

Address of the High Commissioner for Human Rights,  
Navanethem Pillay,  
to the First United Nations Forum on Minority Issues  
“Minorities and the Right to Education”

15-16 December 2008

Madam Chairperson,  
Excellencies,  
Distinguished Participants,  
Colleagues and friends,

It is my pleasure to be with you today and to welcome all of you to the inaugural United Nations Forum on Minority Issues. I pledge to you my full support and that of the entire staff of the Office of the High Commissioner for Human Rights throughout this and future sessions of the Forum.

I welcome everyone to the discussion. I welcome H.E. Mr. Martin Ihoeghian Uhomobhi, the President of the Human Rights Council. I welcome Ms. Gay McDougall, the Independent Expert on Minority Issues. I welcome Ms. Viktória Mohácsi, Member of European Parliament and the Chair of the Forum on Minority Issues. I welcome Patrick Thornberry, Vernor Muñoz Villalobos and the representatives of different Special procedures and Treaty Bodies. I am especially happy to see so many participants representing minorities from all over the world. I encourage all present to participate actively in the proceedings.

At the outset, I would like to congratulate Ms. Gay McDougall for her invaluable contributions in fulfilling her mandate as well as for her commitment and tireless efforts in guiding the work of this Forum. During these two days, you will have a unique opportunity to discuss the “Draft Recommendations on Minorities and the Right to Education,” elaborated under the guidance of the Independent Expert. Your deliberations, comments, suggestions, based on your research and practical experiences will shape further the Draft Recommendations and I hope that the contents of the final document will serve as a practical and useful tool which will be used by all relevant human rights mechanisms including the treaty bodies, member states and minority groups as deemed appropriate.

Distinguished Participants,

Given my personal background, I know first hand the benefits of access to education, as well as the effects that obstacles to such access produce. Despite the efforts and good will of my community, I almost didn't make it as a lawyer, because when I entered university during the apartheid regime everything and everyone was segregated. The registrar actually discouraged

me from becoming a lawyer given my background. After my graduation, I continued to fight against multi-layered forms of discrimination and barriers.

In short, both my personal and professional experience lead me to emphasise that education is both a human right in itself, as well as an indispensable instrument for achieving many other rights, whether civil, cultural, economic, political, or social. This is especially relevant for minority groups.

It has been four months since I took up my post as the United Nations High Commissioner for Human Rights. Since then, I have, through my interaction with the experts and with the support of my staff been able to get many additional insights into the multifaceted aspects of work undertaken by the United Nations and its human rights mechanisms, such as the Treaty Bodies and the Special Procedures.

Following its establishment the United Nations declared the protection of minorities to be one of the central purposes of its human rights programme. Successive Decades for action to combat racism and racial discrimination have had in view the protection of minorities and other vulnerable groups. The first World Conference to Combat Racisms and Racial Discrimination (1978) urged all States to abolish and prohibit any discrimination among their citizens on the ground of their ethnic or national origin and to protect and promote the human rights of persons belonging to national and ethnic minorities. The Conference recommended that States adopt specific measures in the economic, social, educational, and cultural fields and in the matter of civil and political rights, in order that all persons may enjoy legal and factual equality and that discrimination between majorities and minorities be eliminated.

The Committee on Economic, Social and Cultural Rights has described education as an 'empowerment right'. It is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Applying a human rights approach to achieving universal primary education, the second millennium development goal requires incorporating guarantees and positive actions with respect to education in development strategies in order to ensure non-discrimination and equal enjoyment of the right to education.

I am also pleased to note that the Human Rights Council has a dedicated a Special Procedures mechanism to address minority issues. The Independent Expert has helped to give the issues facing national or ethnic, religious and linguistic minorities the attention that they deserve throughout the UN system and among UN Member States. Through her thematic work since the beginning of her mandate, the Independent Expert has brought much needed attention to the situation of disadvantaged minorities in the context of poverty alleviation strategies and the Millennium Development Goals. This work has helped to establish clearly that minorities are being left behind or failed by development processes that don't recognize their unique circumstances of poverty, often created and fueled by discrimination and exclusion. Equally, the Independent Expert has recently shed light on the global problem of discriminatory denial or

deprivation of citizenship, used against minorities as a means to keep them from enjoying their civil and political as well as economic, social and cultural rights, including the right to education of minority children. Her mandate complements and enhances the work of other special procedures mechanisms that also address minority rights from other thematic perspectives.

The ongoing cooperation between the Special procedures and the Treaty Bodies illustrates the complementarities of different human rights mechanisms in the protection and promotion of human rights. International human rights treaties include provisions on the human rights of minorities and all have norms related to the principle of equal treatment of human beings in law and in fact.

Yet despite the numerous provisions in international instruments referring to the right to education for all, a large part of the world's population still remains excluded.

In my recent address at the International Conference held on 25 November 2008 which was organized by UNESCO on "Inclusive Education", I urged all authorities and institutions to take concrete steps in the area of inclusive education, as an indispensable precondition to the realization of human rights. Persons belonging to national, ethnic, linguistic and religious minorities disproportionately suffer the brunt of educational exclusion. Allow me to bring to your attention the distinct challenges that minorities have to confront as groups least integrated into national education systems. Their levels of access to adequate education services are well below national averages. Members of minority groups all over the world face several barriers in accessing education equally, including a lack of mother-tongue education; poor provision of schools and qualified teachers in the regions where they live; prohibitive costs of school fees that disproportionately affect them as the poorest groups; and curricula that do not reflect community priorities for learning; and discrimination by teachers and/or pupils.

Distinguished Participants,

The implementation of international human rights instruments also requires that we find appropriate channels for the protection and promotion of human rights at national and local levels. Whatever we do in Geneva or New York, and this should certainly not be undervalued, it has to be accompanied by the development of strong capacities at the national level. We must reach out to important partners at this level, including national institutions, national NGOs and civil society.

This year, as we celebrate the 60 years of the adoption of the Universal Declaration of Human Rights and fifteen years of the adoption of the Vienna Declaration and Programme of Action, let me express my hope to join forces in taking steps to turn the principles and norms consecrated in those documents into reality.

Finally, I would like to express my sincere appreciation for your determination and commitment in the promotion and protection of human rights. We must ensure that our

deliberations are not purely of a declaratory nature but, on the contrary, we must propose realistic and constructive solutions to contemporary problems, no matter how intractable they may appear at first sight.

Let me conclude by wishing you a fruitful debate and a successful session. I wish success to all participants and “long life” to the Forum on Minority Issues.

Thank you.