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HUMAN RIGHTS COUNCIL

Seventh session

Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Albania*, Andorra*, Armenia*, Austria*, Bosnia and Herzegovina, Bulgaria*,
Canada, Chile*, Croatia*, Czech Republic*, Denmark*, Finland*, Germany,
Greece*, Guatemala, Hungary*, Ireland*, Italy, Lesotho*, Liechtenstein*,
Lithuania*, Luxembourg*, Mexico, Netherlands, Norway*, Peru, Poland*,
Republic of Korea, Romania, Russian Federation, Slovakia*, Slovenia,
Sweden*, Switzerland, The former Yugoslav Republic of Macedonia*,
Ukraine, United Kingdom of Great Britain and Northern Ireland,
Uruguay: draft resolution**

7/... Mandate of the independent expert on minority issues

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

* Non-member State of the Human Rights Council.

Recalling also all previous resolutions on the rights of persons belonging to national or ethnic, religious and linguistic minorities adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, including Commission resolution 2005/79 of 21 April 2005 and Council resolution 6/15 of 28 September 2007,

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,

Expressing concern 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,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Taking note of the report of the Secretary-General on the rights of persons belonging to national or ethnic, religious and linguistic minorities submitted to the Council at its fourth session,¹ in which he recommended that the Council should maintain and improve existing mechanisms, including a special procedure,

1. *Commends* the independent expert on minority issues for the work that she has undertaken so far, for the important role that she has played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious

¹ A/HRC/4/109.

and linguistic minorities, and for her ongoing efforts to promote and protect their rights in order to ensure equitable development and peaceful and stable societies, including through close cooperation with Governments, relevant United Nations bodies and mechanisms and non-governmental organizations;

2. *Expresses its appreciation* to Governments and intergovernmental and non-governmental organizations that have given special attention to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and have supported the work of the independent expert;

3. *Decides* to extend the mandate of the independent expert on minority issues for a period of three years and requests the independent expert:

(a) To promote the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including through consultations with Governments, taking into account existing international standards and national legislation concerning minorities;

(b) To identify best practices and possibilities for technical cooperation with the Office of the United Nations High Commissioner for Human Rights, at the request of Governments;

(c) To apply a gender perspective in his/her work;

(d) To cooperate closely, while avoiding duplication, with existing relevant United Nations bodies, mandates and mechanisms and with regional organizations;

(e) To take into account the views of non-governmental organizations on matters pertaining to his/her mandate;

(f) To guide the work of the Forum on Minority Issues, as decided by the Council in its resolution 6/15;

(g) To submit annual reports on his/her activities to the Council, including recommendations for effective strategies for the better implementation of the rights of persons belonging to minorities;

4. *Calls upon* all States to cooperate with the independent expert in the performance of the tasks and duties mandated to him/her, and encourages specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate-holder;

5. *Requests* the Secretary-General and the High Commissioner for Human Rights to provide all the human, technical and financial assistance necessary for the effective fulfilment of the mandate of the independent expert;

6. *Decides* to continue its consideration of this issue in accordance with the annual programme of work of the Council.
