

Concluding Remarks of Professor Gita Sen,
Chairperson of the Third United Nations Forum on Minority Issues
“Minorities and the Effective Participation in Economic Life”

Geneva

14-15 December 2010

Yesterday we started our discussions by calls for inclusive development, the need for equitable distribution of resources, and access to assets, capabilities, productive resources & participation in decision making processes. We heard many witness accounts about the discrimination against minorities on all fronts – often, we find the worst social indicators, education, health, water and sanitation, the highest maternal mortality rates in minority communities.

We were also reminded throughout those two days of the impact of the financial crisis of dimensions not seen before and of trade agreements such as under the WTO that in the name of non-discrimination, actually make it very difficult for affirmative action to remain in place. How do we maintain the momentum to strive for non-discrimination and equality and strengthen efforts to overcome discrimination? How do we ensure labour standards in light of this crisis? It is important to emphasize that the impact of crises on minorities must be closely monitored and crisis response should be guided by the “do not harm” principle. We were reminded that early warning

mechanisms such as those developed by CERD, can provide crucial guidance to States on the likely effect of policies.

We have talked in the forum about the importance of ensuring sustainable livelihoods, work and social security, discrimination and positive measures, meaningful and effective participation in economic and development policy-making and spoke about concrete steps that can be taken to advance and build the capacity of minorities to participate effectively in economic life – we have heard a number of different suggestions ranging from improving and strengthening legal frameworks to support for international frameworks, incentives for monitoring at all levels and the establishment of institutions including ombudspersons, making people aware of the existence of remedies and ensuring access. It is fundamental that legal protections or minority rights are in place, are monitored systematically, are implemented effectively and that access to remedies is ensured in all areas. Civil society organizations are a key element which was highlighted not least by their enthusiasm and insightful and concrete recommendations in this forum, informed by their work with local communities on the ground. These good practices provide a pool of knowledge and experience from which we can all benefit.

Many speakers have spoken about issues of multiple discrimination confronting many minorities and the importance to ensure that, for instance, the particular circumstances of **women** feature high on legislative and policy agendas and other measures are taken to ensure effective participation of minorities in economic life. The plight of domestic workers who are usually

women and often lack a living wage or access to family life and suffer physical and sexual abuse by employers, provides a stark example of the kinds of challenges faced by minority women attempting to earn an income. In this context, our attention was drawn to the importance of using the Optional Protocol to CEDAW, including the individual complaints and inquiry procedures, as a way of catalyzing positive change.

The establishment of UN Women creates additional opportunities in this regard. We were also reminded that financial inclusion is of critical importance and that special attention has to be paid to minority women's specific circumstances. Other gender specific obstacles of minority women and related recommendations for solutions should be integrated in each section of the recommendations (e.g. special focus on minority women in times of crisis is essential for example when preparing disaster response).

Many of you spoke about discrimination in **land** allocation and land laws, in national planning projects and housing and called for participation in decision making about the development /allocation of resources to communities where minorities live. In far too many contexts of economic growth and development majority communities cast their eyes on land which is rich in minerals, resources, water, etc...often these are the lands where minorities live and where they have built their livelihoods – as was stated by an expert in the side event yesterday, there is unfortunately only one truthful way of describing this – that is “theft”.

The role of States in protecting minority rights is paramount – the most difficult situation arises where States are themselves may be complicit in the loss of minority land or livelihoods, whether for political reasons or economic ones. The role of solidarity groups and international action can be crucial. Government and national private investors must respect the right of minorities to choose their own priorities for development and ensure transparency and prior informed consent when designing and implementing development projects including resource extraction.

Post-conflict transitional justice particularly requires recognizing the collective property and land rights of displaced populations and ensuring legal aid, capacity building, resources and infrastructure, especially in developing country contexts.

Labour rights have also been highlighted as a key component of equality. However, minorities have tended not to benefit from fundamental labour rights and freedom of association. Minorities are traditionally under-represented in unionized professions. Work place discrimination continues to be rampant and a number of speakers noted that differentials in pay and promotions are not fully explained by education. Minority women are doubly disadvantaged in this regard. Active policies against such discrimination and effective implementation are essential.

From a human rights perspective, **social protection** is not a policy option but a human rights obligation, especially for disadvantaged and vulnerable groups. Conditional cash transfer programmes have become the policy of

choice in many instances. But, while they benefit minorities, because minorities are overrepresented among the poor, they are often not specifically focused on addressing the particular needs and circumstances of minority lives.

Education is a key component to ensure economic participation of minorities and a number of speakers emphasized the importance of education children in their mother tongue and ensuring linguistic integrity. However, it is my belief that it is equally important not just to focus on the minorities, but to educate the majority for non-discrimination, starting from childhood and including training for police, law enforcement, the judiciary, law makers and policy makers.

Several speakers highlighted the importance of identifying and knowing who are minorities and how exactly they are being affected by policies, there was a recurring call for **data** collection and analysis to strengthen monitoring. At the same time, I believe, it is important to ensure safeguards and guarantees of privacy so that such data are not misused to violate the rights of minorities, especially to safety and freedom from violence.

Finally, several participants highlighted the key importance of support for minority groups and organizations, particularly at the grass roots level and the examples of women's minority groups in supporting and improving their communities was a welcome reminder of the need for a vibrant civil society. Support for the recommendation to establish a Voluntary Fund for Minorities was heard more than once.

These past two days have made it clear that much remains to be done – this Forum is a unique opportunity for all stakeholders to come together, to exchange views and experiences and to strategize together to ensure that all minorities enjoy all their rights. We trust that the recommendations will be a first step in ensuring the effective participation of minorities in economic life.

Ladies and gentlemen, in my opening remarks I had quoted from the UN Secretary General's speech in New York on Human Rights Day a few days ago. I wish to close also with another quote from the same speech:

“...People were not put on this planet to live in fear of their fellow human beings. The watchwords of civilization have always been tolerance, understanding and mutual respect...” Let us go forward from here in that spirit.

Thank you.