

Resolution on the rights of persons belonging to national or ethnic, religious and linguistic minorities 20 April 2004

The Commission on Human Rights,

Recalling General Assembly resolution 47/135 of 18 December 1992, and subsequent resolutions of the General Assembly on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Recalling also its resolution 1995/24 of 3 March 1995 as well as Economic and Social Council resolution 1995/31 of 25 July 1995 and decision 1998/246 of 30 July 1998 on the mandate of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights,

Taking note of Sub-Commission resolution 2003/23 of 13 August 2003 on the rights of minorities and the recommendations contained therein,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society,

Recalling General Assembly resolution 57/337 of 3 July 2003 on prevention of armed conflict, in which the Assembly affirmed, inter alia, that the ethnic, cultural and religious identity of minorities, where they exist, must be protected,

Concerned at the frequency and severity of disputes and conflicts involving minorities in many countries, and their often tragic consequences, and that persons belonging to minorities often suffer disproportionately the effects of conflict resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Concerned also at instances of victimization or marginalization of persons belonging to minorities in situations of political or economic instability,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Emphasizing the importance of the timely identification of human rights problems and situations involving national or ethnic, religious and linguistic minorities,

Acknowledging the need to promote tolerance within societies, inter alia through education, in particular human rights education,

Welcoming the work of the Working Group on Minorities and its emphasis on the participation of minority representatives in its deliberations,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;
2. *Urges* all States to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, and, while applying a gender perspective, to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, including the provision of equal access to education, and facilitate their full participation in economic progress and development;
3. *Urges* States to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the situation of persons belonging to national or ethnic, religious and linguistic minorities, and draws attention to the relevant provisions of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including the provisions on forms of multiple discrimination;
4. *Calls* upon States to give special attention to the promotion and protection of the human rights of children belonging to minorities, taking into account that girls and boys may face different types of risks;
5. Also *calls* upon States to take all appropriate measures to protect the cultural and religious sites of national or ethnic, religious and linguistic minorities;
6. *Invites* the human rights treaty monitoring bodies when considering reports submitted by States parties, as well as special procedures of the Commission and relevant United Nations agencies and programmes, to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities;
7. *Recognizes* with appreciation the efforts of the Working Group on Minorities, as requested by the Sub-Commission on the Promotion and Protection of Human Rights, in promoting regional and local initiatives to further the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and invites it to strengthen its role as a platform for interactive dialogue between representatives of Governments and minority groups and to continue its efforts to hold regional seminars;
8. *Welcomes* the efforts of the Working Group on Minorities to review its activities and the results of its work regarding the timely identification of minority issues, and notes its recommendation regarding the possible establishment of a special procedure on minority issues;
9. *Welcomes* in this respect the report of the United Nations High Commissioner for Human Rights (E/CN.4/2004/75) and notes the proposals for strengthening the international protection of the rights of persons belonging to minorities and conclusions contained therein;

10. *Requests* the High Commissioner to study options for the timely identification of minority issues and pertaining measures through the compilation of the views of Member States, of all relevant parts of the United Nations system, as well as of regional and international intergovernmental and non-governmental organisations regarding their analysis of the activities of the Working Group and its results achieved, taking into account the assessment and recommendations by the Working Group as well as the proposals contained in document E/CN.4/2004/75, and the need to avoid duplication and to make the best use of all available resources and to report thereon to the Commission at its sixty-first session;

11. *Invites* the High Commissioner to continue his efforts to improve coordination and cooperation among United Nations agencies and programmes active in the field of the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, inter alia in the framework of the United Nations Executive Committees for Peace and Security, on Development, on Economic and Social Affairs and for Humanitarian Affairs, in particular with respect to the implementation of the Millennium Declaration and the Millennium Development Goals, and to engage in a dialogue with concerned Governments for that purpose;

12. *Requests* the Secretary-General and the High Commissioner to provide all the necessary assistance for strengthening the capacity of the Office of the High Commissioner for Human Rights to deal with minority issues, and to seek voluntary contributions towards participation of representatives of non-governmental organisations and persons belonging to minorities in the work of the Working Group;

13. *Requests* the High Commissioner to report to the Commission at its sixty-first session on the implementation of the present resolution;

14. *Decides* to continue its consideration of this question at its sixty-first session under the same agenda item.