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REVIEW RETHINK REFORM

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2022 Europe-Central Asia Regional Forum Recommendations

Normative Framework

Global Level

1. The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM) should be negotiated into a comprehensive, legally-binding treaty on minority rights to strengthen the status of minority protection as a legitimate issue of international cooperation in a climate where there has been a regression in the international protection of minority rights, and violations of minority rights are justified by states through reference to sovereignty and non-interference.
2. Groups considered as new minorities, including immigrant groups and refugees, should be recognized as minorities and protected equally by international minority rights standards, in line with [General Comment No. 23](#) of the Human Rights Committee.
3. International norms regarding the sustainable and inclusive development of minority regions, including the protection of the natural environment in regions where minorities live, need to be developed.
4. International minority rights should facilitate cross-border cooperation, including digitalization, regional integration(s), kin-state relations, interstate dispute settlement.
5. The 2008 OSCE [Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations](#) should be revisited to provide normative and practical guidance on the global level on the prevention and settlement of disputes involving minorities.

Regional Level

6. The European Union (EU) should maintain the legal requirements of the [Copenhagen accession criteria](#) in relation to minority protection for its Member States following their accession to the EU; in addition, a comprehensive law on minority rights must be elaborated, drawing on the already existing good practices in some member states.
7. European institutions should develop and promote a clear framework outlining issues, processes and practices related to the recognition of ethnic or national, religious and linguistic minorities to avoid arbitrary exclusions from legal protections at the national level.

State Level

8. All states should guarantee the ethnic, cultural, linguistic, and religious rights of persons belonging to national or ethnic, religious and linguistic minorities as a basic democratic principle of governance.
9. States should ratify all international conventions and endorse declarations relating to the rights of minorities and indigenous peoples, including the ILO Convention 169, the UNDM,

the United Nations Declaration on the Rights of Indigenous Peoples, the UNESCO Convention against Discrimination in Education, and the Optional Protocols to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, and adopt and implement the necessary measures to adequately respect, protect, and fulfill the rights of minorities and indigenous peoples at the national, subnational, and local levels.

10. States should adopt and implement comprehensive anti-discrimination legislation that bans all forms of discrimination and provides a clear definition of discrimination pursuant to international and regional standards, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the European Convention on Human Rights, and the Framework Convention for the Protection of National Minorities. Such legislation should take into account the multiple forms of discrimination faced by members of national or ethnic, religious and linguistic minorities who are women, youth, LGBTI and gender-diverse people, people with disabilities, or who have other intersectional identities.
11. States should adopt and implement legislation to address hate speech, incitement to discrimination, hostility or violence, and hate crimes targeting national or ethnic, religious and linguistic minorities, including manifestations of racism, xenophobia, antisemitism, and Islamophobia. Such legislation should include appropriate sanctions for such incidents.
12. Persons belonging to national or ethnic, religious and linguistic minorities have a right to continued instruction in their mother tongue throughout all levels of their education, including pre-school and tertiary education. States shall take all appropriate measures to ensure the respect, protection and fulfillment of this right.

Institutions, Mechanisms, Policies, Programs

Global Level

13. Relevant international and regional mechanisms should encourage member states to put the human rights of minorities into practice at local or national levels given the extensive evidence of the failure by states to implement their international and regional legal obligations related to the human rights of minorities.
14. Relevant international organizations should strengthen the review and monitoring of existing minority rights enshrined in international and regional standards. Members of minorities, including the most marginalized minority groups, should effectively participate in the work of treaty bodies that monitor violations of the rights of minorities. The Universal Periodic Review mechanism should give particular attention to reporting on the protection and promotion of minority rights.
15. International organizations should support the capacity building of, and provide technical assistance to national human rights institutions, including ombudspersons, and civil society organizations of minority groups, for monitoring, advocacy and the protection of their human rights.
16. Designated funding opportunities for minorities, for example a UN Voluntary Fund for Minorities (analogous to the UN Voluntary Fund for Indigenous Peoples), should be established, with the financial support of states, to help representatives of minority communities and organizations participate in global and regional review mechanisms and processes relevant to the protection of minority rights. International and regional organizations, including the United Nations and the EU, should create specific funds for programs in support of minority rights, including programs implemented at the local level, and informed by recommendations made by international review mechanisms.

17. The specialized agencies and other organizations of the United Nations system should contribute to the full realization of the rights and principles set forth in the UNDM, within their respective fields of competence, in accordance with UNDM Article 9, including by developing training materials and programs on minority rights, including in relevant languages, with the effective participation and cooperation of minority organizations and representatives.
18. The United Nations Sustainable Development Goals should integrate the protection of minorities to ensure that minority groups are not left behind. Voluntary National Review reports should systematically measure progress towards the SDGs for all minority groups.
19. Businesses should ensure full compliance with minority rights protection in all operations and in their supply chains. To this end, the UN Global Compact, and the UN Working Group and UN Forum on Business and Human Rights should integrate attention to minority rights in their monitoring and reporting activities.
20. International financial institutions should ensure that minority rights are respected in all cooperation agreements. The [World Bank Environmental and Social Framework](#) should incorporate robust consideration of the rights of minorities. The World Bank Inspection Panel should ensure that minority groups are not adversely affected by World Bank-funded projects.

Regional Level

21. European regional organizations, such as the EU and the Council of Europe, should develop systematic and effective cooperation with the United Nations and each other, in the field of minority rights protection and promotion.
22. The EU should develop a European language policy that is based on international standards pertaining to the rights of linguistic minorities, and informed by the [2016 Donostia Protocol to Ensure Language Rights](#) and/or the [Universal Declaration of Linguistic Rights](#), as well as an emergency plan for the safeguarding of languages, aimed at more effective protection of the rights of European linguistic minorities.
23. A European Languages Commissioner or Ombudsperson should be established, which could be created jointly with the Council of Europe and the EU, to ensure that the Charter for Regional or Minority Languages is fully implemented, and to monitor language rights in each Member State. The Commissioner should be supported by a language rights observatory.
24. The EU should strengthen the integration of the promotion and protection of autochthonous minority and regional languages into its policy on multilingualism and linguistic diversity.
25. The EU must carry out research and ensure the collection of data disaggregated by ethnicity, religion, language, and other relevant characteristics to enable legislators and policymakers to establish targeted public policies and programs for minorities and to monitor progress in reducing inequality. This data collection should be sufficiently funded and in accordance with data protection law. The EU should build a comprehensive policy framework for protecting the rights of autochthonous national and linguistic minorities and their cultural heritage, including an EU-level monitoring system concerning the situation of minorities.

State Level

26. States should respect the right to self-identification of persons belonging to national or ethnic, religious and linguistic minorities, as the basis of their policies of minority recognition; and cease policies of assimilation.

27. States should ensure the protection and promotion of minority rights by consistently mainstreaming minority rights into all relevant government policies and practices at the central, regional, and local levels, and in bilateral and multilateral relations, and by eliminating any policies that directly or indirectly contribute to discrimination or intolerance towards national or ethnic, religious and linguistic minorities. Autonomous minority governments should ensure the protection of the rights of other minorities within their jurisdiction.
28. States, in close consultation with intergovernmental and non-governmental organizations, and the minorities affected, should regularly review legislative and other measures with a view to assessing whether these effectively protect and promote the rights of national or ethnic, cultural, religious and linguistic minorities.
29. In order to enhance the problem-solving capacity of international minority rights, states should continuously update their interpretation and implementation in line with advancements in new technologies, digital public services, and online media to remain compliant with and adapted to international minority rights standards.
30. States should end the securitization of minority issues, and not violate the human rights of minorities, including the prohibition of discrimination and the freedoms of assembly, association, and expression, under the pretext of national security concerns, such as antiseditious, counter-terrorism, or pandemic prevention measures. State actors and public officials should refrain from describing minorities as a potential threat to national security.
31. States shall ensure adequate access to justice for persons belonging to national or ethnic, religious and linguistic minorities to ensure that they can avail themselves of effective legal remedies, whenever it is alleged that their rights are violated.
32. States should end all reprisals, including assassination, defamation, prosecution, or intimidation, against human and minority rights defenders, journalists, lawyers, and others working to promote and protect the human rights of minorities.
33. States should ensure that persons belonging to minorities have access to birth registration, citizenship and other legal recognition, without discrimination, and should recognize personal identification documents of minorities from unrecognized or conflict states.
34. States should develop long-term, comprehensive policies for combating negative stereotypes of, and discrimination against, minority individuals and groups, and promote intercultural understanding by, among other things, the teaching of the culture and history of minorities in the national curriculum. All students should be encouraged to learn the culture and language of minority communities to develop better understanding, peace, tolerance, and friendship among ethnic, national and religious groups and persons of indigenous origin. The content of existing curricula, including textbooks, should be evaluated on the basis of clear standards on intercultural education, including adequate representation of minorities and with the effective participation of minorities.
35. States should ensure the protection of the natural environment in areas where minorities live.
36. States should put an end to policies resulting in the unlawful expropriation of property owned by national or ethnic, religious and linguistic minorities; when dealing with property disputes, minorities should enjoy equal access to judicial and law enforcement mechanisms; legal decisions mandating the return of unlawfully expropriated properties should be enforced.
37. States should facilitate the establishment of and provide the necessary resources for minority-language media channels.

38. States shall take all appropriate measures to ensure that persons belonging to national or ethnic, religious and linguistic minorities and persons belonging to the majority population have adequate opportunities to learn minority languages.
39. In accordance with the 1998 OSCE [Oslo Recommendations Regarding the Linguistic Rights of National Minorities](#), states should ensure that persons belonging to minorities have the right to use their personal names in their own language according to their own traditions and linguistic systems. These shall be given official recognition and be used by the public authorities.
40. States should develop effective mechanisms or strengthen existing mechanisms for identifying, responding to, and imposing sanctions for hate speech and incitement to discrimination, hostility or violence targeting ethnic or national, religious and linguistic minorities, including online and on social media platforms. States should ensure that law enforcement agencies refrain from engaging in hate speech, incitement to discrimination, hostility or violence, or hate crimes, and that any such instances are properly sanctioned.
41. States should specifically support the capacity building of, and provide technical assistance to civil society organizations of minority groups to ensure monitoring and follow-up activities, advocacy, and protection of their human rights.
42. States should ensure that members of national or ethnic, religious, and linguistic minorities are provided accessible, affordable, acceptable and quality healthcare services, regardless of citizenship status, in particular in the context of a global pandemic.
43. States should provide basic health information, including in the event of a pandemic, in all regional and minority languages on their territories, and take language-related issues into account when developing policies and instructions to address health crises.

Participation

Global Level

44. International and regional organizations, states and civil society organizations should raise awareness among minorities about available opportunities to participate in international fora and monitoring mechanisms.
45. International organizations should ensure the meaningful participation and representation of people belonging to national or ethnic, religious, and linguistic minorities in relevant human and minority rights processes, and the employment of minorities at all professional levels, while eliminating any regional inequalities
46. A permanent forum for minorities should be created to improve the capacity of the UN to effectively address problems facing minorities. In line with the precedent of the UN Permanent Forum on Indigenous Issues and the UN Permanent Forum of People of African Descent, a new forum should be composed of representatives of minority groups, taking into account diversity, regional balance and gender parity, to serve in their personal capacity as experts. The permanent forum should convene on a rotating basis at the United Nations Headquarters in New York and the United Nations Office at Geneva, to coordinate with both human rights and security mechanisms of the United Nations.
47. The United Nations General Assembly should adopt a resolution on 'Enhancing the Participation of Minorities' Representatives and Institutions in Meetings of Relevant United Nations Bodies on Issues Affecting Them', based on the precedent resolution for indigenous peoples; and likewise, to include consultations with minority groups and a report by the UN Secretary-General.
48. The United Nations should consider the adoption of a UN International Year or Decade and a UN World Conference on the rights of persons belonging to minorities.

49. The agenda of the UN Forum on Minority Issues should be amended to include a standing agenda item to address urgent issues of minority rights protection.
50. The United Nations should improve the documentation of all participant statements to the UN Forum on Minority Issues.
51. The United Nations should urge states, and regional and international intergovernmental organizations, to consistently participate in and report to the UN Forum on Minority Issues, as under Article 9 of the UNDM.
52. The United Nations should resolve to continue the practice of holding regional-level Forum meetings on a rotating basis.
53. The United Nations should provide information, administration and interpretation at relevant events in additional languages, including minority languages, in order to facilitate the participation of persons belonging to national or ethnic, religious, and linguistic minorities.
54. International and regional organizations, states and civil society organizations should promote digital literacy and digital inclusion as key strategies for encouraging greater minority participation.
55. Relevant international organizations should facilitate the development of codes of conduct to ensure the representation of historically marginalized minorities in academia and their equal participation in knowledge production.
56. International and regional organizations, and states should ensure that minority communities should have equitable access to humanitarian relief and financial assistance to participate in responding to the consequences of war, natural disasters, and other large-scale catastrophes.

Regional Level

57. The Council of Europe should create further opportunities for minority participation in the Framework Convention for the Protection of National Minorities via the provision of a right of direct individual and collective complaint.

State Level

58. States should ensure the effective participation of ethnic or national, religious and linguistic minorities and their representatives in the development, implementation, and monitoring of laws and policies affecting them, including special measures. Historic discrimination, marginalization and socio-economic inequality experienced by such groups, including minority women and youth, need to be addressed by these laws and policies.
59. States should ensure the effective representation, free from the influence of government and major political parties, and participation of ethnic or national, religious and linguistic minorities in national and local government, and in the judicial system, and repeal or reform all laws prohibiting the establishment of political parties based on minority status.
60. Representatives of minorities in state and local governments should be selected, preferably through direct and general elections, by their constituents in a manner that is fair, legitimate and representative. They should ensure accountability to their minority constituents.
61. States should utilize technological tools to provide public services in minority languages, forums/channels for participation of minorities at national, regional and local level to consult and cooperate with public authorities on issues directly affecting minorities.

