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United Nations Practice in Minority Issues

In 2011, the Office of the High Commissioner for Human Rights (hereinafter ‘Office’ of OHCHR) continued to pursue a range of activities to advance the promotion and implementation of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (hereinafter ‘Declaration on Minorities’) and the United Nations Declaration on the Rights of Indigenous Peoples, in accordance with the High Commissioner overall mandate and the Strategic Management Plan for the biennium 2010-11, in which one of the thematic priorities is countering discrimination, in particular racial discrimination and discrimination on various other grounds. During the year, the High Commissioner expressed concerns about the situation of minorities in various public statements. In January 2011, she condemned the attacks targeting religious groups in several countries across the world and urged states to demonstrate their determination in combating such violence and in rooting out discriminatory laws and practices affecting religious minorities. The High Commissioner also expressed concerns about the challenges faced by minorities witnessed during her country visits, including the situation of Roma in Europe.

At the international level, OHCHR continued to service the Expert Mechanism on the Rights of Indigenous Peoples (hereinafter ‘Expert Mechanism’ or EMRIP) and the Forum on Minority Issues by, inter alia, supporting the preparation and organization of their annual sessions and organizing a technical workshop to contribute to the EMRIP thematic studies. OHCHR also continued, organizing coordination meetings among the three United Nations mechanisms devoted to indigenous peoples, including the Expert Mechanism, the Special Rapporteur on the rights of indigenous peoples and the United Nations Permanent Forum on Indigenous Issues (hereinafter ‘Permanent Forum’).
The Expert Mechanism on the Rights of Indigenous Peoples held its fourth session in July 2011. In addition to discussing the implementation of the Declaration on the Rights of Indigenous Peoples, the Expert Mechanism finalized and submitted for adoption, together with advice No. 2, a study on indigenous peoples and the right to participate in decision-making. In addition, OHCHR organized a side event to the session of the Forum on Minority Issues in November 2011, which provided an opportunity for participants to share effective practices relating to the various tools and approaches for the empowerment of minority women to claim their rights.

At the beginning of 2011, OHCHR issued a publication titled “Minority Rights: International Standards and Guidance for Implementation”, which provides guidance on standards and mechanisms pertaining to the protection of minorities, as well as a checklist for developing programmes and projects on minorities. OHCHR also published a booklet on the contents of the Declaration on Minorities, accompanied by sound bytes that capture the essence of each provision and are accompanied by photographs of minorities around the world. In addition, OHCHR finalized the guidelines for the protection of indigenous peoples in voluntary isolation and initial contact for the Amazon basin and El Gran Chaco after a series of consultations in Latin America. The Guidelines will be published in 2012 by OHCHR Regional Office in Chile.

Since 2008, OHCHR has organized, in the field of policing and minorities, four regional consultations with a view to encouraging the participation of minorities in the administration of justice by means of law enforcement and, more specifically, policing. The goal of the consultations has been to gather effective practices in the field of policing and minority communities. “Effective practices” are understood as specific actions (or sets or elements of actions) that are in compliance with international human rights law, have contributed to the enjoyment of human rights and freedoms, have proven their effectiveness through demonstrable and sustainable results and quantitative and/or qualitative evidence of positive impact and have the potential to be successfully adapted and replicated in other contexts. Building on the results of the consultations and the information shared with regard to effective practices and the challenges that are to be tackled to combat exclusion and to move toward greater participation and representation of minorities in the police service, OHCHR held its fourth expert consultation on the theme of effective practices in policing and minority communities in the Asia Pacific in Bangkok in May 2011. The overall objective is to create a tool in the form of a set of guidelines that could serve to provide law enforcement agencies with advice on how best to approach the inclusion of minorities in policing by means of participation and representation. The booklet will be published in 2012. Finally, OHCHR joined the secretariat of the Permanent Forum, the Inter-Parliamentary Union (IPU) and the United Nations Development Programme (UNDP) to develop a handbook for parliamentarians on the Declaration on the Rights of Indigenous Peoples. An advisory board of prominent indigenous experts and parliamentarians was set up and a final version of the handbook is expected by the second half of 2012.