
FORUM ON MINORITY ISSUES

TWELFTH SESSION

"LANGUAGE, EDUCATION AND THE HUMAN RIGHTS OF MINORITIES"

28 AND 29 NOVEMBER 2019
ROOM XX, PALAIS DES NATIONS, GENEVA

SUMMARY BY THE CO-CHAIRS OF THE FORUM

Pursuant to Human Rights Council resolution 19/23 of 23 March 2012, the Forum on Minority Issues provides a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, as well as thematic contributions and expertise to the work of the Special Rapporteur on minority issues, **Dr Fernand de Varennes**. The Forum identifies and analyses best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The Forum meets annually for two days, on a different theme each year. The Special Rapporteur on minority issues is responsible for guiding the work of the Forum, preparing its annual meetings and reporting on its thematic recommendations to the Human Rights Council. The Twelfth session of the Forum took place on 28 and 29 November 2019 in Room XX of the Palais des Nations in Geneva, Switzerland. **Ms. Anastasia Crickley and Ms. Astrid Thors** were appointed as Co-Chairs of the session, which focused on the theme: "**Education, language and the human rights of minorities**".

About 600 participants took part in the session, including Member States and specialized agencies, intergovernmental and regional organizations, national human rights institutions, academics and experts, and civil society actors working on minority issues. The wide range of stakeholders included persons belonging to national or ethnic, linguistic and religious minorities who are actively engaged in minority rights advocacy and diverse areas of work related to the protection and promotion of the rights of minorities, as well as experts in the field of education. Interpretation in six official UN languages, as well as, for the first time, interpretation in sign language (international) was provided during the Forum.

The Concept Note, the Agenda of the Forum and the Program of Work were made available to all Forum participants in advance of the Forum on the webpage of the Twelfth session of the Forum¹, and formed the basis for the discussions.

¹www.ohchr.org/EN/HRBodies/HRC/Minority/Pages/Session12.aspx

Format of the Forum

The Forum followed the procedure developed over its previous sessions. To help focus the discussions and ensure that they would be interactive, each agenda item was introduced by several invited panellists, followed by interventions from other participants.

Outcome documents

The present document is prepared in accordance with Human Rights Council resolution 19/23, which requests the Chair to prepare "a summary of the discussion of the Forum, to be made available to all participants of the Forum". This summary is to be complemented by the outcome document containing the recommendations of the Forum presented by the Special Rapporteur on minority issues to the Human Rights Council at its 43rd session in March 2020.

This summary does not provide the full details of all presentations that were made during the Forum's proceedings. The list of speakers and the statements submitted to the Secretariat of the Forum on Minority Issues can be accessed at the Forum webpage.

Item I. Opening meeting

The President of the Human Rights Council Coly Seck welcomed all participants, extending a special welcome to all representatives from minority communities, and stressed that since its establishment in 2007 through the Human Rights Council resolution 6/15, the Forum has served as a unique annual meeting point, and a mechanism that promotes dialogue and cooperation among various stakeholders on issues pertaining to minorities. He noted that minorities around the world face persisting significant challenges in accessing quality education and, in particular, education that contributes to the preservation of their language and identity. Ambassador Coly Seck stated that the Human Rights Council has highlighted on many occasions, including through its resolutions and other activities, the importance of education in promoting inclusive and tolerant societies, which ultimately leads to the realization of all human rights. He recalled 2008 inaugural session of the Forum that addressed the education of minorities and its recommendation for States to provide adequate opportunities to persons belonging to minorities to learn their mother tongue or to learn through the medium of the mother tongue, as well as the recommendation highlighting the importance of enhancing the availability of teachers and of teaching materials in minority languages. He also referred to the Human Rights Council resolution 41/16 of July 2019 on the right to education.

The High Commissioner for Human Rights Michelle Bachelet welcomed the focus of the Forum on the need for respect for minorities, and inclusion of their languages and cultures in every aspect of education. She emphasized the right to equal access to quality education for members of minority communities, in line with the 2030 Agenda for Sustainable Development. In particular, she noted that learning environments that are respectful and empowering are key openings towards the full development of the individual, and towards her or his capacity to make informed decisions and fully participate in social, political, economic and cultural life. She

particularly stressed education's unmatched power to improve lives for girls and women. Referring to Article 26 of the UDHR, the High Commissioner highlighted that the right to learn and speak one's own language and embody one's own culture are basic constitutive elements of a life in dignity. She stated that children from minority communities are often denied the right to learn in their own languages. She noted that more than 258 million children and adolescents were out of school, and that many of these children denied the opportunity of schooling are from minority communities that suffer severe discrimination and exclusion; a disproportionate number are girls. The High Commissioner referred to UNESCO's "Education 2030 Framework for Action" which aims to advance Sustainable Development Goal 4, including by enabling education systems to serve all learners -- including girls, members of ethnic and linguistic minorities, indigenous peoples, and people with disabilities. She stressed the need to use the amplifying power of education to help shape new generations of people who fully grasp and embody the human rights agenda – because this is how we can build a world of sustainable development, and enduring peace.

OSCE High Commissioner on National Minorities Lamberto Zannier stressed the importance he attached to education in conflict and crisis prevention. Mr. Zannier emphasized the importance of dialogue among all relevant actors on the promotion of effective policies, including in education, that respect and support diversity, and thereby promote inclusive and stable societies. He emphasized the importance of raising awareness of how providing education in minority languages alongside opportunities for minorities to gain proficiency in the official language of the country where they reside can help build stable, integrated and cohesive societies. Lamberto Zannier stated that countries and regions that embrace multilingualism tend to have better educational outcomes. He also noted that investment in education policies that value diversity is increasingly acknowledged, as our societies grow more diverse. However, this has still insufficiently materialized in practice. He further stated that as a result of increasing political polarization – both within and between States – many still believe that the only tool for integration is the promotion of the State language. As a result, education laws and reforms are still too often shaped with that objective in mind and implemented without effective consultations with minority communities. He emphasized the need to join efforts and expertise to demonstrate that in the long term only a balanced approach will produce stability and prevent future crises.

The Special Rapporteur on minority issues Fernand de Varennes welcomed the participants. He emphasized the centrality of language in terms of power, identity, and opportunity, warning that around the world minority languages, and particularly indigenous languages, were facing not only exclusion and discrimination because of the refusal by state authorities to use their languages, but also disappearing at an accelerated pace. This, he indicated was no accident, but because there have been over long periods of times measures, policies, practices and laws that have not allowed these languages to be used in education and other areas of public life, and even directly and quite intentionally. The Special Rapporteur stated that research shows that teaching in the language of a child is likely to lead to better academic results, including in terms of learning the official State language and other languages, longer periods of school attendance, and better integration of children, families and minority communities. He stated that in order to ensure quality education for everyone, and to leave no one behind, as much as possible,

education should be in the language of children in order to be truly inclusive. The Rapporteur drew the attention of the participants to the mandate's 2017 *Practical Guide on Language Rights of Linguistic Minorities*, which stipulates that where there is a sufficiently high numerical demand, public education services must be provided in a minority language to the appropriate degree, broadly following a proportional approach, and that all children must have an opportunity to learn the official languages. He further noted that the four panels of the UN Forum will explore some of the most significant areas of concern in relation to the place of minority languages in education. The Special Rapporteur expressed hope that the UN Forum would generate better understanding of these issues and perhaps approaches and opportunities in these trying times for many minorities around the world.

The Co-Chair of the twelfth session of the Forum on Minority Issues Astrid Thors noted that article 4.2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities urges States to take measures to create favourable conditions to enable persons belonging to minorities to develop their culture, language, traditions. She noted that this cannot be achieved without the same persons having the linguistic skills which make such a development possible, and such linguistic skills are developed through education. Astrid Thors referred to the Goal 4 of Sustainable Development Goals that aims to provide inclusive and quality education and to promote lifelong learning opportunities for all. In this context, she emphasized the importance of inclusion of minorities in formal and non-formal education, if citizens are to cope in a more and more digitalised world. She also stressed the need for such education to be in the mother tongue of minorities, so that minority populations do not suffer even more under the digital divide. She drew the attention of participants to the negative effect of lack of resources and teacher training for minority language education. She noted that educational practices which create more tolerance and understanding between different linguistic and ethnic groups, between minorities and majorities, should be developed. She emphasized the need to ensure that the education provided is an education that will provide young people with the best learning outcomes, the best ways of achieving his or her potential, and to give the tools that are necessary for an active citizenship.

The Co-Chair of the twelfth session of the Forum on Minority Issues Anastasia Crickley noted that as underlined in the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the promotion and the protection of these rights contribute to the political and social stability of States, as well as, she added, contribute to political and social stability globally and internationally. She emphasized that the Declaration also reminds us of the role of everyone, including NGOs, States, UN institutions in this ongoing work. Anastasia Crickley warned against the global toxic discourse, which feeds marginalization of minorities, and the challenge it poses for everyone concerned with human rights. She also noted that racism is also a key barrier to rights, in particular with regards to linguistic issues. She stated that in addressing these, there is a need to be conscious, that there are no hierarchies of oppression. Thirdly, she attached high importance to acknowledging the intersectionality between various dimensions, such as the oppression of women in this regard. Anastasia Crickley emphasized the resilience of minorities and the organizations that represent them, which led to progress that is being made by some States. Anastasia Crickley made

remarks about the lack of capacity to address climate change, which affects minorities. She hoped that the Forum can build on the work already done, through the SDGs and through the women, peace and security initiative which she found particularly relevant in this regard.

Item II. Human rights and minority language education

The session addressed education in, and the teaching of, minority languages- an essential issue for many minorities around the world, from a human rights perspective. The session explored the interrelation between minority language education and the promotion and protection of the rights of persons belonging to minorities. Discussions highlighted the empowering effect of education in, and the teaching of, minority languages, particularly with regard to the effective participation in public life by persons belonging to minorities. The session addressed the specific needs and preferences of minorities with regard to education in, and the teaching of, minority languages.

The discussion was moderated by Vincent Defourny, Director of UNESCO Liaison Office in Geneva. Presentations on the topic under discussion were made by Tove Skutnabb-Kangas, Emerita, Associate Professor at Åbo Akademi University, Finland; Aleksandr Kuzmin, Board Member of Latvian Human Rights Committee and Victoria Manning, Board Member of World Federation of the Deaf.

The panellists underlined the human rights benefits and other gains of teaching the mother tongue. They mentioned that when minorities cannot be educated in their own languages, it may constitute or lead to human rights violations, such as denial of equality and non-discrimination, identity and culture. On the contrary, providing education in, and the teaching of, minority languages can lead to a well-educated multilingual people, with drive, initiative, creativity, cognitive flexibility, high self-confidence, fewer identity challenges, economic mobility, willingness and capacity to integrate and participate in public life.

The panellists noted a few challenges and obstacles for education in, and the teaching of, minority languages, including segregation of linguistic minorities and discrimination against them, alleged self-sufficiency of minority languages as obstacle to integration, “one-size-fits-all” regulations and the absolute requirement for official language skills.

Panellists considered deaf people as a linguistic minority. They noted that deaf children often do not have access to language both in school and at home. They suggested that instead of being placed in special schools and receiving lower quality education than their peers, deaf children should be seen as linguistic minorities and taught in bilingual education settings. They emphasized that deaf children have the right to access equal education opportunities as majority language users, and they have the right to be taught sign language.

Participants attached high importance to languages in the promotion and protection of human rights and an environment in which diversity is valued and where people can express themselves freely in their own language. Participants noted that the rights of individuals to freely use, learn and transmit their languages are well established in international law. They valued the process of dialogue on measures to protect and promote minority languages at the

national level They also attached high importance to close cooperation with relevant international and regional human rights monitoring mechanisms in order to ensure these rights.

Participants also noted that discrimination, persecution and marginalization of minorities have hindered their right to learn and use their language. Participants stated that using one's own language is a fundamental human right central to the protection of one's identity and culture.

Item III. Public policy objectives for education in, and the teaching of, minority languages

The session considered how public policies should facilitate the effective implementation of the human rights of persons belonging to minorities in the use of their languages in education. The session also addressed ways to effectively implement Sustainable Development Goal 4, aimed at ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all. The relationship of minority language education to social development and cohesion, and the strengthening of inclusive and tolerant societies was also discussed.

The session addressed the importance of recognizing and promoting the educational needs of minorities as a crucial component for the promotion of society's diversity, and thus as an important factor in reducing inter-ethnic tensions and preventing conflicts. The efficient and non-discriminatory use and management of resources, including by members of minority communities themselves was also considered.

The panel was moderated by Anna-Mária Bíró, Director of the Tom Lantos Institute, and presentations on the topic were made by Shivani Nag, Assistant Professor in School of Education Studies; Ambedkar University; Kathleen Heugh; Associate Professor at University of South Australia; and Juan de Dios Simón; Program Manager at Educo Foundation in Guatemala.

It was noted that government policy-makers often find it difficult to implement bilingual or multilingual education policy to ensure equitable, inclusive and quality education for minority communities for various reasons, among which is the fact that educational policy change and sustainable implementation is a long-lasting project that requires institutional memory and continuity, and highly qualified policy advisors that have worked with minority communities.

The panellists drew upon the discussions of the regional forums organized in 2019 by the Special Rapporteur, where it was mentioned that majority of languages of linguistically diverse communities continue to remain excluded from the classroom. It was mentioned that many of these exclusions are not just problems related to difficulties in implementation but also in relation to intent, such as, for example, for those communities to whom political participation is sought to be denied. The panellists underlined the cognitive, educational, socio-cultural, economic, and political benefits of multilingualism.

The panellists highlighted the State responsibility in ensuring minority language education. It was noted that educational public policies are carried out in schools and they can either promote psychosocial development of children or harm their self-esteem by disrespecting their language and culture. Panellists attached high importance to the budgetary resources allocated by the State to the teaching of languages. The positive role of Sustainable Development Goals in supporting education, language and the rights of minorities was highlighted.

Participants stressed that education plays a crucial role in people's lives. They deemed it essential to use one's own language to communicate with the world, express their identity and to defend their rights. Participants drew attention to the issue that language rights are not limited to a right to education, but are essential for accessing other rights, such as effective participation in public and political affairs, which cannot be fulfilled when minorities in many countries around the world do not understand the language in which the education is provided

Participants noted that discrimination and non-inclusive school systems were among the reasons depriving minority children of the right to education. They underlined the vital role of educational institutions in language revitalization and teaching. The participants believed that education in minority languages is not just a way to preserve a community's identity but also to guarantee that minorities better understand the content of education in, and the teaching of, majority language.

Item IV. Effective practices for education in, and the teaching of, minority languages

The session focused on the pedagogical value and significance of teaching in minority languages, and the impact it may have on learning outcomes for minority children, as well as on their interaction with other members of society. It addressed the various types of educational institutions accommodating education in, and the teaching of, minority languages.

The session discussed effective practices relating to the inclusion of minority languages in national curricula, as well as involvement of minorities in the design and implementation of educational programmes. The relationship between education in, and the teaching of, a minority language and the learning of a majority, State or official language was also considered.

The panel discussion was moderated by Benyam Mezmur, Member of the Committee of the Rights of the Child, and presentations were made by Tamás Kiss, Researcher at Romanian Institute for Research on National Minorities; Linda Tsung, Associate Dean and Associate Professor, University of Sydney; and Salih Akin, Associate Professor at Rouen University, France.

The panellists stated that research demonstrates that the most effective model for educating minority groups is by using their mother tongue as the medium of instruction in the early years from primary to secondary. They further noted that the research into best practices shows that quality multilingual education must address the following five factors: learning, teaching, curriculum, assessment, and the resources.

The linkages between one's identity and mother tongue learning were highlighted. The panellists also stressed that multilingualism reduces the dropout rate and encourages gender parity, mitigating associated costs and improving continued enrolments in secondary and higher education.

Participants pointed out ethnic tensions and conflicts as obstacles for minority teachers to teach in their language. The solutions for such tensions and conflicts were considered essential for education in, and the teaching of, minority languages.

Participants attached great importance to legislative recognition and guarantee of education in and the use of mother tongue. Regional cooperation for education in, and the teaching of, minority languages was valued, alongside the important role of national human rights institutions and civil society.

Participants also noted the role of designing national programmes of minority language education, and inclusion of civil society representatives in the design of such programmes. The importance of textbooks in minority languages, teachers who are bilingual in minority and State language, as well as allocation of sufficient funds to education in, and the teaching of, minority languages were highlighted as important factors mentioned to ensure effective practices.

Item V. Language, education and the empowerment of minority women and girls

The session discussed the impact of minority language education on access to education and opportunities for minority women and girls, who often face multiple and intersecting forms of discrimination based on gender, ethnicity, religion and language, and thus are disproportionately affected by barriers to education, and school dropout rates among them are disproportionately high.

The session addressed the positive impact of education in, and the teaching of, their languages on education and learning opportunities for minority women and girls. The session considered language as an important tool for ensuring the realization of basic human rights and the accessibility of services, including health-care and social services, which in some cases can be particularly vital for women and girls.

The session also discussed the importance of the inclusion and effective participation of minority women and girls in the design of policies and strategies relating to education in, and the teaching of, their languages.

The panel was moderated by Aliona Grossu, Member of the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities. Presentations were made by Nouha Grine, President of Tamount Association for Amazigh Rights; Elżbieta Kuzborska-Pacha, Legal Advisor to OSCE High Commissioner on National Minorities; and Puja Kapai Paryani, Associate Professor and Convenor of Women's Studies Research Centre at the University of Hong Kong.

The panellists highlighted that empowerment of women and achieving gender equality is essential for ensuring sustainable development for our societies. In this regard, they attached high importance to ending discrimination against women and providing equal opportunities for education and employment. They mentioned that education is globally acknowledged as the most powerful means of empowering girls that can transform and even save their lives.

It was pointed out that minority women and girls are often facing multiple and intersecting forms of discrimination based on gender, ethnicity, religion, language, poverty and harmful traditional practices, which are some of the factors that impede getting an education. Because of marginalization and exclusion, minority women are more affected by barriers to education such as the lack of recognition of the mother tongue, difficulties in access to schools and

university, especially in the rural areas, and consequently, the non-equal distribution of educational resources and lack of inclusion and participation in strategies related to education and school support.

Panellists also examined cases where textbooks contained stereotypes of minority women and girls, as well as cases when conditions for exclusion were further cemented when schools or States pursued restrictive policies towards cultural and religious practices such as the wearing of religious symbols and clothing. This effectively forces girls to choose between culture, religion and education and disproportionately impacts women and girls from other cultures and communities. They drew links between language and gender justice in schools.

Panellists noted that there are linkages between gender equality and risk of conflict, and/or stability of States, and in this regard attached high importance to participation of minority women in political and public life. They believed that truly inclusive policies are also gender mainstreamed policies.

Participants noted that often the most vulnerable groups in educational context are women and girls from minority communities. They also pointed out lack of opportunities for education, harmful traditional and cultural practices and poverty as factors triggering serious obstacles for minority women and girls, particularly in rural areas, to get general and higher education.

It was noted that women from minority communities often have low pass rates since they are taught in a language that is not their mother tongue, which subsequently affects their education and future employment opportunities even more because of added gender discrimination in education and employment. They stressed the importance of a national strategy for minority women and girls' empowerment, which includes a strategy for access to education.

VI. Concluding remarks

The Special Rapporteur on minority issues, Fernand de Varennes thanked the participants for the information, insights and recommendations which are essential to carry out the objectives of his mandate. The Special Rapporteur attached great importance to regional forums and expressed willingness to continue the regional approach in order for the annual UN Forum to be more accessible, more reflective of the reality and different contexts around the world, and to enrich and enliven a more open dialogue and exchange for the recommendations which emanate from the regions and eventually the annual UN Forum in Geneva. The Special Rapporteur noted that he will continue analysing practices, challenges, opportunities and initiatives in addressing education in, and the teaching of, minority languages as a human rights issue, in line with the principles and rights enshrined in the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant international instruments. He emphasized once again that education in, and the teaching of, minority languages is about inclusion, and diversity and with human rights obligations, since learning a minority language does not exclude learning of the State official language, or any other language. The best way to ensure unity and stability is through justice and respect of this diversity.

The Co-Chair of the Forum Anastasia Crickley once again highlighted the role of the regional forums in the built up of the annual forum in Geneva. She welcomed the participation of the deaf community in the Twelfth session of the Forum. She noted that as drawn from the discussions during the UN Forum, policy and practice with regard to teaching minority languages need to be framed in human rights terms with adequate resources and implementation, taking into consideration special measures and recognizing that these are needed to make a difference. Anastasia Crickley also highlighted the message from the participants that “one size does not fit all”. She noted that there are differences, and if we're going to speak about education , we need to talk with young people and women from minority communities and the sign language groups, who have a right to participate in framing and shaping the policies that affect their education. She also attached great importance to pedagogical processes in achieving the aforementioned results. In conclusion, Anastasia Crickley particularly welcomed the role and participation of civil society and women in the Forum.

The Co-Chair of the Forum Astrid Thors in her concluding speech referred to the regional forums and the recommendations emanating from these forums, and highlighted the importance of allocating sufficient resources for the educational needs of minority children and providing teacher trainings. Astrid Thors emphasized the importance of education for stability and peace of a country or a region, and stressed that the narratives developed in schools should support the understanding of the other. She reminded that education should be viewed as a human right, being the precondition for development, even more so, in a connected and digitalized world. By referring to the opening statement of the High Commissioner for Human Rights, Astrid Thors emphasized the work of human rights defenders, who continue to struggle for the respect of minority and indigenous languages, as well as the importance attached to UN spaces for dialogue and exchange, such as the Forum on Minority Issues, where stakeholders should be able to participate and contribute to in a free and open manner, without fear of intimidation and reprisals.