



AMERICAS REGIONAL FORUM

11-12 OCTOBER 2022

REVIEW RETHINK REFORM

30th
ANNIVERSARY,
UN DECLARATION
ON THE RIGHTS
OF MINORITIES
1992-2022



Americas Regional Forum 2022 Recommendations

Normative Framework

Global and Regional Levels

1. A new universal treaty for the protection of minorities, with a contemporary understanding and scope, including issues of intersectionality, such as disability, sexual orientation and gender identity, should be adopted; such an initiative should not be at the expense of focusing on effective implementation of the norms and standards that currently exist.
2. The United Nations should establish a permanent forum on minority issues, similar to the existing UN Permanent Forum on Indigenous Issues.

State Level

3. States should adopt and implement comprehensive legislation to combat discrimination, xenophobia, racism, anti-Gypsyism, and hate speech.

Institutions, Mechanisms, Policies, Programs

Global and Regional Levels

4. The United Nations and other relevant international and regional organizations should enhance and widen the dissemination, translation, and education of minority rights norms and standards, in support of their implementation.
5. UN agencies, their partners, and allies, such as national human rights institutions and domestic human rights organizations, must persistently present the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM) purpose and rights in traditional media and social media outlets throughout the Americas region. This can be done by educating journalists, their professional associations, and social media figures about the UNDM and its values, principles and norms. This, in turn, promotes more monitoring, in the form of news reporting, that can be used to assess a state's compliance with its obligations under the UNDM. As states in the region slide toward more authoritarian leadership, unapologetic efforts to promote these values must vigorously compete in the public marketplace of ideas with those who favor uniformity and obedience.
6. The United Nations, and other relevant international and regional organizations, should support exchanges of comparative experiences in the effective enjoyment of minority rights.

7. The United Nations and other relevant international and regional organizations should ensure that adequate funding is provided to allow for the development and implementation of programs and policies aimed at the effective promotion and protection of the human rights of minorities.
8. United Nations Treaty Body Committees and Special Procedures must improve coordination between themselves and share their analyses and recommendations on the human rights of minorities in specific states, in order to ensure better monitoring of the human rights situation and of the compliance of states with the international human rights standards and recommendations on minorities.
9. United Nations Treaty Body Committees and the Special Procedures must adopt more robust, systematic, and continuous monitoring mechanisms on state compliance with recommendations related to the human rights of minorities made as part of regular reviews and country visits. As part of these mechanisms, priority should be given to strengthening the technical capacity of minority organizations and opportunities for their effective participation.
10. The United Nations Economic Commission on Latin America and the Caribbean (CEPAL) should be requested to give technical assistance as needed to governments to collect statistical data on their populations disaggregated by ethnicity, race, gender (based on self-identification), territory, socioeconomic, and other indicators of social groups and inequalities.
11. Based on such data, policy makers must take decisive action to guarantee the equal civil, political, economic, social, environmental, and cultural rights of minorities with the full and informed participation of minority communities in designing and implementing those policies.

State Level

12. States must acknowledge their histories of grave injustices of colonialism, enslavement, and the genocidal conquest of Indigenous people, Afro-descendants, and Roma, and develop and implement reparations programs as agreed to by the most affected populations.
13. States should eliminate all forms of racial discrimination, whether based on personal biases or institutional, and remove the structural and institutional mechanisms that perpetuate discrimination.
14. Educational institutions and popular media must be reconstituted around a central objective to educate the population to understand that international minority rights are essential to create equitable and democratic societies.
15. States should clearly and resolutely condemn violations of the rights contained in the UNDM.
16. States must facilitate access to justice, including through the use of positive measures, in order to ensure and promote the implementation of human rights, minority rights, and the rights of Indigenous peoples.
17. To achieve substantive equality, states must incorporate differential approaches for minorities in their public policies. Such public policies should include specific objectives,

indicators, and adequate budgets to ensure compliance with their obligations under international human rights instruments and the recommendations made by Treaty Body Committees, Special Procedures, and the Universal Periodic Review.

18. To ensure the effective implementation and realization of minority rights, states should establish multiple, specifically-tasksed institutions dedicated to minority protection at both the domestic and regional levels.
19. National human rights institutions, expert communities, and civil society organizations should convene business leaders to both educate them about the UNDM and seek their commitment to its principles, for instance by drafting a similar document for businesses.
20. In line with the major purpose of international minority rights to establish peace and stability, states should better recognize the use of acts of civil disobedience in a minority context as an exceptional mechanism to contest unjust laws violating minority rights and contribute to the evolution of law, and as a legitimate means to ensure social stability.
21. States must prohibit the repression of public protests, condemn the excessive use of force against minorities, Indigenous peoples, Afro-descendants, and Roma, and ensure the full realization of their human rights and their effective participation in society.
22. States should restore citizenship to minorities previously deprived of their citizenship, and take all necessary measures to prevent statelessness, and arbitrary arrests, detentions, deportations and/or expulsions based on a person's citizenship status.
23. In the context of criminal offenses related to violence, states should consider making it an aggravating factor in sentencing where violence has been directed against individuals on account of their human rights activism in support of minorities.

Participation

Global and Regional Levels

24. The United Nations should establish a voluntary fund to facilitate the participation of minorities in its institutions and mechanisms relevant to the international protection of minorities.
25. The United Nations and other relevant international and regional organizations should increase the representation of minorities, Afro-descendants, Roma, and indigenous peoples among its staff members and volunteers.

State Level

26. Let marginalized minority communities speak for themselves. Center their voices in all policy decisions in all institutions. Support their strategies for change.
27. States must ensure the effective and proportionate participation of minorities, Afro-descendants Roma, and Indigenous peoples in political, legislative, judicial, and developmental decision-making bodies, including through positive measures such as affirmative action programs. This should also be done through the collection of disaggregated data and statistics, and taking into account intersectional identities.
28. In advance of state decision-making processes that require input from minorities due to their impacts on those minorities, states should support the development and implementation of processes to freely choose legitimate minority representatives who can

articulate accurately and authoritatively the views of the minorities they represent. States should recognize the freely chosen representative of minorities.

29. Minorities should work to develop intra-minority discussions and forums to seek common ground, where possible, on economic policy issues that significantly impact them, so as to offer clearer input in state decision-making processes. States should develop and implement programs and processes that offer support to minorities in doing so.