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COMMISSION ON HUMAN RIGHTS
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RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC,
RELIGIOUS AND LINGUISTIC MINORITIES

Angola, Argentina*, Armenia*, Austria, Benin, Brazil,
Costa Rica*, Croatia*, Cyprus*, Finland*, Guatemala*,
Hungary, Liechtenstein*, Nicaragua, Norway*, Poland,
Republic of Korea, Russian Federation, Switzerland*
and Ukraine*: draft resolution

1995/.. Rights of persons belonging to national or ethnic,
religious and linguistic minorities

The Commission on Human Rights,

Recalling General Assembly resolution 47/135 of 18 December 1992, by
which the Assembly adopted without a vote the Declaration on the Rights of
Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Taking note of General Assembly resolution 49/192 of 23 December 1994 in
which the Assembly called upon the Commission on Human Rights to examine, as a
matter of priority, ways and means to promote and protect effectively the
rights of persons belonging to such minorities, as set out in the Declaration,

Aware of the provisions of article 27 of the International Covenant on
Civil and Political Rights concerning the rights of persons belonging to
ethnic, religious or linguistic minorities,

* In accordance with rule 69, paragraph 3, of the rules of procedure of
the functional commissions of the Economic and Social Council.

Conscious of the need to promote and protect effectively the rights of persons belonging to minorities, as set out in the Declaration,

Recalling its resolution 1994/22 of 1 March 1994 on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Noting resolution 1994/4 of 19 August 1994 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission recommended the establishment of a working group of the Sub-Commission on minorities,

Noting with appreciation the working paper prepared by the Special Rapporteur of the Sub-Commission, Mr. Asbjorn Eide (E/CN.4/Sub.2/1994/36 and Corr.1) containing suggestions for a comprehensive programme for the prevention of discrimination and protection of minorities,

Taking note of the reports of the Secretary-General to the General Assembly (A/49/415 and Add.1-2) and the Commission (E/CN.4/1995/84),

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, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

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 heritage of society as a whole,

Concerned about the growing frequency and severity of disputes and conflicts concerning national or ethnic, religious and linguistic minorities in many countries, and their often tragic consequences,

Taking note of the work of the High Commissioner for National Minorities of the Organization for Security and Cooperation in Europe,

Reaffirming the obligation of States, as stated in the Vienna Declaration and Programme of Action (A/CONF.157/23), to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law, in accordance with the Declaration,

1. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through the facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country;

2. Urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration;

3. Appeals to States to consider making bilateral and multilateral arrangements or agreements in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;

4. Calls upon the Secretary-General to make available, at the request of Governments concerned, as part of the programme of advisory services and technical assistance of the Centre for Human Rights, qualified expertise on minority issues and dispute management, resolution and prevention, and to assist in existing or potential situations involving minorities;

5. Calls upon the High Commissioner for Human Rights to promote, within his mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments for that purpose;

6. Urges the relevant treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give due regard, within their respective mandates, to the Declaration;

7. Invites States, interested intergovernmental and non-governmental organizations, special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to submit, as appropriate, contributions as to how they promote and give effect to the Declaration;

8. Calls upon the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration;

9. Decides to authorize the Sub-Commission to establish, initially for a three-year period, an annual inter-sessional working group consisting of

five of its members, to meet each year for up to five working days in order to promote the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, and in particular to:

(a) Review the practical application of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through analysing information received from Governments, United Nations bodies, specialized agencies and non-governmental organizations, in particular those representing minorities;

(b) Recommend measures for the protection of minorities in cases where the working group finds that the rights of persons belonging to national or ethnic, religious and linguistic minorities are at risk through the eruption or escalation of violence;

(c) Promote dialogue between minorities in society and between those minorities and Governments with the aim of contributing to the realization of the Declaration;

10. Requests the Sub-Commission to make available to the Commission on Human Rights the annual report of the working group;

11. Requests the Secretary-General to provide the working group, within the overall resources of the United Nations, with all the necessary services and facilities to fulfil its mandate;

12. Calls upon States, intergovernmental organizations, United Nations bodies, specialized agencies and non-governmental organizations to participate actively in the work of the working group;

13. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-second session a report on the implementation of the present resolution;

14. Decides to continue consideration of this issue at its fifty-second session under the same agenda item;

15. Recommends the following draft resolution to the Economic and Social Council for adoption:

"The Economic and Social Council,

Recalling Commission on Human Rights resolution 1995/... of

..... 1994,

1. Decides to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish an annual inter-sessional working group of the Sub-Commission, consisting of five of its

members, which shall meet each year for up to five working days, initially for a three-year period, in order to promote the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and in particular to:

(a) Review the practical application of the Declaration, including through analysing information received from Governments, United Nations bodies, specialized agencies and non-governmental organizations, in particular those representing minorities;

(b) Recommend measures for the protection of minorities in cases where the working group finds that the rights of persons belonging to national or ethnic, religious and linguistic minorities are at risk through the eruption or escalation of violence;

(c) Promote dialogue between minorities in society and between those minorities and Governments with the aim of contributing to the realization of the Declaration;

2. Requests the Secretary-General to provide the working group, within the overall resources of the United Nations, with all the necessary services and facilities to fulfil its mandate."
