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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Ukrainian Soviet Socialist Republic: draft resolution

Non-discrimination and protection of minorities

The General Assembly,

Reaffirming that one of the main purposes of the United Nations, as proclaimed in its Charter, is to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights ^{1/} concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Mindful of the work done so far within the United Nations system, in particular by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as other regional intergovernmental forums and the bodies established pursuant to the relevant international instruments in this field,

Bearing in mind that the culture, ways of life and traditions of such minorities form an integral part of civilization and world culture, and that their identity should be protected,

^{1/} See resolution 2200 A (XXI), annex.

Considering that respect for the rights of persons belonging to minorities is an important factor in the realization of human rights, and in peace, justice, stability and democracy,

Mindful also that persons belonging to minorities can exercise and enjoy their rights individually as well as in community with other members of their group, and that no disadvantage may arise for a person belonging to a minority on account of the exercise or non-exercise of any such rights,

Convinced that questions relating to minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law with a functioning independent judiciary, since this framework is a condition for guaranteeing full respect for human rights and fundamental freedoms and equality before the law,

Conscious of the particular importance of increasing constructive co-operation among States on questions relating to minorities aimed at facilitating mutual understanding and confidence, friendly and good-neighbourly relations, international peace, security and justice,

Recognizing the need to ensure for all, without discrimination of any kind, full enjoyment of human rights and fundamental freedoms, and to this end to accomplish the elaboration of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities,

Noting that commitments related to the protection of the rights of persons belonging to minorities may not be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes and principles of the Charter or other obligations under international law, including the principle of territorial integrity of States,

1. Appeals to States to respect the right of persons belonging to national or ethnic, religious and linguistic minorities to exercise their human rights and fundamental freedoms fully and effectively, without any discrimination and in full equality with other citizens before the law, and to adopt, where necessary, special measures for this purpose;

2. Calls upon States to take the necessary measures, in accordance with the decision-making procedure of each State, to protect the identity of national or ethnic, cultural, linguistic and religious minorities where they exist, and to maintain and where necessary to create conditions for the enjoyment of their identity without discrimination with respect to other citizens;

3. Invites States to respect the right of persons belonging to minorities to participate effectively in public affairs, including in decisions relating to the protection of the identity of such minorities;

4. Stresses that the guarantee and exercise of the rights of minorities will contribute to the respect of the territorial integrity of States, promote economic, social and cultural development and enhance the stability of the States in which they live;

5. Also calls upon States to co-operate closely in finding peaceful and constructive solutions to problems related to minorities, and in so doing to act in accordance with international law and existing international agreements;

6. Welcomes the completion by the open-ended working group within the Commission on Human Rights of the first reading of the full text of draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, and encouraged the Commission to complete the final text as soon as possible and to transmit it to the General Assembly through the Economic and Social Council;

7. Welcomes also Economic and Social Council decision 1990/238 approving the request by the Commission on Human Rights that the Secretary-General extend all possible assistance to the open-ended working group which may be needed in its further work on the draft declaration;

8. Decides to continue its consideration of this question at its forty-sixth session under the item entitled "Report of the Economic and Social Council".

