment in their COARs on developments in national reporting to the CRC and CEDAW.<sup>142</sup> We have found examples of how offices have contributed to the reporting process. For example, UNICEF-Moldova made efforts to attract international attention to problems faced by children living in Moldova, and to progress in child rights compliance. The UNICEF-Moldova office assisted the NGO Child Protection Alliance in the finalization of the CRC Alternative Report, which was presented to the CRC Committee in October 2008. As a result, the government was asked to pay more attention to the issues of Roma children, child poverty and adolescent health, and particularly, HIV prevention.<sup>143</sup>

There is insufficient evidence, however, of country offices supporting minority NGOs to submit shadow reports

**Table 9:** Percentage of staff trained in minority rights and issues

Percent of staff trained in minority rights and issues						
75+%	50–75%	25–50%	10%–25%	5%–10%	5% or less	None
1	0	2	4	4	7	8

before the Committee on the Rights of the Child and other human rights bodies. In general, UNICEF does not use the language of human rights consistently, and rarely refers to international minority rights law instruments.

We have noticed also that some of the concepts that UNICEF uses, particularly in reference to indigenous peoples, but also applicable to minorities, may give the impression that they are not founded on international human rights obligations. UNICEF's important work on promoting bilingual intercultural education sometimes utilizes the notion of interculturalism as an add-on to the human rights approach.<sup>144</sup> At the same time, the content ascribed to interculturalism in the context of indigenous peoples ('respecting indigenous knowledge, know-how and forms of social organization in the promotion of indigenous children's and women's rights') overlaps with human rights and the right to minority identity in particular. Such a discourse not only avoids the language of rights in the context of cultural and ethnic diversity, but also creates the false impression that interculturalism is not based on international human rights standards, or is not governed by them (an inference which may have negative consequences for minority women and girls, for example).

To some degree, the unsystematic approach towards minority right issues in a number of UNICEF country office's interventions may also be due to insufficient understanding of minority rights by country office staff. UNICEF has ensured that its staff, including country officers, undergo continuous training and updating on the HRBA and human rights framework. This investment in human resources was one of the recommendations of the 2006 and 2007 COARs reviews. The current survey found that in-country staff are trained in human rights.<sup>145</sup> The human rights training offered to staff, however, often does not focus on minority rights. When asked about what percentage of staff received training on minority rights and issues within our survey of 26 country offices, seven country offices said that 5 per cent or fewer staff were trained, eight respondents said that between 5 and 25 per cent of their staff were trained, while two offices reported that between 25 per cent and 50 per cent were trained. Only one office stated that over 75 per cent of staff received such training (see Table 9).

Furthermore, 10 country offices (38 per cent) have minority group focal points, while 16 (62 per cent) reported

**Table 10:** Country offices with focal points on minorities

Focal points on minorities	Responses from all 26 participating country offices
Yes	10
No	16

no designated staff working on minority issues in their offices (see Table 10).

Most country offices stated that they used studies (65 per cent), reports (58 per cent), and situation analysis (54 per cent) to develop the country office knowledge base on minority groups (see Table 11).

**Table 11:** Country offices' knowledge resources on minorities

Studies	17
Reports	15
Situation analysis	14
Books	5
Survey	7
Training materials	7
Government strategies	3
Laws	1
International policy documents	1
Videos	1
Experience of staff	1
Case Studies	1
Materials not focusing on minorities	2
No answer	3

Knowledge and understanding of minority rights and issues is crucial for UNICEF country staff given that minority communities require special protection on the part of organizations like UNICEF.

**Table 12:** Minorities' participation in initiatives

Questions	Yes	No	Sometimes	No Answer
Participation in initiative design	10	5	10	1
Consultation in locality of minority groups	14	7	4	0
Consultation in language of minority groups	10	11	5	0

## Minority participation

Stakeholder participation is an important facet of the HRBA. Participation is also a key minority right (see the third section of this report). Minority men, women, and children are entitled to be part of all decisions and policies which affect their lives. The COARs rarely explain whether minority communities have been involved in the design, implementation, monitoring, and evaluation of their projects. The reason for this might be that the guidelines for the COARs do not require such information.<sup>146</sup> As this information was missing, we included specific questions relating to the minority right to participation in the questionnaires circulated to UNICEF country offices. Of the 26 offices that responded, we found that while many offices actively seek minorities' participation in the design of their initiative, this is not done systematically and across the board. For example, 10 of the 26 country offices (38 per cent) reported that they involved minority communities in the design of initiatives and held consultations in minority languages; 14 (54 per cent) reported undertaking consultations with minorities in the areas where they live; five (19 per cent) country offices said no minorities participated in the design of initiatives; and seven (27 per cent) and 11 (42 per cent) respectively reported that no consultations had been conducted in minority languages or in areas where minority groups lived (see Table 12).

Designing a genuinely participatory system is particularly challenging. It requires a balanced representation of various views within minority communities. Ensuring a gender perspective is particularly important. In our survey, the vast majority of UNICEF offices that completed the questionnaire consulted community leaders from minority groups (69 per cent). Consultations were also held with minority NGOs (62 per cent) and minority families (42 per cent). Only four offices (15 per cent) reported involving minority children themselves (see Table 13).

As to the gender balance in participation, 27 per cent stated that at least 50 per cent of participants in UNICEF consultation initiatives directed at minority groups were minority girls, while 23 per cent responded that fewer than 50 per cent of participants in consultations were minority girls.

The stock-taking of the COARs also revealed inconsistent approaches. While all UNICEF offices are sensitive to gender equality and mainstream gender in their work, this is not consistently reflected in work on minority issues. That said, there are excellent examples of country offices applying gender mainstreaming in their consultations with minority communities.

In relation to being involved in the delivery of consultations, 14 country offices responded affirming that minorities participated, while five (19 per cent) answered 'no' and six (23 per cent) said this took place sometimes. In relation to strategies to include minorities, five (19 per cent) offices said they had strategies in place, 19 (73 per cent) replied that no strategies existed, and one office stated that strategies were sometimes in place.

A similar inconsistency in paying special attention to minority issues has been identified at policy level within UNICEF. The right of minority children and women to participation is not strongly incorporated in the UNICEF policy on children and young people's participation. As outlined in the third section of this study, the right to

**Table 13:** Minority participants

Who participates on behalf of minority groups	Responses from all 26 participating country offices
Minority communities' leaders	18
Minority NGOs	16
Minority families	11
Government body responsible for minority group issues	2
Professional and experts on minorities	2
Children, youth, youth forums or peer educators	4
Teachers	1
Health staff	1
Unspecified	1
No answer or N/A	5



**Table 14:** Minorities' involvement in consultations

Questions	Yes	No	Sometimes	No Answer
Minority girls	7	6	7	6
Involved in delivery	14	5	6	1
Strategies to include minority groups	5	19	1	1

participation, particularly in matters affecting minorities, is a central provision in minority rights law. Together with Article 12 of the CRC (children's participation) and Article 7 of CEDAW (women's participation), international law requires special approaches to enable minorities' active participation. The UNICEF 'Guidance note on promoting participation of children and young people' (Section 13 of the UNICEF Programme Policy and Procedure Manual), however, does not put forward any suggestions on how to engage with minority boys and girls, while taking into account minorities' cultural specificities (for instance consultations in minority languages or in areas where minority groups live).

Similarly, the 'Minimum standards on consulting with children' prepared by the Inter-Agency Working Group on Children's Participation do not mention minority children and women. They only advise that:

*'Participatory work should include groups of children who typically suffer discrimination or who are often excluded from activities, such as girls, working children, children with disabilities and rural children.'*<sup>147</sup>

Given the central role of participation in the fulfilment of minority rights, it is paramount that UNICEF responds at both policy and implementation levels to ensure minority participation.

## Towards a systematic approach to promoting the rights of minority children and women

This review of UNICEF's practices has provided a broad and deep set of examples demonstrating real engagement with minority communities and the needs of minority children. At the same time, it has highlighted widespread gaps and omissions, and also more generally revealed the absence of any comprehensive or systematic approach to promoting the rights of minority children in UNICEF's work.

The factors driving UNICEF's engagement with minorities, and also some of the reasons which may explain the lack of a systematic approach to date have been outlined

in earlier sections of this report and are summarized more fully in the conclusions. It is worth reiterating here that UNICEF country offices have encountered a number of difficulties in designing programmes with minorities, many of which stem from the fact that such communities face multiple and varying challenges, creating the need for tailor-made programmes rather than a one-size-fits-all approach.

Specific recommendations for improving UNICEF's approach are also provided in the concluding chapter. It is beyond the scope of this stock-taking exercise to provide a complete guide or primer to designing interventions to promote the rights of minority children and women, but it might be useful to offer some pointers here, based on the successful practice of some UNICEF country offices noted above.

Where offices have successfully targeted minorities, this was often through the application of a human rights based approach (although not necessarily explicitly). Understanding where and how interventions can make a difference depends not only on consulting with minority communities, but also on promoting their participation throughout the design and implementation of programming.

The UN Common Learning Package on the Human Rights Based Approach (HRBA)<sup>148</sup> provides further tools on developing causality analysis which can be applied to minority situations. It can help understanding of why minorities often fail to claim their rights, as well as why authorities and other duty-bearers fail to protect and fulfil the rights of minority children. This enables the practitioner to identify both the immediate causes and also the underlying or structural causes of a poor outcome or lack of availability of a service, map the relationships between them, and develop a set of objectives to address the problems.

The participation of affected communities in the application of a HRBA goes in tandem with the collection and monitoring of data on minority populations, services, and outcomes. Those working with minorities often stress the importance of data disaggregated for minority communities because such data can make immediately apparent a problem that has long been denied by the authorities or by the majority community. Disaggregated data also has a vital role in designing interventions, because

it can help pinpoint specific problem areas and, particularly over time, monitor the effectiveness of interventions on outcomes for minority children.

A wider list of tools that could be developed or adapted to promote engagement with minority communities could include:

- policy documents with commitments to human rights, including minority rights and participation;
- social and environmental impact assessments;
- promotion and collection of disaggregated data;
- consultation and user participation practices;
- country-strategy papers;

- integrated minority components in programme activities;
- minority-targeted programmes;
- capacity-building programmes;
- advocacy towards host governments;
- local staffing policies; and
- monitoring and evaluation mechanisms.

In the next chapter we consider in more detail the work of two country offices which have used some of these tools, to gain a better idea of what is involved in promoting the rights of minority children in practice.

# Case studies

In this section of the study, we offer two case studies drawn from UNICEF country-level work. We have selected the work of UNICEF-India and UNICEF-Romania. We have applied two different methodologies. The first case study, on UNICEF-India, offers a full-scale and detailed assessment of the integration of minority rights within a programme cycle. The second study, on UNICEF-Romania, offers a brief illustration of the application of a minority rights framework in the context of education, which could be replicated by other country offices.

## UNICEF-India: case study 1

### Situation of minority groups

India is one of the largest countries in the world with a population of 1.501 billion people.<sup>149</sup> Typically, reference to minority groups in India has been taken to mean minority religious groups. However as discussed in the first section of this study, in accordance with international norms, here the term ‘minorities’ is applied more broadly, and includes ethnic and linguistic minorities. The main minority communities in India include Dalits (Scheduled Castes); Muslims; Adivasis, including the Nagas community (Scheduled Tribes); Christians; Sikhs; and Kashmiris.<sup>150</sup> Buddhists, Jews, Anglo-Indians, Andaman Islanders, and Parsis are also minority communities in existence in India.<sup>151</sup>

This case study will focus on UNICEF’s interventions involving Scheduled Castes and Muslim minority communities. (It should be noted that UNICEF follows government practice in using the term Scheduled Castes although the term Dalit is generally used in this chapter.) These two minority groups make up almost 30 per cent of the population. They face the most significant social, economic, political, and structural disparities among all communities in India. These challenges are rooted in multiple forms of discrimination based on factors such as caste, religion, language, ethnicity, occupation, and location. This case study will not include UNICEF-India’s work with the Scheduled Tribes since UNICEF already commissioned a separate review of its work on indigenous peoples.

### Dalits

Dalit communities constitute 16 per cent or 166.6 million of India’s population.<sup>152</sup> A strict socio-economic hierarchical structure determining identity by social stratification, otherwise known as the ‘caste’ system, has subjected Dalit communities to some of the most limited opportunities and circumstances of all Indian communities for hundreds of years. According to the caste system, Dalits are considered the lowest class, who deserve to occupy only those occupations socially perceived as the lowest, including the cleaning of toilets and sanitation systems by hand. In education institutes, they are placed in the back-row of classrooms, and face other degrading practices. Although the Government of India has instituted educational and political reservations for Scheduled Caste communities, the detrimental consequences of systematic discriminatory attitudes and practices result in disproportionately low development indicators.

### Muslims

Muslims amount to 13.4 per cent or 120 million of India’s population.<sup>153</sup> There exists widespread prejudice against Muslims on social and cultural levels. They are often accused of being disloyal to India and their experience of discrimination affects all areas of life, including access to public services. As they do not benefit from government reservation measures accorded to Scheduled Castes and Scheduled Tribes,<sup>154</sup> the poor access of Muslim communities to basic services has received little attention, resulting in even greater disparities and sometimes lower development indicators than for Dalit communities. In the latter part of this case study, special attention is given to the challenges faced by Muslim communities, and to an initiative to combat disparities.<sup>155</sup>

### Facts UNICEF-India

- 13 field offices covering 15 states
- UNICEF has the largest UN field presence of the UN agencies in India
- Total programme budget: \$112,390,002

## High-level commitments to inclusion

Under the Government of India (GOI)'s national development plan, the eleventh Five-Year Plan (2008–12), the GoI has committed itself to inclusive delivery of public services to meet the MDGs.<sup>156</sup> In light of this the United Nations Development Assistance Framework (UNDAF) for the same period highlights its central goal as: 'promoting social, economic and political inclusion for the most disadvantaged, especially women and girls'.<sup>157</sup>

Given these commitments, the UNICEF-India country programme (2008–12) proclaims that: 'it is not possible to reach all children as required by a human rights-based approach without mainstreaming social inclusion – i.e. specific strategies for promoting equity, with particular reference to marginalized groups'.<sup>158</sup> Accordingly UNICEF-India's objective is: 'to advance the fulfilment of the rights of all women and children in India to survival, development, participation and protection by reducing social inequalities based on gender, caste, ethnicity or region'.<sup>159</sup> Therefore, in a bid to achieve the millennium and country development goals, UNICEF-India has recently embarked on a process of inclusive programming throughout its country activities.

The case study looks at selected aspects of this journey towards inclusive programming, highlighting some examples of good practice tailored to the Indian context for minority communities.

## Inclusive programming

UNICEF-India: A process of understanding inclusion

UNICEF's agenda has always focused on the most deprived children and much ground has been covered in this endeavour. However, development indicators suggest that there are still more significantly disadvantaged children to reach, most of whom belong to Scheduled Castes, Scheduled Tribes, or the Muslim community. With this in mind, the crucial question for the Country Management Team (CMT) and technical staff in 2008 was: how could UNICEF-India be more inclusive in its work? To this end the CMT entered a process of clearly defining what UNICEF-India meant by 'mainstreaming social inclusion', while taking stock of inclusive interventions already undertaken. During this process, UNICEF-India found it had reached a number of socially-excluded groups, including minority communities, albeit sporadically, leaving some groups excluded from support. Therefore what management defined as novel was a systematic and intentional office-wide effort to reach all children through an evidence-based, cross-cutting, action-oriented analytic framework. This meant that programmes designed without rigorous quantitative and qualitative inquiry into the circumstances of socially excluded groups would not be acceptable.

## UNICEF-India's working definition of exclusion for inclusive programming

Following internal discussions and analysis of academic discourse and other agency (particularly DfID) initiatives, UNICEF-India developed the following working definition:

*'By social exclusion we mean the everyday social processes through which groups of people are denied rights to participate fully in their societies, leading to material and other forms of deprivation.'*

*Excluded groups are differentiated on the basis of their social identity (markers such as caste, gender, race, ethnicity) or some other parameter of difference from a normative majority (markers such as disability, language, profession, HIV status).*

*Social exclusion is created both through community-level social norms and behaviours, as well as through the invisibility or neglect of certain groups in the distribution of resources, assets and services in society.*

*Focus on social inclusion therefore, requires UNICEF to work with communities in ways that respect their dignity and fulfil their rights, in order to: (a) ensure that services reach excluded groups; (b) involve and empower them through creating genuine opportunities for voice and choice; and (c) ensure quality non-discriminatory service delivery.'*

Source: UNICEF, *Tackling Social Exclusion in Order to Foster Social Inclusion: A Strategic Approach for UNICEF Country Programme (2008-2012)*, Inclusive Programming Guidance Note 1, New Delhi, UNICEF-India, May 2009, p. 2.

In accordance with the Indian context of social exclusion, particularly concerning minority communities, UNICEF-India's definition involves an analysis of social disparities based on identity delineation.<sup>160</sup> It recognizes that this results in socio-economic inequalities between 'general' dominant groups and minority communities, which, if ignored, result in gaps in UNICEF interventions.<sup>161</sup> (This is in line with the Government of India's constitutional and policy provisions for groups considered historically disadvantaged, which lay out several measures for affirmative action, targeted programmes for distribution of financial and public resources, and other special measures.) Thus the office uses a definition of inclusion that seeks to address both identity-based differentiation, as well as other multiple differentiations caused by disability, profession (e.g. sex workers), health status, language, or circumstance.<sup>162</sup>

*Elements of the definition.* While explicitly including ethnicity as a factor associated with social exclusion, UNICEF-India's stated objective and definition committing UNICEF to greater inclusion would be far more inclusive if it added religion as a vector for consideration.

The definition emphasizes the importance of addressing the *qualitative experience* of exclusion, rather than focusing on quantitative inclusion. This means researching and tackling processes of exclusion in order to improve the quality of services for all. For example, UNICEF research, in partnership with a Dalit organization, found that while enrolment of Dalit children in school is high, drop-out rates are almost as high because of discriminatory practices within education institutions. In this way Dalits find themselves excluded from education because of poor qualitative experience of services.

*Primary focus groups.* While UNICEF-India's definition includes a number of groups excluded on the basis of social identity, UNICEF-India states that it identifies Scheduled Castes and Muslims as primary focus groups, with gender as a cross-cutting factor.<sup>163</sup>

#### Total inclusive programming

UNICEF-India has identified inclusive programming at all levels of intervention (policy, quality and reach of services, and community participation) as a means to foster total inclusive environments through targeted and universal approaches.<sup>164</sup> The key elements of an 'Inclusive Programming' approach include: (a) establishing the leadership of the Front Office and the CMT (through repeated presentations and discussions); (b) a clear Results Framework for sectors and states to both programme and also report on progress towards reducing gaps between social groups in the key result areas; (c) building an evidence base, based on disaggregated data and other secondary evidence, and on listening to representatives of these communities, as well as generating an evidence base where there are knowledge gaps; and (d) partnerships with organizations, scholars, practitioners, and other agencies closely engaged with these communities.

Having articulated some of the key conceptual components, UNICEF-India has developed its inclusive strategy, though it is worth noting that this process is in its early stages. By UNICEF-India's own admission, the strategy has some way to go in terms of developing a systematic framework from its New Delhi country office through to its field offices. UNICEF-India is currently building an inclusive analytic framework, developing various tools and making efforts to enhance its knowledge base to accompany the strategy. In order to establish office-wide socially inclusive programming, the CMT requires each sector and state office to develop concrete, realistic, measurable, and time-bound inclusive strategies and initiatives. To this end,

the office seeks that each state *develop a roadmap* clearly identifying evidence-based plans with priorities and strategies, with all resources (including human and financial) contributing to outcomes for greater inclusion of excluded groups. The development of roadmaps has started in a handful of states and an analytic framework to support this process is being developed. Indicators to track this process for annual reporting at CMT have also been developed. The next section provides some examples of initiatives that UNICEF-India has undertaken and hopes to build upon as it seeks to operationalize inclusive programming systematically.

#### MTSP sectoral programmes – CPAP, India

MTSP Focus Area 1: Young child survival and development – child environment

*Studies: social dimensions of water and sanitation service provision.* In terms of water, hygiene and sanitation, the responsible government ministry has typically focused on construction (e.g. the provision of clean water sources and toilets). UNICEF has emphasized the need for behaviour-change strategies and maintenance of water and sanitation systems, both of which have been virtually non-existent in government programmes.<sup>165</sup> One of the reasons for this emphasis is that hygiene and sanitation are embedded in the discriminatory caste system affecting Dalit communities. For example, as mentioned earlier, Dalits are considered to be from the lowest class and are often given 'the dirty jobs', including cleaning sanitation facilities and scavenging. In some schools where Dalit children were forced to clean toilets with their hands, parents from 'higher castes' complained when teachers tried to change practices.<sup>166</sup> UNICEF-India has commissioned a number of studies to provide evidence of discriminatory practices in order to influence policy makers who refuse to acknowledge these social dimensions in service provision. With such evidence UNICEF hopes that policy makers will treat behaviour-change initiatives for the whole community as central to creating environments where clean water and sanitation are the norm for both minority and non-minority groups.<sup>167</sup>

*Total Sanitation Campaign: targeted intervention.* UNICEF-India trained Dalit women as masons and motivators and hand-pump mechanics in partnership with a women's empowerment programme, Mahila Samakhya, run by the government as part of a Total Sanitation Campaign in Jharkhand state.

*Social equity audit tool.* The 'social equity audit' methodology is an innovative tool designed to assess exclusion within mainstream interventions. A pilot of the tool assessing

sanitation interventions in an integrated district highlighted numerous ways particular communities could be excluded from universal programmes. Policy briefs are being developed from these findings, with a view to garnering field experiences and informing further action to strengthen the evidence base for inclusive service provision.<sup>168</sup>

MTSP Focus Area 2: Basic education and gender equality – education

*Multi-lingual classes.* UNICEF-India recognizes that many children from minority communities face challenges with understanding unfamiliar languages or dialects spoken by dominant groups at school. Therefore the education sector partnered with a university to develop models on how to run effective multi-lingual classes. The idea is to initially start education with these multi-lingual classes, phasing them out over time to enable children to participate in classes delivered in the dominant language.<sup>169</sup>

*Influencing key school texts.* In Andhra Pradesh state, UNICEF disseminated the writings of a well-regarded Dalit author in schools as a key text, aiming to facilitate child and teacher engagement on the root causes and impact of discrimination against Dalit communities.<sup>170</sup>

*Studies: changing school practices.* As mentioned earlier, UNICEF-India generated studies, in collaboration with Dalit Organizations, revealing that high Dalit drop-out rates in education are linked to the treatment of Dalit children by other children, teachers and/or parents deemed of ‘higher caste’. The studies inform on the nuances of these issues and will contribute to evidence-based planning and tailor-made initiatives designed with input from the Dalit community. Some plans include lobbying for norms and monitoring mechanisms regarding the treatment of Dalit children in classrooms, accompanied by clear enforceable sanctions.

MTSP Focus Area 3: HIV, AIDS, and children, and MTSP Focus Area 4: Child protection from violence, exploitation and abuse

No specific programme examples were reported involving minority communities under the MTSP Area 3 on HIV, AIDS and children and MTSP Area 4 on child protection from violence, exploitation, and abuse.

### **Cross-cutting programmes and themes**

MTSP Focus Area 5: Policy advocacy and partnerships for children’s rights – social policy, advocacy, and behaviour change communication

In 2008, the country office saw the strengthening of its knowledge base on social exclusion in India as the first

priority, in order to inform social policy and the planning, monitoring, and evaluation of interventions.<sup>171</sup>

*Complementary studies: disaggregated data.* The government has generated national, state and district level data related to public service that is disaggregated by sex and minority group, including Scheduled Castes and Tribes. UNICEF is building on this data with complementary studies produced in partnership with recognized experts on Muslim and Dalit communities, in order to generate further material and analysis as a basis for informed policy and programme responses.

For example, at the national level, UNICEF has worked with the Indian Institute of Dalit Studies and Jawaharlal Nehru University to produce a variety of studies analysing aspects of social exclusion to inform UNICEF’s interventions, including two significant qualitative studies on exclusion within the education and health sectors.<sup>172</sup>

*Documentary: social exclusion in schools.* UNICEF produced a well-respected documentary film featuring children, parents, and teachers recounting Scheduled Caste children’s experience of social exclusion in Bihar. Since social exclusion of Scheduled Castes is ‘often denied in policy discussions’ with government,<sup>173</sup> UNICEF-India notes that tools like this serve to strengthen the evidence base by providing information on the realities on the ground in communities which many policy makers may never visit.

In one district in Andhra Pradesh which has a high Dalit population, UNICEF is supporting a grievance procedure, *Grama Darshini*, which is regularly initiated by district administrators at the request of members of Dalit communities.<sup>174</sup> This gives voice to the minority community, a right that is often denied.

UNICEF states that it will be studying, assessing, documenting and, where effective, scaling-up activities undertaken with socially excluded groups, including minorities. Among other key steps is a more focused assessment of the effectiveness of targeted strategies in national flagship programmes involving excluded groups.<sup>175</sup>

*Behaviour change communication: soap opera.* A ‘teleserial’, *Kyunki ... Jeena Issi ka Naam Hai*, developed by UNICEF, is aired on prime-time television on one of India’s main state channels, Doordarshan.<sup>176</sup> This soap opera aims to communicate the behaviour-change messages of UNICEF’s flagship programmes during its half-hour slot three times a week. Among other key messages, the 130-episode drama exposes its regular 5.68 million viewers to anti-discrimination messages embedded in its story lines, including promoting positive attitudes towards Muslims in storylines involving a Muslim family.<sup>177</sup>

*Programme component: emergency-preparedness and response.* During emergencies government and other services providers have often failed minority communities, disproportionately responding to the needs of other groups, and even prioritizing certain identity groups in interventions. Working with Dalit advocates and other partners, UNICEF facilitated support to ensure Scheduled Caste communities received assistance needed during a major flood in Bihar state.

### **Other cross-cutting themes**

*Gender.* As already mentioned, UNICEF-India has involved Scheduled Caste communities in education initiatives to improve gender equality. An example of such initiatives around gender equity and Muslim communities in health provision follows this section. However, one specific example of a targeted intervention to foster long-term inclusion in government is found in Rajasthan state. Here UNICEF supported a social inclusion unit within the Women's Commission in Rajasthan, to enable a wider mandate to deal with multiple discriminatory factors facing women, such as belonging to a minority group.<sup>178</sup>

*Participation.* Bihar state has many development innovations underway which require greater community involvement. Therefore, where programmes are being expanded, priority is being given to Scheduled Caste communities in volunteer processes in one district where UNICEF has an integrated development programme.<sup>179</sup> This is particularly crucial for sustainability, since Bihar State is home to a very large number of deprived and under-served communities.

Also in Bihar, UNICEF is supporting the state department responsible for Scheduled Caste communities by strengthening data analysis, monitoring, and planning capacity.<sup>180</sup> Furthermore, UNICEF is presently engaged in mapping the socio-economic profile of the most marginalized Scheduled Caste communities, in accordance with the policy framework of the state government.<sup>181</sup>

### **Generation and use of knowledge, including good practices and lessons learned**

*United Nations Country Team (UNCT).* UNICEF actively participates in the UNDP-led informal social inclusion working group, which facilitates inter-agency lesson-learning with regards to social inclusion. In particular, the group discusses ways in which social inclusion is addressed and identifies joint UN action for influencing strategic policy foci and development.<sup>182</sup>

*Internal knowledge management.* In 2008 UNICEF-India focused its 10-week summer internship programme on

innovative social exclusion initiatives across UNICEF-India's sectors.<sup>183</sup> The programme brought in almost 100 national and international (50 per cent) postgraduate students to develop 18 case studies from 14 states, as part of an organizational lesson-learning exercise.<sup>184</sup> As part of this exercise, a comprehensive research framework was developed which UNICEF-India will use to guide its social inclusion assessments and programme analysis.<sup>185</sup> The interns were selected on the basis of their academic performance (70 per cent) and diversity, including affinity to minority communities (30 per cent).

Fact sheets are being developed from the results of this research on the key outcomes for children, including those from Dalit and Muslim communities, in order to facilitate understanding of factors of exclusion.

### **Partnerships for shared success, securing resources, and improving results for children**

*Government, inter-agency, and community partnerships.*

Below is an example of government, interagency, and community partnerships, working to dissipate the impact of exclusion experienced by Muslim minority groups in Uttar Pradesh state, Northern India.

## **MTSP Focus Area 1: Reproductive and child health programme**

### **A targeted strategy with Muslim minority communities central to polio eradication in India**

In 2002 India witnessed an outbreak of the Wild Polio Virus (WPV). Of 1,600 nationally recorded cases, a massive 1,242 cases (80 per cent) were in Uttar Pradesh state.<sup>186</sup> Further analysis of the outbreak revealed that 60 per cent, a grossly disproportionate number of those affected, were Muslim children from 'under-served communities'.<sup>187</sup>

Given the severity of this national crisis and risks to other countries, the World Health Organization (WHO) and the government led eradication efforts in partnership with UNICEF and other agencies. An intense process involving fine-tuning polio eradication strategies, developed over several years of partnership, resulted in no new cases in India in 2003, except in specific pockets of Uttar Pradesh (UP). These pockets were located within the same Muslim communities.

### **The challenge in UP**

A number of factors contributed to the high incidence of polio amongst these Muslim communities, most significantly low immunity levels as a result of:

- numerous malnourished children living in slums with insufficient sanitation and open sewers;

- poor health service delivery and therefore limited supplementary immunization activity; and
- absence of requisite health-seeking behaviour.

While, on paper, resources are allocated to health services among this Muslim community in UP, the lack of results in terms of positive health indicators tells the story of widespread discriminatory treatment. As the communications consultant of the Global Polio Eradication Initiative put it, the high incidence of polio ‘brought to the fore the glaring inequalities in India’.<sup>188</sup>

Prior to the 2002 outbreak, the government was implementing a national polio eradication programme involving external government teams who would vaccinate some populations en masse, but then have little contact with other communities, yielding an immunization rate for the whole of Ghaziabad of just 30 per cent. With such a high incidence of polio and low immunization results, Ghaziabad, with a 25 per cent Muslim population, was identified as a key high-risk area. Since it was clear that the government strategy was ineffective in meeting the needs of a community very mistrustful of government, UNICEF and its partners developed a community programme, named the ‘Under-served Strategy’ (USS).<sup>189</sup>

### Under-served strategy (USS)

With health-seeking behaviour low and high levels of illiteracy, UNICEF and its partners recognized that successful initiatives implemented in other states in 2003, involving mass media communication, would not work in UP. Therefore, using a participatory approach and committed to the principle of community ownership of the programme, UNICEF’s USS involved the affected Muslim communities in the design, implementation, and monitoring of interventions.

### The challenge: resistance from communities

At the start of the USS initiative, rumours and misconceptions fuelled by lack of awareness and poor quality treatment from health staff hindered attempts to immunize Muslim children. Past grievances led Muslim communities to fear they may be targeted for sterilization by the Hindu-majority government and/or its Western allies. Therefore some communities initially thought UNICEF and its partners were part of the administration; residents clashed with vaccinators, even hurling stones at them. UNICEF and its partners recognized that trust needed to be built and accurate information given to the communities; therefore more ‘behaviour change’ and communication strategies were included.

Today, resistance to taking the Polio Oral Vaccine (POV) is at an all-time low of 2.5 per cent among Muslim

communities in Ghaziabad. For instance, in one district recent figures revealed only 43 cases of polio, as compared to thousands of cases previously. When one Muslim mother was asked why she vaccinated her children, she said: ‘I knew it [polio immunization] was for the good so I place my faith in God. I knew these people are not suggesting something bad for me or my children’. This was a sharp contrast to the responses five years ago, and was the fruit of effective partnerships and communication and advocacy strategies.

### Partnerships, communication, and advocacy strategies

#### Social Mobilization Network (SMNet)

As mentioned earlier, efforts to eradicate polio among this resistant and nervous minority community required a more relational approach. It was necessary to involve the community and its own trusted sources of information within a more intricate system to deliver and monitor immunization. To do this, partnerships were crucial, as recommended by the India Expert Advisory Group (IEAG) for Polio Eradication. Partnerships and greater ownership of the programme (including participation in implementing and monitoring immunization) by community members through to central government were recommended and subsequently developed. Furthermore, development agencies were also encouraged to align themselves to ensure complementary strategies for mobilizing communities to immunize their children. These relationships, centred on mobilizing for immunization, came to be known as the Social Mobilization Network (SMNet).

The SMNet includes mobilizers operating on three main levels: community, block, and district. In order to facilitate understanding about polio and thereby generate commitments to community immunization, mobilizers at all three levels developed targeted communication strategies:

- *advocacy* to maintain the support of policy makers (central and district government);
- *social mobilization* aimed at encouraging community involvement in immunization rounds (block and community); and
- *Information Education Communication* (IEC) material to improve the knowledge base of households on immunization (community).

At all levels of communication and advocacy, the programme is driven by data. Thus polio drives and their frequency were driven by the numbers of polio cases, and the means of delivery were shaped through interactions with Muslim communities.

Below are two overviews of the way in which partnerships, communications, and data-gathering are



interrelated under the programme. The first example describes a cycle in the community-level polio round, while the second illustrates the web of relationships and communication from community and block to district levels.

#### Community-level operations

At community level, immunization rounds have been evolving over many years in order to better respond to community needs. The latest refined polio immunization round consists of the following two-week cycle:

- *Pre-immunization and basic health counselling* is undertaken by Community Mobilization Coordinators (CMCs) with families.
- Over five days, teams of three people (*Team A*) go from *house to house, immunizing and recording the number of children per house who are still not immunized upon departure, documented as 'X'*. 'X' may represent children missed through absence from home, sickness or rejection of immunization (XR), for example. Usually 100 houses are visited each day.<sup>190</sup>
- After six days (including a one-day gap), house-to-house visits are conducted by a second wave of three-person teams (*Team B*). This time, they are accompanied by a *Community Influencer* to encourage immunization of 'X' children missed during Team A's round. The Community Influencer is a person esteemed by the community who uses his/her role in the community to encourage vaccination.
- In the evening, once all houses for the day have been visited, the vaccination teams meet with the District Magistrate, the highest government authority, to *review and monitor information* on polio immunization status garnered from each household. This provides an interface, feedback mechanism and accountability between the community team and the district administration. It is also a crucial opportunity for advocacy and planning with government, the community, and other development partners using 'live', recently collected data.

As a crucial contact point for families, CMCs are trained in how to conduct routine immunization, and how to collect and monitor data. They are also able to give advice on newborn care and nutrition, and are sensitized to different attitudes of families, etiquette, communication skills, and how to handle issues of resistance.

Since the aim of the programme is to eradicate polio, this intense two-week cycle is undertaken on a monthly basis to stamp out each polio case. In 2008, polio cases in Ghaziabad were at an all-time low of 30 per cent, down from 70 per cent in 2002.

The SMNet operates through over 4,000 volunteers, and hundreds of UNICEF, WHO, government, and NGO staff.

#### Role of community leaders and influencers in strengthening the message and practices within the SMNet

##### Mosques and madrasahs

UNICEF and its partners developed relationships with *500 local institutions*, mostly *mosques* and *madrasahs*<sup>191</sup> serving communities adhering to a range of religious doctrines, most notably the Barelvi and Deobandi (two Muslim sects with opposing interpretations of Islam). However, one area of agreement they boast is their commitment to polio eradication and their active involvement in polio immunization rounds. These commitments to promoting positive messages about polio immunization are translated into action through:

- sermons and *elans*;<sup>192</sup>
- community meetings;
- community influencers; and
- *Iztemas*.<sup>193</sup>

One principal of a Deobandi *madrasah* said: '[This] programme ... undertaken for our children is for us, our programme. ... We consider this programme as our own'. The programme also worked with a Barelvi *madrasah* at Dasna village, Uttar Pradesh. This *madrasah* provided schooling to 450 students (many from far-flung villages) of whom approximately 250 were girls. At this *madrasah*, teachers and students participated in the polio vaccination programme. Maulana Ishtiaque, head of the *madrasah*, who himself had polio and has a disability, uses his experience to encourage the community to participate, and ensures that they do not encounter difficulties in accessing the programme. Maulana Ishtiaque noted that there were initial misunderstandings and rumours about the polio programme, but now the community's collaboration and cooperation with UNICEF has ensured that all children are covered by the immunization programme. At present, the principal is building a room in the school to house the immunization team during rounds.

##### Partnership with a Muslim bank

With high credibility in the community, UNICEF and its partners also engaged community influencers from a local Muslim bank. Since the bank delivers monetary and other services involving trust in the community, this partnership has been important. The bank has facilitated confidence-building in polio vaccination rounds among the community, with key figures in the bank also personally visiting families with vaccination teams. For example, one of the bank

leaders visited Muslim families living on railway tracks with vaccination teams.

#### Islamic institutions

Another hurdle for the USS was whether the contents of the polio vaccine were *haram* (forbidden, for instance because they might contain alcohol, pork content or other ingredients that are *haram*) or *halal* (allowed) according to Islamic law. Many Muslim communities remained unconvinced by vaccinators' reassurances that the POV was *halal*, resulting in families refusing to have their children vaccinated. Therefore, fearing an increase in polio cases, UNICEF and its partners forged partnerships with renowned and influential Islamic universities – Aligarh Muslim University, Jamia Millia Islamia and Jamia Hamdard – to ascertain whether the products were *halal* or not. This was not only ground-breaking because it was the first time an Islamic university was engaged in development work of this nature in India, but also because the partnership produced the first *halal* certification for POV.

Other innovations and activities have unfolded under the partnerships:

- The development of *materials on polio supported by Qur'anic verses* to encourage further understanding that the vaccination is *halal*
- The risk of polio transmission between children who had not been immunized travelling with their families across borders (state and national) for Hajj was deemed a significant potential threat. Therefore, in collaboration with various authorities, all Indians travelling for Hajj are now *required to produce a valid polio immunization card* in order to travel through relevant boarder control stations.
- During *Eid, Ramadan and other public events*, large-scale advocacy is conducted.
- *Teachers, parents, and child brigades* have also been involved in mobilizing communities to immunize their children

#### Gender dynamics

The UNICEF-USS has focused on all children under five in each household or settlement, irrespective of gender. However, unlike many poverty-related diseases and viruses, which often have an overwhelmingly negative effect on girls, the PWV took an unusual turn, significantly affecting Muslim men and boys. Ironically, UNICEF staff reported that higher social valuation of boys over girls meant that, in the face of sterilization fears, families were more willing for girls to be immunized than boys.

UNICEF-India and partners have mandated that each CMC team should include at least two women, one of

whom should be from the local Muslim community. The health workers were trained how to approach family members and Muslim communities.

#### Other excluded communities

##### Nomadic communities

In discussions with Muslim leaders about whether any group was missing the opportunity to be vaccinated, Muslim community leaders felt that, among Muslims, there was not really any such group. A few leaders said that groups like nomadic communities may present some additional challenges. In November 2008 UNICEF started to visit nomadic communities in addition to Muslim communities, and operational plans are being developed that specifically target these communities.

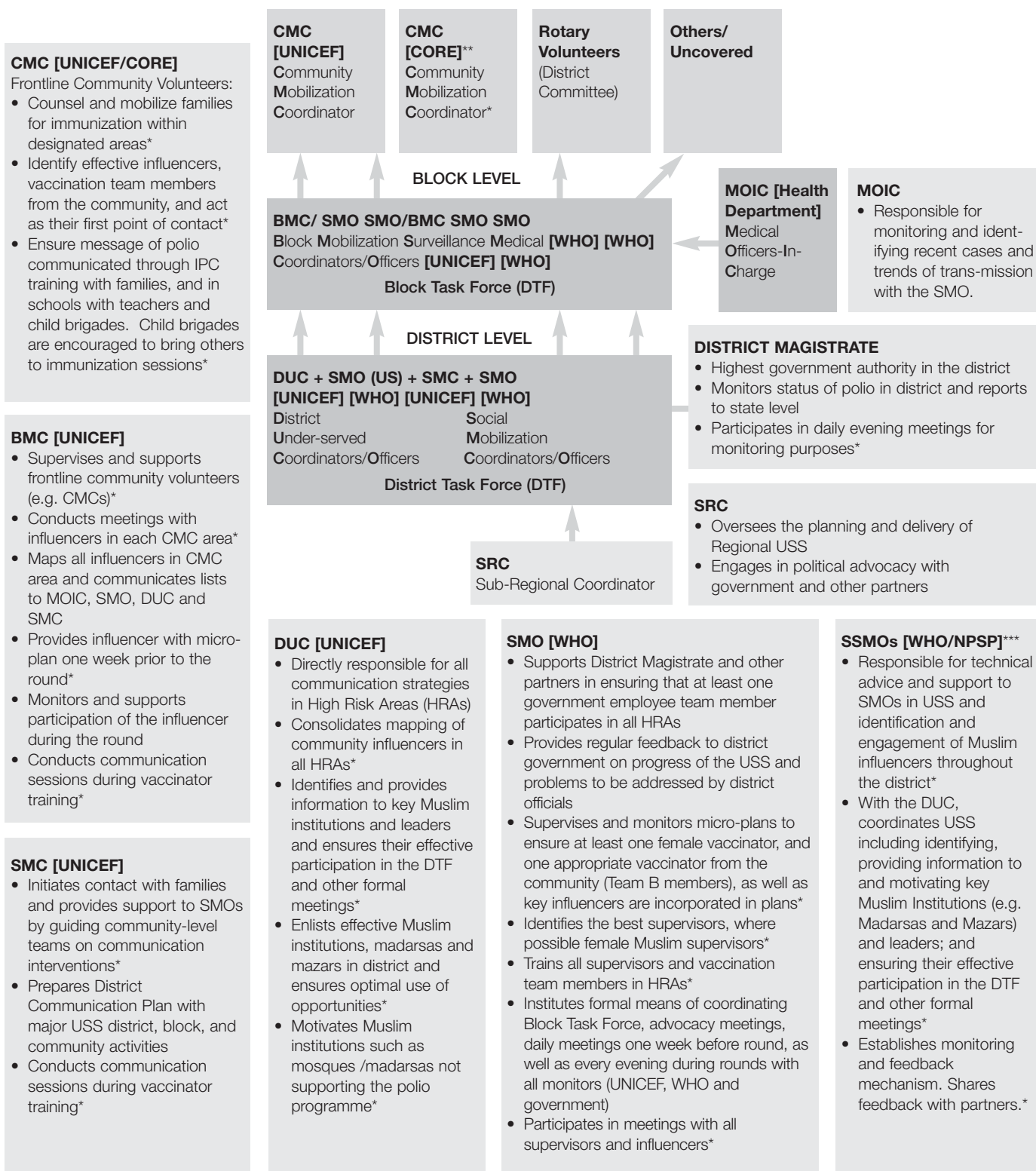
Nomadic communities such as Banjaras (many of whom are Muslim) are often missed because of their frequent movement between districts. That said, UNICEF learned that although they move frequently, Banjaras often return to a shelter in Piplea block, where approximately 60 per cent of residents are Muslim. While some children in nomadic communities had been immunized over the past three or four years, a more focused strategy was devised when an alarmingly disproportionate number of polio cases was also discovered among this population. The Banjaras comprised only 0.7 per cent of the population in UP, but there was a very high incidence of polio within this community.

Fearing discrimination from officials, these communities often do not trust outsiders or are reluctant to reveal their real personal details (e.g. cultural identities or religion). They often do not integrate into wider communities. Because of these factors, the Banjara community were also highly suspicious of the vaccination teams. However, with regular visits, counselling on health and some basic assistance, the Banjara community has opened up and welcomed vaccination teams.

Since the Banjara and other nomadic communities regularly move between districts, it was difficult to track the immunization of the group. With potential high transmission risks to other communities looming, UNICEF-India developed a tracking mechanism involving emailing a copy of the nomad communities' POV profile to host district(s), revealing whether there were people within a particular nomadic community who have not been immunized. This alerts the team at the host district(s) to follow up and try to encourage families to immunize children who have not yet been immunized.

In addition, if team members find the community has left their last known settlement, UNICEF has engaged local informers around the community, who are sometimes able to tell them when the community are likely to be back. This facilitates tracking.

## Overview of SMNet: roles, responsibilities and community participation



### Key

\* Initiatives involving Muslim community members.

\*\* CORE is a membership network of development organizations formed in 1999 under a USAID-funded programme to eradicate polio. NGO members include Project Concern International, Adventist Development and Relief Agency, World Vision and Catholic Relief Services and a further 30 community-based NGOs through these organizations. (Source: [http://www.coregroup.org/initiatives/pei\\_india.pdf](http://www.coregroup.org/initiatives/pei_india.pdf))

\*\*\*National Polio Surveillance Project (NPSP) is a joint WHO and government programme.

*Key factors in successful partnerships.* UNICEF-India has developed some significant partnerships in relation to its work with minority communities, including with the UK's Department for International Development (DFID), WHO, and the Indian Institute of Dalit Studies (IIDS). Below are some points that these partners highlighted as key ingredients in their partnerships with UNICEF regarding minority groups:

- common goals and commitment, and mutually respectful relationship;
- clarity of roles, reinforcing strengths and complementarity;
- a single voice;
- sound and effective management;
- evidence-based accountability and planning with communities;
- maintaining urgency, passion, and energy levels;
- providing the necessary support to frontline teams and all coordinators;
- continuing to provide platforms and give voice at both ends of spectrum for community and parliamentarians;
- bringing partners together to engage in constructive, action-oriented dialogue;
- leading by example in a responsible way;
- being more open to influence from civil society;
- supporting greater access to government programmes; and
- increasing access to 'hard-to-reach' communities.

India is a vast country with a number of opportunities, as well as stark challenges which face millions; minority communities bear the greatest weight of these challenges. UNICEF-India has embarked on this journey, and great strides have been made with some minority communities. However, as UNICEF-India seeks to make the exclusion of some groups a thing of the past and to improve the qualitative experience of all excluded minority communities, greater efforts are required to ensure that all aspects of UNICEF-India's work are explicitly inclusive, from country programme documents, policies and staff, to partnerships, resources, and all aspects of the programme cycle. Such a process has begun, but greater systematic efforts with significant accountability levels should be sought across partnerships with government and development agencies, in meaningful consultation with minority communities. This will help to ensure that the needs of all communities are met, and that all are included.

## UNICEF-Romania: case study 2

### Minority rights framework in context: UNICEF-Romania's Roma educational programmes

This case study reviews the Roma education programmes of UNICEF-Romania. Its aim is to provide a model of how to apply a minority rights based approach (MRBA) to educational programmes. While the context is specific to the Roma minority in Romania, the methodology and the lessons learned could be used as guidance on how to integrate different aspects of minority education rights into development work. The study was made possible thanks to the collaboration of UNICEF Romania, particularly Eugen Crai (advocacy and social inclusion expert and focal point for minorities).

### Resources

The case study is based on information obtained through:

- Desk research on UNICEF-Romania, including its COAR 2008;
- Interviews with UNICEF-Romania staff, 22–24 June 2009;
- Interview with Liliana Preoteasa, General Director, Romanian Ministry of Education, Research and Innovation (MERI);
- Interviews with Roma NGOs working in partnership with UNICEF
  - Rromani CRISS: Magda Matache (Executive Director) and Raluca Petcut (Programme Coordinator);
  - Amare Rromentza Roma Centre: Mihai Neacsu (Director) and Ioana Enache (Programme Coordinator);
  - Community Development Agency 'Together': Gelu Duminica (Executive Director) and Iulia Mardare (Programme Coordinator)
- Field visit: training programme for Roma school mediators; meeting with Gheorghe Sarau, General Inspector at MERI on Roma children's education and Roma school mediators.

### The right to education<sup>194</sup>

Education is a universal human right, asserted in almost all significant international human rights instruments. However, education is not only a human right on its own; it is also considered a 'vehicle' for the realization of other fundamental rights and freedoms, such as the right to health, to work, to vote, and to free speech. For marginalized communities, it is a means of lifting themselves out of poverty and towards full participation in society.<sup>195</sup>

Under international human rights law, education systems need to be made available, accessible, acceptable, and adaptable (the so-called 'four-As' scheme).

- **Available:** there should be sufficient numbers of schools and teachers within the country.
- **Accessible:** schools should be accessible to all, especially the most vulnerable groups. Accessibility has three dimensions: non-discrimination, physical accessibility, and economic accessibility (affordability).
- **Acceptable:** to both students and parents in form and content, including curricula and teaching methods, and relevant, culturally appropriate, and of good quality.
- **Adaptable:** schools should be able to respond to the needs of students within their diverse social and cultural settings, as well as the needs of changing societies and communities.

The notions of acceptability and adaptability are considered of particular relevance for minorities.<sup>196</sup> In addition to the general duties vis-à-vis the right to education under international human rights law, there are special duties regarding minorities' education. These include: the duty to promote multicultural education and provide teacher training and quality textbooks for minority languages teaching; to respect and protect the right of minorities to set up and to manage their own private educational and training establishments; and to respect, protect, and fulfil the right of minorities to learn their minority language and to provide instruction *of or in* the minority language. In addition, education should be seen and used as a tool of tolerance.

### Roma children and education in Romania

School attendance among Roma children is significantly lower than that of other children. Of all Roma children under the age of seven, 80 per cent attend neither kindergarten nor day nursery, compared to 48 per cent of non-Roma children in this age group. Some 19 per cent of Roma children aged 7–11 do not attend school, compared to 2 per cent of non-Roma children in the same age group.<sup>197</sup> UNICEF has identified a number of social, economic, cultural, and systemic factors resulting in non-enrolment, non-attendance, and school drop-out among Roma children. These include: precarious health conditions, low motivation for learning, gender-based differences (according to which girls marry early, and it is assumed that their social role is to raise children and take care of the family), poor self-image, and poor school results. Of Roma children who had dropped out of school, two thirds cited lack of interest, 20 per cent said they had experienced feelings of rejection or repugnance, and only 10 per cent had a positive attitude to school.<sup>198</sup> 'Roma' school buildings are older and more overcrowded than other schools, and often lack a library. Such schools also have fewer qualified teachers and significantly higher teacher transfer rates, especially of

teachers working in grades 1–4. 67 per cent of 'Roma' schools had a shortage of qualified teachers; and among schools with 50 per cent or more Roma students, this deficit exceeded 80 per cent.<sup>199</sup>

### UNICEF-Romania's interventions

UNICEF-Romania believes that breaking the cycle of Roma poverty and marginalization starts with education. The UNICEF Office has invested in assessing and analysing the problems and the causes of Roma marginalization in the context of education, and has identified the human rights claims of Roma in this regard, as well as the obligations of the Romanian state. Relying on its own studies,<sup>200</sup> as well as reports prepared by other stakeholders,<sup>201</sup> the agency has provided an overview of the situation of Roma, complying with a HRBA. The office has also supported the development of innovative, baseline research to monitor the situation of Roma children.

UNICEF took the following actions in order to address the violations of Roma children's rights *to* and *in* education.

- UNICEF, together with its Roma partner NGOs, developed educational day centres and provided training for Roma and other teachers working in Roma communities.
- UNICEF supported literacy programmes and promoted the development of educational manuals and materials for Roma children.
- UNICEF supported projects aimed at eliminating early marriage and pregnancy, encouraging the participation of Roma children in public life, and combating child labour. By addressing intra-community relations, it has addressed some of the socio-economic causes for the exclusion of Roma children from education;
- UNICEF supported advocacy campaigns to promote equal chances and opportunities for Roma children, monitored segregation of Roma children in the education system, and proposed a plan for desegregation.
- Last but not least, UNICEF worked simultaneously with its Roma partners. Apart from increasing the efficiency and legitimacy of its intervention, this further strengthened the capacity of Roma NGOs in Romania working on child rights, education, and protection.

Thus UNICEF utilized different and mutually reinforcing approaches in addressing Roma children's educational issues.

### A comprehensive methodology of integrating Roma rights in education

First, UNICEF tackled the external barriers to Roma access to education, such as discrimination, segregation, and a lack

of educational materials tailored to the Roma community. It also initiated monitoring of discrimination and segregation patterns within Romania's educational system.

Second, it addressed the internal barriers to Roma access to education. Its programme on school mediators reached out to the most marginalized Roma communities and directly worked with Roma parents to encourage them to send their children to school. Significantly, together with Roma NGOs, it addressed issues such as early marriages and gender roles within various different Roma communities. It should be mentioned that UNICEF not only initiated interventions targeting the Roma minority as a whole, but also tailored its work to the specificities of different Roma communities, such as Kalderash, Ursari, and Horahane.

Third, it addressed the quality of education offered to Roma children, in order to make it more relevant to the Roma communities. In line with minority rights law, UNICEF promoted the development of Roma culture and identity through education. UNICEF supported the development of Roma teaching materials and language classes, and together with its Roma partners, established a Roma bilingual kindergarten. Thus it contributed to making the school environment more recognisable and appealing to Roma communities.

Within UNICEF-Romania, there is a special budget line earmarked for Roma children, although other sources are also used for projects implemented for Roma children. Leveraging the existing resources and other public allocations is also part of UNICEF strategies, and the agency also fundraises for projects to support Roma children.

### **Top-down and bottom-up advocacy synergies**

In terms of advocacy strategies applied by UNICEF, in line with the HRBA both top-down and bottom-up approaches were used. UNICEF has a Strategic Partnership with the Ministry of Education on Roma Children's Education. It is a member of the Steering Committees of EU-funded projects, Social Development Fund-supported projects, and World Bank-funded projects. Together with its Roma partner NGOs, it sits on working groups related to Roma desegregation. Other activities linked to its school mediators' project involve lobbying and cooperation with county school inspectorates and school directors. In addition, each UNICEF project also has an in-built advocacy component either at community level or local government level. UNICEF has also supported a media campaign within the 'Leave No Child Out' cross-regional campaign: under the slogan 'Discrimination kills dreams', this sought to combat discrimination against Roma children.

UNICEF works in cooperation with other key players in the Roma rights field, such as the Soros Foundation and the Soros Open Network members, and the World Bank. It is

the lead UN body in Romania dealing with Roma, and works on some issues with UNFPA and UNDP.

Staff working for the Roma NGOs interviewed for this case study reported that they greatly appreciated UNICEF's advocacy work in this area. They have found UNICEF's reputation in government institutions and society at large very useful for helping their projects to succeed. UNICEF has played an important role for Roma NGOs in providing them with access to advocacy targets, and also lending legitimacy to their claims before decision-makers. At the same time, all the agency's interventions are devised in consultation with Roma groups, have a grassroots dimension, involve community work, and are implemented by Roma for Roma.

### **Participation**

All UNICEF activities are designed and delivered in partnership with Roma NGOs. Consultations include a wide range of Roma stakeholders – community leaders, Roma grassroots NGOs, human rights NGOs, Roma specialists and academics, and Roma families. In order to involve the most marginalized Roma groups, UNICEF makes sure that individuals who are respected by the community, and whose opinions matter for its members are invited to participate in consultations. For example, the agency invited Roma fortune-tellers to some of its consultations. Committed to mainstreaming gender in its work, UNICEF works closely with Roma feminist activists and Roma women's organizations. Sometimes, consultations are carried out in the Romani language (through partners), so that everybody can have a chance to contribute.

UNICEF's access to this minority community is a result of its long-term commitment to Roma rights issues. UNICEF has built a relationship of trust with the Roma rights movement in Romania. It has supported the development of the capacity of a number of Roma NGOs representing diverse voices from within different Roma communities. Today, these NGOs contribute to the design of the agency's interventions, and UNICEF is able to reach into some very closed communities.

### **Gender**

As mentioned, UNICEF works with organizations led by or employing Roma women. It has carried out community surveys and research studies to measure the gender gap within Roma communities. UNICEF is one of the very few international organizations that has managed to collect data on the most sensitive issues within traditional Roma communities, such as early marriages and early pregnancy. UNICEF and its partner Roma NGOs recognize that working on such issues is particularly difficult and challenging. Because of its understanding of the context,

UNICEF has not used a confrontational approach. In order to avoid the stigmatization of the Roma communities and achieve sustainable results, UNICEF and its partners have a preference for an intra-community approach and are engaging in community social work.

### **Human resources**

UNICEF office staff members are trained in human rights, but not in minority rights. However, each year, UNICEF staff come together on an annual ‘retreat’; during these retreats, there are special sessions on the Roma communities in Romania. UNICEF-Romania has a dedicated focal point on minorities; the current post holder has about 10 years’ work experience in the area of Roma rights, social inclusion, and non-discrimination.

### **Sustainability**

Romania belongs to the category of so-called ‘graduating’ countries,<sup>202</sup> so UNICEF’s work may soon come to an end. The office feels that their work will have a longer-lasting impact thanks to the involvement of Roma NGOs who have strengthened their capacity as a result of participating, and have come to feel a sense of ownership over the projects. This is particularly thanks to the participatory approach to planning, implementation, and monitoring (encompassing a diversity of views) that the agency has consistently applied. The Roma NGOs’ work on policy formulation and policy implementation is also expected to have a sustainable impact.

### **Overall assessment**

UNICEF has actively pursued the development of a policy framework for the improvement of the situation of Roma children. Its interventions have supported policy development and capacity-building in the education system, to improve Roma children’s access to education. UNICEF also contributed to enhancing the capacity of Roma NGOs active in education, child health, and protection, and assisted in promoting improved access to social services for Roma children and families, as well as improving the quality and availability of services.

# Conclusions and recommendations

## Conclusions

Minority children and women around the world experience disproportionately high rates of poverty, violence, and exclusion from education, health, and other public services. For example, the 2009 *State of the World's Minorities and Indigenous Peoples*, published by Minority Rights Group International in association with UNICEF, revealed that over half of the 101 million children out of school in the world were members of minorities or indigenous peoples.

UNICEF is already supporting many important initiatives bringing real benefits to ethnic, religious, and linguistic minority communities in every world region, including bilingual or mother-tongue education programmes, disease eradication projects targeted at minority communities, and anti-racism campaigns. Given that UNICEF has no overall policy and issues no general guidance on working with minorities, it could be asked what is driving this activity?

- First, the repeated emphasis on 'vulnerable' or 'disadvantaged' groups in the MTSP may encourage some country offices to gravitate towards projects targeted at least partly towards minorities, who in many societies constitute the poorest of the poor.
- Second, the focus adopted by some country offices on remedying disparities in health or educational attainment, filling equity gaps, or more generally on social exclusion (as for example in India), similarly draws attention to the often systematic discrimination faced by minorities.
- Third, some country offices benefit from staff who are particularly knowledgeable and experienced in the problems faced by minority communities, and how these communities can be reached.

However, relying on initiatives at country office level, or even at the level of individual programme staff, creates problems. It was clear from the review that some country offices simply do not have the staff capacity, while others regard work with minorities as an add-on to their main activities for which they have neither the expertise nor the support. Country Office staff frequently cited resistance

from majority groups as a challenge in working with minorities, while others referred to political sensitivities. A sophisticated understanding of local cultural and religious factors can prove more difficult for international staff to acquire, and national staff may understate the prevalence of ethnic or religious discrimination. It should be added that although there was a favourable response rate to the written and telephone questionnaires administered as part of this review, the respondents were self-selecting, and it can be assumed that those country offices whose work with minorities was more developed were more likely to respond.

The result is that although UNICEF can be proud of a wide and important range of programmes targeting minorities in different countries, the approach regionally, let alone globally, is neither systematic nor strategic. As a result, the children of minority communities facing entrenched disadvantage in many countries are untouched by UNICEF's work.

It is instructive to compare UNICEF's work on minorities with its approach to indigenous peoples. Article 30 of the Convention on the Rights of the Child establishes specific rights in the same terms for children from both minorities and indigenous peoples, in addition to all the other human rights they enjoy. But UNICEF's work on indigenous peoples is already more considered and more developed, including a range of public statements, sophisticated region-wide initiatives (particularly in Latin America), and annual engagement at the UN Permanent Forum on Indigenous Issues. In comparison, there are relatively few indicators of UNICEF's policy towards minorities, and the work is much less developed, despite the fact that the total population of disadvantaged ethnic, religious, and linguistic minorities is many times that of indigenous populations.

As noted earlier in this report, the reasons why this is so are multiple, and include both external and internal factors.

- Globally, minorities present a more diverse and heterogeneous population than indigenous peoples, presenting more challenges as a specific target for intervention. The characteristics of minorities differ from one context to another, for example as regards to whether their minority identity is primarily ethnic or



religious. In different societies there also exist different understandings of the term 'minorities'; in some contexts, other terms such as 'nationalities' (for example) are used instead. As a consequence, the global movement for minority rights is less developed than that for indigenous peoples.

- In recent years there has been more attention at the UN level to indigenous peoples' rights than to minority rights, although interestingly this was not the case through most of the twentieth century (up until the 1980s), and regionally the picture continues to be more mixed.
- Some governments continue to see ethnic or linguistic diversity as a threat to the integrity of the state or national identity, rather than as an asset to be celebrated and protected.
- The same prejudices towards ethnic or religious minorities that characterize a society in general may also be at work in the attitudes of national staff in international development agencies, including UNICEF.
- International staff in development agencies may avoid raising minority issues with national governments because they are wary of treading on local cultural sensitivities or entering a debate they will be told they do not understand.
- In the least developed countries, and in particular those with a history of armed conflict, international development agencies may naturally be drawn to concentrating on general interventions which appear to encompass the whole of the local population. Minority populations often suffer from multiple or overlapping forms of discrimination (ethnic, religious, linguistic, as well as disadvantage deriving from location or gender), which make them both less visible and harder to reach.

An important start in regard to developing a policy approach to minorities was made with the Consultation on Indigenous Peoples' and Minorities' Issues, which took place in New York on 15-17 April 2009. The consultation brought together UNICEF senior managers, practitioners, and external experts, with the objectives of identifying a policy framework and ways of strengthening programme guidance on indigenous and minority issues, improving the sharing of knowledge, and promoting cooperation with international mechanisms and other partners.

The recommendations below are designed to contribute further to these objectives. Many of them, particularly concerning country programmes, have been drawn from the comments and suggestions made by country offices themselves participating in this review.

## Recommendations

### For strategy, policy and coordination

- The UNICEF strategic planning cycle should include a thorough analysis of the extent of ethnic, religious, and linguistic discrimination in creating disparities in outcomes for children. The next Strategic Plan should include specific references to the need to target minorities as particularly vulnerable and marginalized groups.
- UNICEF should develop an organizational policy on minority and indigenous children, to guide its future work and to help meet the obligations established under Article 30 of the Convention on the Rights of the Child. Either as part of this policy or separately, UNICEF should issue written guidance to country offices on minority issues, including guidance on who minorities are, and the rights they hold.
- Guidance on issues affecting minority children and women should be included as appropriate in other key UNICEF policies and guidance notes.
- Measures should be taken to build the capacity of UNICEF staff, at headquarters, regional, and country level, to work on minority issues, including making available training on working with minority children and women, information on common challenges and possible interventions, and technical support. This might include developing a guide on programming with minority children.
- Guidelines on completing country office Annual Reports should include the need to report on minority issues within the context of the situation of minorities in the state concerned, including consultation with minority communities and NGOs, and projects targeting or including minority children and women.
- UNICEF should promote and enable knowledge-sharing on minority issues, particularly at regional or sub-regional level, to enable relevant country offices to pool expertise on best practice and develop common strategies to meet minority needs, in consultation with regional or national minority NGOs.
- UNICEF should work together with other UN agencies that have a specific expertise on minority issues, helping to develop knowledge and record best practices, including in particular UNDP and the Office of the High Commissioner for Human Rights.
- UNICEF should improve dialogue and engagement with the main intergovernmental structures and mechanisms on minorities at the UN and regional levels, including the UN Forum on Minority Issues. This would help boost the coverage of children's rights at

such forums, and also raise UNICEF's credibility as an authority and partner on minority issues.

### For country programmes

- Country offices should promote and support the collection of disaggregated data on minorities for the indicators under the MTSP focus areas.
- Situation analyses should be performed to assess the situation of minorities in the country concerned and the extent of their needs, and a review of existing programmes undertaken to assess their relevance to meeting the needs of minority communities.
- The participation of minority communities and NGOs should be promoted in all stages of programming: research, design, implementation, monitoring, and evaluation. This could include, as appropriate: participatory needs assessments, standing consultative groups, community-led development techniques, and community satisfaction surveys.
- Because of the multiple obstacles to inclusion faced by many minority communities, and in particular by minority girls, country offices should pursue a dual approach, both taking special measures or targeting specific programmes towards minority children and women, and at the same time including or mainstreaming a minority-rights approach in other UNICEF programmes and activities.
- Country office staff should be trained on minority rights, to improve UNICEF's accessibility and visibility on minority issues, and to encourage the development of a knowledge and expertise base.
- Country offices should take measures to improve the recruitment of members of minorities to their staff, including reviewing job/person specifications, implementing positive action programmes, and sponsoring internships.
- Country offices should advocate for measures addressing the needs of minority children and women within UN Country Teams, and more broadly in joint planning with other international, governmental, and NGO partners.

# Notes

- 1 The opening line of minority rights provisions in the International Convention on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC) goes as follows: 'In those states in which minorities exist...'. It has been widely acknowledged and needs to be borne in mind that minorities exist in almost all countries in the world.
- 2 UNICEF, *The State of World's Children 2006: Excluded and Invisible*, New York, UNICEF, 2006. Available at: <http://www.unicef.org/sowc06/profiles/discrimination.php> (last accessed 4 August 2010).
- 3 According to the Independent Expert on Minority Issues, Gay McDougall, the dynamics of poverty are more complex in nature for minorities and defy the rationale of common denominator policies of poverty alleviation. For instance, minorities are often neglected or excluded from efforts to achieve the Millennium Development Goals (MDGs). For further information on the link between poverty and minority status, see: McDougall, G., *Minorities, Poverty and the Millennium Development Goals: Assessing Global Issues*, Report of the Independent Expert on Minority Issues, HRC fourth session, 2007; McDougall, G., *Achieving the Millennium Development Goals for Minorities: A review of MDG Country Reports and Poverty Reduction Strategies*, Report of the Independent Expert on Minority Issues, A/HRC/4/9/Add., 1, Geneva, HRC fourth session, 2007HRC 4th session, 2007.
- 4 On the human development capabilities approach see: Sen, A., *Development as Freedom*, Oxford, Oxford University Press, 1999.; Nussbaum, M., *Women and Human Development: The Capabilities Approach*, Cambridge, Cambridge University Press, 2000; Sen, A. and Nussbaum, M., *The Quality of Life: A Study Prepared For World Institute For Development Economics Research of The United Nations University*, Oxford, Oxford University Press, 1993.
- 5 Kabeer, N., 'Social exclusion: concepts, findings and implications for the MDGs', Paper commissioned as background for the Social Exclusion Policy Paper, Department for International Development, London, 2006, pp. 2-3. Available at: <http://www.gsdrc.org/docs/open/SE2.pdf> (last accessed 12 August 2010).
- 6 On the weak socio-economic status of minority children and women, see for instance: Volkman, C.S., 'Children's rights and the MDGs: the right to health within Vietnam's transition towards a market economy', *Health and Human Rights*, vol. 9, no. 1, 2006, pp. 56-79
- 7 UNICEF, 2006, *op. cit.*
- 8 Committee on the Rights of the Child, General Discussion on Early Childhood Development, Geneva, 2004.
- 9 See: McDougall, 2007, *op. cit.*; UNDP, *At Risk, Roma and the Displaced in South East Europe*, Regional Bureau for Europe and the CIS, Bratislava, 2006, pp. 1-3.
- 10 Lennox, C., *Minority and Indigenous Peoples' Rights in the Millennium Development Goals*, Minority Rights Group International, London, 2003.
- 11 UNDP's experience with data collection disaggregated by ethnicity in Central and South East Europe is an excellent practice which could be replicated in other regions and by other agencies. For more information, see: Milcher, S. and Ivanov, A., 'The United Nations Development Programme's vulnerability projects: Roma and ethnic data', *Roma Rights Quarterly*, issue 2, 2004, pp. 7-13.
- 12 On disaggregated data and minority rights, see: Ramsay, K., *Disaggregated Data Collection: A Precondition for Effective Protection of Minority Rights in South East Europe*, London, MRG, 2006; See also: Negrin, K. 'Collecting ethnic data: an old dilemma, the new challenges, in EUMAP, Monitoring human rights and the rule of law in Europe, *EUMAP Journal*, 2003, Available at: [http://www.soros.org/resources/articles\\_publications/articles/ethnic-data-20030403/ethnic-data-20030403.pdf](http://www.soros.org/resources/articles_publications/articles/ethnic-data-20030403/ethnic-data-20030403.pdf) (last accessed 4 August 2010).
- 13 *The Sub-Commission on Prevention of Discrimination and Protection of Minorities* was established in 1947 as subsidiary body of the UN Commission on Human Rights. In 1995 the Working Group on Minorities and the Working Group on Indigenous Populations were set up as its subsidiary bodies. In 1999 the Sub-Commission was renamed the *Sub-Commission on the Promotion and Protection of Human Rights*. In 2006 all mandates, mechanisms, and responsibilities of the Commission on Human Rights were assumed by the Human Rights Council. The Human Rights Council established the *Human Rights Council Advisory Committee* (2008) which replaced the former Sub-Commission on the Promotion and Protection of Human Rights. Subsequently, the *Forum on Minority Issues* (2007) replaced the Working Group on Minorities, and the *Expert Mechanism on the Rights of Indigenous Peoples* (2007) replaced the Working Group on Indigenous Populations. See: <http://www2.ohchr.org/english/bodies/hrcouncil/> (last accessed 12 August 2010).
- 14 Macklem, P., 'Minority Rights in International Law', *International Journal of Constitutional Law*, vol. 6, nos 3-4, 2008, p. 531-52.
- 15 UN Secretary General Kofi Annan's Action Plan to Prevent Genocide, 7 April 2004: 'We must protect the rights of minorities, since they are genocide's most frequent targets. [...] we must attack the roots of violence and genocide: hatred, intolerance, racism, tyranny, and the dehumanizing public discourse that denies whole groups of people their dignity and their rights.' Available at: <http://www.un.org/News/Press/docs/2004/sgsm9245.doc.htm> (last accessed 4 August 2010). See also Alfredsson, G., Ferrer, E. and Ramsay, K., *Minority Rights: A Guide to United Nations Procedures and Institutions*, London, MRG, 2004, pp. 6-7.
- 16 Thornberry, P., 'The UN Declaration', in Alan Phillips and Allan Rosas (eds.) *Universal Minority Rights*, Turku, Abo Academy University, 1995, p. 14.
- 17 Pejic, J., 'Minority Rights in international law', *Human Rights Quarterly*, vol. 19, no. 3, 1997, pp. 666-685.
- 18 Human Rights Committee (HRC), General Comment 23, on Article 27 (Fiftieth session, 1994), Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.1 at 38, para.5.2., 1994
- 19 van der Stoep, Max 'Prevention of minority conflicts', in L. B. Sohn (ed.), *The CSCE and the Turbulent New Europe*, record of a conference organized by the International Rule of Law Institute of the George Washington University in cooperation with the Friedrich Naumann Foundation and the Jacob

- Blaustein Institute for the Advancement of Human Rights, Washington, D.C., 1993. p. 148
- 20 High Commissioner van der Stoep (1993-2001) in his keynote address at the opening of the OSCE Minorities Seminar in Warsaw in 1994, <http://www.osce.org/hcnm/13022.html> (last accessed 4 August 2010).
- 21 HRC, 1994, *op. cit.*, para 1.
- 22 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM), Article. 4 (2).
- 23 HRC, 1994, *op. cit.*, para 7.
- 24 UNDM, Article 2 (4).
- 25 Council of Europe, 'European Charter for Regional or Minority Languages', 1992, <http://conventions.coe.int/treaty/en/Treaties/Html/148.htm> (last accessed 12 August 2010); Foundation on Inter-Ethnic Relations, 'The Oslo Recommendations Regarding the Linguistic Rights of National Minorities', 1998, <http://www.unesco.org/most/ln2pol7.htm> (last accessed 4 August 2010).
- 26 Council of Europe Framework Convention for the Protection of National Minorities (FCNM), Art 13; Organization for Security and Cooperation in Europe (OSCE), 'The Hague Recommendations Regarding the Education Rights of National Minorities', 1996, [http://www.osce.org/documents/hcnm/1996/10/2700\\_en.pdf](http://www.osce.org/documents/hcnm/1996/10/2700_en.pdf) (last accessed 12 August 2010).
- 27 FCNM, Article 12; OSCE, 1996, *op. cit.*
- 28 UNDM, Article 4 (4).
- 29 Recommendation 1134 on the rights of minorities, Council of Europe, Parliamentary Assembly, 42nd Session., 2nd part, 1990.
- 30 See: UNDM, Articles 2(2) and 2(3); Conference on Security and Cooperation in Europe (CSCE), 'Document of the Conference on the Human Dimension of the CSCE (29 June 1990)', Copenhagen, CSCE, Art 35, 1990, [http://www.osce.org/documents/odhr/1990/06/13992\\_en.pdf](http://www.osce.org/documents/odhr/1990/06/13992_en.pdf) (last accessed 12 August 2010); OSCE High Commissioner on National Minorities, *The Lund Recommendations on the Effective Participation of National Minorities in Public Life*, The Hague, OSCE, 1999, [www.osce.org/item/2929.html](http://www.osce.org/item/2929.html) (last accessed 12 August 2010).
- 31 FCNM, Article 15.
- 32 Advisory Committee on the FCNM (AC FCM), 'Commentary on the Effective Participation of Persons, Belonging to National Minorities, in Cultural, Social and Economic Life and in Public Affairs', 2008, p. 9
- 33 *Ibid.*, pp. 1-8
- 34 Palermo, F., 'The dual meaning of participation: the advisory committee's commentary on participation', Paper presented at the conference on Enhancing the Impact of the Framework Convention, 9-10 October 2008, Palais de l'Europe, Strasbourg, p. 2. Available at [http://www.coe.int/t/dghl/monitoring/minorities/6\\_Resources/PDF\\_IACConf\\_Contribution\\_FPalermo\\_Wshop3\\_en\\_12nov08.pdf](http://www.coe.int/t/dghl/monitoring/minorities/6_Resources/PDF_IACConf_Contribution_FPalermo_Wshop3_en_12nov08.pdf) (last accessed 4 August 2010).
- 35 See AC FCNM, *op. cit.*, p. 29.
- 36 Committee on the Elimination of Racial Discrimination (CERD), General Recommendation No32, Seventy-fifth session, August 2009, para 7.
- 37 See HRC, General Comment number 18 on Non-discrimination, 1989, para. 10. Available at: <http://www.unhcr.ch/tbs/doc.nsf/0/3888b0541f8501c9c12563ed004b8d0e?Opendocument> (last accessed 12 August 2010).
- 38 See for example FCNM, Second Opinion on Ireland, adopted on 6 October 2006, paras 50- 51.
- 39 Committee on the Rights of the Child, General Comment 5, on General Measures of Implementation, 2003, para. 12.
- 40 Committee on the Rights of the Child, General Comment 11, on Indigenous Children, 2003, para 29.
- 41 *Ibid.*, para 16.
- 42 A similar argument was put forward by Patrick Thornberry in respect to Article 27 of the ICCR. See: Thornberry, 1995, *op. cit.*, pp. 24 -30.
- 43 Committee on the Rights of the Child, General Comment 11, *op. cit.*, para 35.
- 44 *Ibid.*, para 5.
- 45 UNICEF, 'Towards a UNICEF Policy', Background Note, UNICEF Consultation on Indigenous Peoples' and Minorities' Issues, 15 -17 April 2009.
- 46 UNICEF, Mission Statement, Available at: [http://www.unicef.org/about/who/index\\_mission.html](http://www.unicef.org/about/who/index_mission.html) (last accessed 4 August 2010).
- 47 *Ibid.*
- 48 UN General Assembly, 'A world fit for children', Declaration adopted by the UN General Assembly at the twenty-seventh special session, 10 May 2002, [http://www.unicef.org/special\\_session/docs\\_new/documents/A-RES-S27-2E.pdf](http://www.unicef.org/special_session/docs_new/documents/A-RES-S27-2E.pdf) (last accessed 4 August 2010).
- 49 MTSP 2006-2011 (hereafter MTSP), p. 6.
- 50 UN General Assembly, *op. cit.*, para 7, point 3.
- 51 *Ibid.*, para 25.
- 52 *Ibid.*, para 37, point 24.
- 53 *Ibid.*, para 40, point 5.
- 54 UNICEF, *Human Rights for Children and Women: How UNICEF Helps Make Them a Reality*, UNICEF, New York, 1999.
- 55 CRC, Art 45 (b): 'The Committee shall transmit, as it may consider appropriate, to [...] the United Nations Children's Fund any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications'.
- 56 CRC, Art 45 (a): 'In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention [...] the United Nations Children's Fund [...] shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite [...] the United Nations Children's Fund [...] to provide expert advice on the implementation of the Convention [...]. The Committee may invite [...] the United Nations Children's Fund [...] to submit reports on the implementation of the Convention in areas falling within the scope of their activities.'
- 57 UNICEF, Gender and Rights Unit (GRACE/DPP), *Review of 2006 and 2007 Country Office Annual Reports from a Human Rights Based Approach*, New York, GRACE/DPP, 2008
- 58 Warren, P., 'Promoting the rights of indigenous children and women: a stocktaking of UNICEF's approach and practice', New York, UNICEF, 2009, pp. 1-8.
- 59 *Ibid.*, pp. 1-2.
- 60 Forum on Minority Issues, [http://www2.ohchr.org/english/bodies/hrcouncil/minority/oral\\_statements\\_forum\\_minority\\_2008.htm](http://www2.ohchr.org/english/bodies/hrcouncil/minority/oral_statements_forum_minority_2008.htm) (last accessed 4 August 2010).
- 61 The UNPFII has a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health, and human rights. <http://www.un.org/esa/socdev/unpfii/> (last accessed 4 August 2010). Furthermore, in 2007 the UN General Assembly adopted the UN Declaration on the Rights of Indigenous Peoples. In 2008, the UN Expert Mechanism on Indigenous Peoples' Rights was established.
- 62 See MRG, 'The Millennium Development Goals: helping or harming minorities?', working paper submitted by MRG,

- Working Group on Minorities, Eleventh session, 30 May–3 June 2005.
- 63 See for example, CRC, Art 4: ‘States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation’.
- 64 See MRG, 2005, *op. cit.*
- 65 MTSP, p. 6.
- 66 *Ibid.*, p.5.
- 67 Office of the High Commissioner for Human Rights (OHCHR), *Claiming the Millennium Development Goals: A Human Rights Approach*, New York and Geneva, United Nations, 2008, p. 28. Available at [http://www.ohchr.org/Documents/Publications/Claiming\\_MDGs\\_en.pdf](http://www.ohchr.org/Documents/Publications/Claiming_MDGs_en.pdf) (last accessed 5 August 2010).
- 68 McDougall, ‘Achieving the Millennium Development Goals for Minorities’, 2007, *op. cit.*
- 69 For instance, when Dalits (or ‘untouchables’) in Bihar, India, were disproportionately affected during the 2007 floods, relief took a long time to reach them, and they were subject to blatant discrimination in the aid distribution process. Similarly, when severe flooding (the worst in the country’s history) took place in Jarovnice, Slovakia, in June 1998, some 140 Roma homes were affected, compared with 25 non-Roma homes, and of the 47 people killed, 45 were Roma. Of those who died, 42 had been living in a shanty town in the valley of the River Svinka, which had flooded, while non-Roma lived in the village above the valley. See Baird, R., ‘Climate Change and Minorities’, in MRG, *State of the World Minorities 2008*, London, MRG, 2008, pp. 8-19.
- 70 MTSP, p. 5.
- 71 See for example the case study on India included in this report: until UNICEF became involved, polio immunization coverage in India had been unsuccessful among the Muslim minority.
- 72 In the same vein, the UK Department for International Development (DfID) said of UNICEF-India that UNICEF has a role in helping to re-build broken bridges between minority communities and government, facilitating understanding and cooperation (see India case study).
- 73 Short questionnaires with 13 questions addressing the nature of UNICEF’s work with minorities were sent to 61 country offices selected by UNICEF head office in New York. Of the 61 country offices, 26 completed the questionnaire; responses were received from across Africa, Asia/Pacific, Central Asia, Europe, Latin America, the Middle East, and South Asia.
- 74 ECOSOC, General Comment 14 on the Right to the Highest Attainable Standard of Health, 2000.
- 75 UNICEF-Romania, ‘UNICEF in Action’, available at: [http://www.unicef.org/romania/about\\_11779.html](http://www.unicef.org/romania/about_11779.html) (accessed 15 June 2009).
- 76 UNICEF-Argentina, COAR 2008, p. 24.
- 77 Open questionnaire, UNICEF-Brazil, August 2009.
- 78 UNICEF-Argentina, *op. cit.*, p. 13.
- 79 *Ibid.*, p. 24.
- 80 UNICEF-Iraq, COAR 2008, pp. 17–18.
- 81 UNICEF-Uganda, COAR 2008, p. 19.
- 82 UNICEF-Georgia, COAR 2008, p. 25.
- 83 UNICEF-Indonesia, COAR 2008, p. 35.
- 84 UNICEF-Ethiopia, COAR 2008, p. 19
- 85 UNICEF-Uganda, *op. cit.*, p. 23.
- 86 UNICEF-Ethiopia, *op. cit.*, p. 23.
- 87 *Ibid.*, p. 33.
- 88 UNICEF-Sudan, COAR 2008, p. 33.
- 89 UNICEF-Thailand COAR 2008, p. 16.
- 90 UNICEF-Uganda, *op. cit.*, p. 24.
- 91 UNICEF-Sri Lanka, COAR 2008, p. 17.
- 92 UNICEF-Indonesia, *op. cit.*, p. 28.
- 93 UNICEF-Brazil, COAR 2008, p. 44
- 94 *Ibid.*, p. 44
- 95 *Ibid.*, p. 27
- 96 MRG, ‘Botswana Overview’, World Directory of Minorities and Indigenous Peoples Website. Available at: <http://www.minorityrights.org/2598/botswana/botswana-overview.html> (last accessed 5 August 2010).
- 97 UNICEF-Ethiopia, *op. cit.*, p.26.
- 98 UNICEF-Brazil, MRG-UNICEF Open questionnaire, 2009.
- 99 UNICEF-Iraq, *op. cit.*, p. 44.
- 100 UNICEF-Ethiopia, *op. cit.*, p. 26.
- 101 United Nations Millennium Declaration, Resolution adopted by the General Assembly, A/res/55/2, 2000. <http://www.un.org/millennium/declaration/ares552e.htm> (last accessed 5 August 2010).
- 102 Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948
- 103 Baldwin, C., Chapman, C. and Gray, Z., *Minority Rights: The Key to Conflict Prevention*, London, MRG, 2007. Available at: <http://www.minorityrights.org/?iid=1198> (last accessed 16 August 2010).
- 104 UNICEF-Philippines, COAR 2008, p. 23.
- 105 UNICEF-Thailand, *op. cit.*, p. 12.
- 106 UNICEF-Sudan, *op. cit.*, p. 3.
- 107 UNICEF-Indonesia, *op. cit.*, p. 32.
- 108 UNICEF-Uganda, *op. cit.*, p. 42.
- 109 UNICEF-Philippines, *op. cit.*, p. 23.
- 110 UNICEF-Kenya, COAR 2008, p. 26.
- 111 UNICEF-Sudan, *op. cit.*, p. 39.
- 112 UNICEF-Indonesia, *op. cit.*, p. 32.
- 113 Furthermore, Article 15 of the Council of Europe’s Framework Convention for the Protection of National Minorities (1995) obliges States Parties to: ‘create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them’.
- 114 UNICEF-Nepal, COAR 2008, p. 32.
- 115 UNICEF-Philippines, *op. cit.*, p. 11.
- 116 UNICEF-Rwanda, COAR 2008, p. 40.
- 117 UNICEF-Nicaragua, open questionnaire, July 2009.
- 118 Executive Directive ‘Guidelines for a Human Rights-Based Programming Approach’ (Ex Dir 1998-04), New York, UNICEF, 1998.
- 119 See: GRACE/DPP, *op. cit.*
- 120 United Nations, Office of the High Commissioner for Human Rights, ‘Frequently asked questions on a human rights-based approach to development cooperation’, Geneva, UN Publications, 2006, p. 16.
- 121 UNICEF-Moldova, COAR 2008, p. 8.
- 122 *Ibid.*, p. 25.
- 123 UNICEF-Albania, COAR 2008, p. 8.
- 124 UNICEF-Montenegro, COAR 2008, p. 9.
- 125 UNICEF-Georgia, *op. cit.*, p. 25.
- 126 UNICEF-Nicaragua, Open questionnaire, July 2009.
- 127 UNICEF-Brazil, Open questionnaire, July 2009.
- 128 UNICEF-Angola, COAR 2008, p. 20.
- 129 UNICEF-Ethiopia, *op. cit.*, p. 24.
- 130 UNICEF-Indonesia, *op. cit.*, p. 20.
- 131 For example, the phrase ‘North (Acholi)’ is commonly found in the Uganda COAR. Acholis are a minority group and the term ‘Acholi’ typically refers to the population group who live in Acholiland. ‘(North-east) Karamoja’ is also frequently used. Karamoja generally refers to a region where the Karamojong minorities originate. From these two examples, the reference to

- Acholi can also be taken to mean the region, but is most widely used to refer to the people. In Africa, a number of COARs appear to use the word 'religious', but mostly when reporting on consultations or activities undertaken with religious bodies or leaders.
- 132 In fact, UNICEF's HRBA review of the 2006 and 2007 COARs examined the generic groups categorized as 'marginalized, excluded, vulnerable' (MEV), but also specifically 'minorities and indigenous' (MI) groups. References to MI and MEV were fairly consistent and they accounted for 13 per cent and 14 per cent of all visible rights terminology, but only if combined into one category. UNICEF was not able to provide assessment as to whether and to what extent its interventions had reached out to minority children and women. It also concluded that the level of reporting on MI was mostly due to the prevalence of indigenous populations in the Americas and Caribbean, a region known for its focus on indigenous groups. See: GRACE/DPP, *op. cit.* pp. 9–11.
- 133 MTSP, p. 51.
- 134 See: UNICEF, 'Guidelines for 2005 Country Office Annual Reports' (CF/EXD/2005-011).
- 135 This was also one of the recommendations of GRACE/DPP, *op. cit.*, p. 45.
- 136 MTSP, p. 33.
- 137 UNICEF-Bulgaria, COAR 2008, p. 26.
- 138 UNICEF-Kosovo, COAR 2008, p. 26.
- 139 UNICEF, "'Untouchable" women in Nepal get the opportunity they never had', UNICEF, 2006. Available at: [http://www.unicef.org/infobycountry/nepal\\_37897.html](http://www.unicef.org/infobycountry/nepal_37897.html) (last accessed 5 August 2010).
- 140 UNICEF, *The State of the World's Children 2007*, New York, UNICEF, 2006. Available at: <http://www.unicef.org/sowc07> (last accessed 5 August 2010).
- 141 CRC, Art 45 (b): 'The Committee shall transmit, as it may consider appropriate, to [...] the United Nations Children's Fund any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications.'
- 142 GRACE/DPP, *op. cit.*, p. 2
- 143 UNICEF-Moldova, COAR 2008, p. 6.
- 144 See, for example, Warren, *op. cit.*, p. 7. The study concludes: 'To address the special rights of indigenous children, UNICEF combines the rights-based approach advocated by the CRC with inter-culturalism, a discourse on the role of cultural and ethnic diversity and distinctiveness in modern nation states' (emphasis added).
- 145 See for example, questionnaires completed by Romania, Turkey, and Armenia UNICEF country offices, June–July 2009.
- 146 UNICEF, 'Guidelines for the 2008 Country Office Annual Reports' (CF/EXD/2008-005), 28 October 2008.
- 147 Inter-Agency Working Group on Children's Participation, 'Minimum Standards on Consulting with Children', Bangkok, Inter-Agency Working group, 2007, p. 19. Available at: <http://www.iawgcp.org/download/ms.pdf> (last accessed 5 August 2010).
- 148 United Nations, 'UN Common Learning Package on Human Rights-Based Approach (HRBA)', New York, United Nations, 2007. Available at: <http://www.undg.org/index.cfm?P=531> (last accessed 5 August 2010).
- 149 MRG, 'India Overview', in *World Directory of Minorities and Indigenous Peoples*, London, MRG, 2008. Available at: <http://www.minorityrights.org> (last accessed 5 August 2010).
- 150 *Ibid.* For the past 60 years the Government of India (GoI) has recognized Dalit and Tribal communities as least developed, 'backward' communities, listed or 'scheduled' and worthy of protection in various spheres of society.
- 151 *Ibid.*
- 152 *Ibid.*, quoting 2001 Census.
- 153 *Ibid.*, quoting 2001 Census.
- 154 Dalit communities were termed 'Scheduled Castes' by the British Administration.
- 155 See Prime Minister's High Level Committee 'Social, Economic and Educational Status of the Muslim Community of India' (the 'Sachar Committee Report'), New Delhi, Government of India, 2006.
- 156 UNICEF/DFID, *UNICEF–DfID Strategic Partnership (2006–2011): Mid Term Review, Progress Report: 2006–2008*, New Delhi, UNICEF, 2008, p. 6.
- 157 *Ibid.*
- 158 *Ibid.*, p. 7.
- 159 UNICEF, *Tackling Social Exclusion in order to Foster Social Inclusion: A Strategic Approach for UNICEF Country Programme (2008–2012)*, Inclusive Programming Guidance Note 1, New Delhi, UNICEF-India, 2009.
- 160 *Ibid.*, p 2.
- 161 *Ibid.*
- 162 *Ibid.*
- 164 Ramya Subrahmanian, Social Policy Specialist, Meeting, 26 May 2009.
- 165 Meeting with WASH Programme Officer, New Delhi Office, UNICEF-India, 26 May 2009.
- 166 *Ibid.*
- 167 *Ibid.*
- 168 UNICEF/DFID, *op. cit.*, p. 30.
- 169 Meeting with Education Programme Officer, New Delhi Office, UNICEF-India, 26 May 2009.
- 170 UNICEF/DFID, *op. cit.*, p. 32.
- 172 *Ibid.*
- 173 *Ibid.*
- 174 *Ibid.*
- 175 *Ibid.*, p. 32.
- 176 Meeting with Communications Programme Officer, New Delhi Office, UNICEF-India, 26 May 2009.
- 177 UNICEF, *India 2008 Annual Report*, New Delhi, UNICEF, December 2008, p. 10.
- 178 UNICEF/DFID, *op. cit.*, p. 32.
- 179 *Ibid.*, p. 30.
- 180 Interview with Bihar State Office, UNICEF-India, Tuesday 26 May 2009.
- 181 UNICEF/DFID, *op. cit.*, p. 30.
- 182 UNICEF, *India 2008 Annual Report, op. cit.*, p. 10.
- 183 UNICEF/DFID, *op. cit.*, p. 32.
- 185 *Ibid.*, pp. 17–18.
- 186 UNICEF, *Policy Guidelines on USS*, SMNet/xxx/000, 23 January 2008, p. 1.
- 187 Chaturvedi, G., *The Vital Drop: Communication for Polio Eradication in India*, New Delhi, Sage Publications, 2009, p. 97.
- 188 *Ibid.*, p. 20.
- 189 Meeting with Nizamuddin Abdul, UNICEF-India, 26 May 2009.
- 190 'XR' family resistance to immunization; 'XS' child sick; 'XH' child out and returning in eve or a few days; and 'XV' child out and will return after six weeks.
- 191 Muslim religious schools for girls and boys, some also offering secular education.
- 192 Advertisements through public address systems at mosques.
- 193 Religious congregations for men and women.
- 194 For an extended analysis see: Bokulić, S. and Kostadinova, G. *Pushing for Change: South East Europe's Minorities in the EU Progress Reports*, London, MRG, 2008.
- 195 Economic and Social Council (ECOSOC), General Comment No. 13 on the Implementation of the International Covenant on Economic, Social and Cultural Rights: The Right to Education, 1999. Available at: <http://www.unhchr.ch/tbs/doc.nsf/0/ae1a0b126d068e868025683c003c8b3b?Opendocument>

(last accessed 16 August 2010).

- 196 Commentary on Education under the Framework Convention for the Protection of National Minorities, Advisory Committee on the FCNM, 2006, p. 27. Available at: [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_Commentary\\_Education\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_Commentary_Education_en.pdf) (last accessed 16 August 2010).
- 197 Open Society Foundation (OSF), *Roma Inclusion Barometer 2007*, Bucharest, Open Society Foundation, 2007, <http://www.osf.ro/en/publicatii.php?cat=16> (last accessed 11 August 2010).
- 198 UNICEF, 'Roma Children Participation in Education – Problems, Solutions and Actors', Bucharest, UNICEF-Romania, 2002.
- 199 *Ibid.*
- 200 UNICEF-Romania, Roma children education, [http://www.unicef.org/romania/children\\_1604.html](http://www.unicef.org/romania/children_1604.html) (last accessed 11 August 2010).
- 201 OSF, 2007, *op. cit.*
- 202 Graduating from upper middle to high income status.

# working to secure the rights of minorities and indigenous peoples

minority  
rights  
group  
international

Promoting the rights of minority children and women: a review of UNICEF's policies and practices