



AFRICA-MIDDLE EAST REGIONAL FORUM 6-7 SEPTEMBER 2022

REVIEW RETHINK REFORM

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UN DECLARATION
ON THE RIGHTS
OF MINORITIES
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2022 Africa-Middle East Regional Forum Recommendations

Normative Framework

Global and Regional Levels

1. The role of minority rights as a means to prevent conflict and protect democracy should be recognized in the region.
2. The current normative framework for the protection of minorities remains insufficient, and efforts must continue to adopt a legally binding treaty on minority rights. Such a treaty must address the serious omissions in the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM) in relation to addressing the disproportionate impact of human rights violations on minority women and girls, and should explicitly require the prohibition of gender-based discrimination targeting minority women. The scope of intersectionality in the UNDM should be expanded to explicitly include sexual minorities belonging to minority groups who are struggling for the recognition of their rights in many countries.
3. A definition of minorities applicable to all states is needed with spaces for negotiation of the definition within national contexts, which will help states to go beyond the historical, colonial connotations given to the term to enable constructive engagement with the rights and demands of their peoples and minorities.
4. Both the individual and collective rights of minorities should be recognized with appropriate levels of self-determination and land rights.
5. There should be global reparations legislation relevant to minority situations to create accountability mechanisms.
6. The international humanitarian law framework should be revised to ensure special protection for minority communities and individuals in war and conflict zones, special protections for the cultural heritage of minorities, and a commitment to their recovery in post-conflict situations.
7. The region should develop practical guidelines for states and minorities on ensuring the protection of the human rights of minorities, their effective participation in public life, and the prevention of conflicts, similar to the OSCE High Commissioner on National Minorities' [Lund Recommendations on the Effective Participation of National Minorities in Public Life](#) and [Ljubljana Recommendations on Integration of Diverse Societies](#).
8. A more comprehensive intersectional approach is needed in relation to legally binding treaties against discrimination, such as International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Treaty body committees, Special Rapporteurs and other human rights experts as well as charter and treaty bodies should

fully integrate an intersectional analysis and address the distinct experiences and needs of minority women and all women with intersectional identities.

State Level

9. States should sign, ratify, and implement all international human rights treaties.
10. States should conduct a comprehensive review of their constitutions and domestic legislation, with a view to repealing or amending existing legislation, that has the purpose or effect of discriminating against minorities based on ethnicity, language, or religion. If states can protect minority communities from discrimination and racism, they can encourage minority communities to participate in public life by opening avenues to public participation that were previously closed by discriminatory policies and unequal treatment.
11. States should adopt and implement anti-discrimination legislation that is consistent with the provisions of the ICERD.
12. States should enact special measures, as highlighted in the [General Recommendation 25 of the Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\)](#), as efficient tools to increase the visibility, influence and protection of minority and indigenous women and other groups suffering from multiple forms of discrimination.
13. States should enact hate crime legislation, including motivations of racism and other forms of hatred recognized as an aggravating circumstance.
14. States should abolish all legislation that leads to interference in the private lives of citizens on a religious basis.

Institutions, Mechanisms, Policies, Programs

Global and Regional Levels

15. Stronger oversight and monitoring mechanisms, beyond the UN Forum on Minority Issues, mainstreamed into the work of the treaty bodies, are needed. Based on objective criteria of who minorities are, treaty bodies should request states to present periodic reports and answer questions on the protection of minority rights. As reporting should be conducted on individual groups, this will assist states to collect disaggregated information. It will also avoid the selectivity that has mired the reporting of some states.
16. UNESCO should provide training and other capacity-building activities to members of minorities to allow them to participate effectively in their processes and programmes related to minority cultures and allow minorities to nominate their cultural practices and expressions for inclusion in UNESCO's lists of intangible cultural heritage.
17. All stakeholders, including international organizations, states, and donors, should organize awareness-raising programs aimed at promoting a culture of respect for all nations and religions, including national or ethnic, religious, and linguistic minorities, by emphasizing the equal rights and obligations of all citizens. These notions should be included in school curricula to foster equal citizenship and the rule of law.
18. The UN and other relevant international organizations should create funds, and establish and implement programs, aimed at the protection and promotion of the use of minority languages.
19. Relevant international and regional organizations should provide technical assistance and funding to strengthen the capacity of organizations working to protect minority rights, including minority-led organizations.

20. Relevant international and regional organizations should provide training to members of national judiciaries on anti-discrimination and minority rights.
21. A regional research center on minority rights should be established to conduct research, gather data, hold conferences, and disseminate best practices on minority issues, including examples of minority protection arrangements that have been implemented in practice, for example: power-sharing; autonomy; fundamental rights; and targeted funding. There are many examples from within the region and this will encourage greater experimenting within the region.

State Level

22. States in the region should publicly recognize the existence of national or ethnic, religious, and linguistic minorities in their territories.
23. States should prioritize the nexus between the protection of minorities and reparations as a way to address the increased discrimination minority groups face.
24. States should ensure that legislation and policies aimed at the protection of minorities take into account the additional discrimination faced by persons belonging to minorities with intersectional identities, including women, LGBTI people, people with disabilities, people of African descent, migrants, and stateless persons, with a view to strengthening the protection of the human rights of these sub-groups.
25. States should ensure that cases of discrimination and hate-motivated rights violations are investigated effectively, perpetrators are properly sanctioned, and that victims receive a remedy, such as proper compensation and rehabilitation.
26. States should end policies and practices that seek to affect demographic change, including forced displacements, in particular with respect to areas and regions traditionally inhabited by minority communities.
27. States should revise national curricula and review their compatibility with international human rights conventions, including the Convention on the Rights of the Child, to ensure a culture of respect and acceptance of others and to contribute to the reduction of racial discrimination.
28. States should respect the right of minorities to enjoy their culture and use their language in public and private life.
29. States should respect minority-language media, and provide the necessary financial and other support to minority-language media institutions. States should also encourage public media outlets to provide space for dialogue and opportunities to develop understanding between different communities.
30. States should ensure the right of minorities to access education in their own languages, and provide the necessary support for such education.
31. States should strengthen the protection and promotion of minority cultures and heritage.
32. States should facilitate cultural activities organized by minority cultural associations.
33. States should collect data disaggregated according to ethnic, linguistic, religious, and cultural affiliation, based on self-identification.

Participation

Global and Regional Levels

34. In line with the existing normative framework for minority protection, the UN should hold Member States to account to guarantee effective participation of minorities at all levels of decision-making.

35. The UN should develop mechanisms to facilitate the participation of minorities within UN bodies and processes and should increase the representation of minorities among staff and volunteers.
36. Considering that more than 75% of the world's known stateless populations are members of minority groups, discussion on participation should not be limited to 'participation within the state', that is, for those with citizenship and minority status. In line with [CCPR General Comment No. 23: Article 27 \(Rights of Minorities\)](#), participation should extend to 'participation outside the State', that is, for those still fighting for citizenship itself and recognition as minorities (embodied in the 3 'selves' – self-identification, self-determination and self-governance).
37. Relevant intergovernmental organizations, non-governmental organizations, and other human rights defenders should support stateless minorities to attain citizenship status and equal rights, including self-identification, self-determination and self-governance, and effective participation in the state.

State Level

38. States should initiate legislative, constitutional, and political programs that enable the participation of minorities in order to create societies free of all forms of discrimination.
39. States should ensure minority representation and participation in national processes and decision-making in order to address the historical marginalization and discrimination faced by such groups. This can bolster stability in the country and region, and reduce extreme nationalism, strengthen minorities' sense of belonging to the country, and decrease the chance of falling victims to geopolitical interests of regional or international powers.
40. States should ensure the political representation of minorities.
41. States should ensure the rights of minority communities to form official associations.
42. The substantive right to effective participation should be grounded in effective procedural mechanisms enabling implementation. Further, in line with existing international minority rights, participation should be complemented by general human rights and the three additional pillars of minority rights: the right to exist, the right to non-discrimination, and the right to promote and protect minority identity.
43. When relevant, states should enact legislation to ensure the right of minorities to self-govern their affairs.
44. States should respect the principle of Free, Prior and Informed Consent (FPIC), enshrined in the 2008 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), where development projects directly affect minorities. This will save minorities from gross human rights violations that come with forceful eviction, landlessness, forced displacement and loss of heritage, cultural and ancestral integrity.
45. States should ensure the participation of minority civil society organizations in the development and adoption of anti-discrimination legislation.
46. Efforts must continue to understand the use of culture in the context of individual and collective rights of minority communities. Full participation of minority and indigenous women is needed to identify cultural norms and practices to ensure that they are relevant to the entire minority population and are not used to impose or justify harm to minority women and girls.

