

**UN Forum on Minority Issues, “Minorities and Cohesive Societies:  
Equality, Social Inclusion, and Socioeconomic Participation”**

*30 November – 1 December 2023, Geneva (Switzerland)*

PANEL: Legal and Structural Approaches to More Inclusive Societies

**STATEMENT**

*Slava Balan, PhD candidate and part-time professor at the University of Ottawa Faculty of Law*

Your Excellencies, Dear Forum Participants,

The world is experiencing turbulent times and minorities around the world are feeling this more than many others. Despite strong efforts of some actors, minorities are still among the most marginalized and “invisible” groups in the world. The annual reports of the Special Rapporteur on Minority Issues, the outcomes of UPR and treaty body reviews demonstrate that minorities are rarely mentioned or accounted for in public documents nationally and internationally. My short statement today aims to point out several avenues for making minority rights work more impactful and transformative.

**(1)** My professional experience and academic research indicate that in most parts of the world the work on minorities is carried out in a sectoral or “niched” way. For example, in many countries the minority issues are dealt with by specialized departments and agencies, often focusing on artistic and folkloric or sometimes conflict prevention mandates. At the same time, there is often insufficient understanding that the minority dimension is omnipresent and that the socio-economic empowerment of minorities is, probably, the most necessary prerequisite for conflict prevention.

Specialized minority institutions and policies are important at the first stage, particularly for raising awareness about the most outstanding minority issues. But without the next step – mainstreaming – minority work risks to stall and get stuck in its reserved “silo”.

Minority mainstreaming firstly concerns well-established frameworks. E.g. a recent overview by Sébastien Lorion from the Danish Institute for Human Rights indicates that since 1993 more than 150 National Human Rights Action Plans (NHRAPs) have been adopted by almost 80 countries of the world, and with many such plans in preparation. But was the minority dimension fully incorporated and mainstreamed in all these Plans?

Remarkably, minorities are largely omitted in the UN-level 2030 SDGs documents – after having been entirely ignored in the previous MDGs. At the same time, since SDGs are chiefly a nationally-

led endeavor, at the domestic level most countries have adopted some sort of national Sustainable Development plans or strategies. Were minorities mainstreamed there? My comparative research into the SDGs Voluntary National Reports indicates that so far it has rarely been the case.

I, therefore, strongly **recommend** making minority dimension a mandatory and indispensable part of any national policy document, most notably of national human rights action plans and national (sustainable) development strategies.

Another type of mainstreaming I advocate for is of a conceptual nature. While minority work stalls in multiple places, on many adjacent fronts the dynamic is much more powerful. Gender equality and empowerment of women are gaining a solid ground in many parts of the world. The gender equality movement has long ago adopted gender mainstreaming as its main operational approach, and now promotes a next-level framework – the intersectionality-based approach emphasizing that without an intersectional lens gender work could fortify power imbalances, e.g. along majority-minority lines, instead of dismantling them.

Our common work on promotion of minority rights can gain a new momentum if we all – at the international, national and local levels – integrate the minority dimension into the more dynamic and well-resourced streams and agendas, such as gender equality, child rights, disability rights and so forth – through intersectionality, GBA+, the human security framework or otherwise. There are many good examples in this direction, for example: the most recent *Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities* by the United Nations Network on Racial Discrimination and Protection of Minorities or the 2021 UNPRPD / UN Women *Guide on Intersectionality* combining gender+disability, as well as local-level collaborations between gender and disability rights advocates in Eastern Europe and several other places.

**(2)** For many years minority work revolved around advocacy with national governments, here in Geneva and back at home. But the last decades saw the rise in significance of other important actors, such as cities, regional authorities, national human rights institutions, professional organizations (of lawyers, healthcare workers, teachers, etc). Not only do these actors possess authority and resources, but most of them are among the most progressive forces in their respective countries. Yet, many of these actors are only vaguely aware of minority rights or the minority dimension. Therefore, this is a large and mostly uncovered field of work.

E.g. in Canada, the newly elected Mayor of Toronto (the first racialized woman elected to this position) is the first mayor of this mega-diverse city who publicly responded in Cantonese Chinese to a media question asked in this language. Or, just a month ago the Ontario Human Rights Commission released a guide called “The Human Rights Based Approach Framework”. This instrument urges all public and private actors to undertake an in-depth equality analysis of all their policies and programs, including along the Indigenous and minority dimensions.

I, therefore, strongly **recommend** inclusion of the new actors into our minority work: cities, regional authorities, national human rights institutions, professional organizations (of lawyers, healthcare workers, teachers, etc).

**(3)** Empowerment and inclusion of minorities **within** the structures of the decision- and change-makers are the main drivers, enablers and amplifiers for the promotion of minority rights. Many empirical and data-driven studies demonstrate that the more members of a marginalized group are present within the structures of the decision or change-makers, the greater is their sensitivity and responsiveness to this group. E.g. in Moldova, the UN Diversity Internships launched 7 years ago brought a new wave of diversity within the UN Country Team and resulted into more work on the protection of minorities. The nation-wide Equality Perception surveys performed in Moldova periodically demonstrate one clear trend: the more members of the public interact closely with marginalized groups, the more accepting of these groups the public becomes. Also, in Moldova, two NHRIs with the support of the OSCE Mission are establishing a new advisory body – the Minorities Expert Group – to bring more effectively the minority perspective into the work of these institutions.

Yet, this internalization dimension of minority work is often neglected. Internal organizational surveys and studies are rarely done and when done they show a dire picture. E.g. the most recent UN Report on Review of measures and mechanisms for addressing racism and racial discrimination in United Nations system organizations shows that racism is still quite present inside the UN. In this context, inclusion of vulnerable (but empowered!) members of minorities **within** the institutions and their decision-making is **absolutely critical**, and I strongly **urge** this action.

**(4)** The ongoing brutal wars and many other conflicts of present and past stem from fundamental denial of minority rights or from their outright misrepresentation. But if we really want to change this very dangerous trajectory, minority standards should be strengthened normatively, institutionally and in practice. The new universal and comprehensive convention on minority rights proposed by the now former Special Rapporteur on Minority Issues, Dr Fernand de Varennes, is one such pathway for consolidation. This treaty draft could also be potentially transformed into a novel, pluri-actor global compact with substantive standards for both public and private actors and open for adherence by States and in some form by sub- and non-State actors (notably: cities, regions, businesses and other organizations).

I strongly **support** the proposal of the new international convention on minority rights and I **call** for inclusion of other important actors – such as cities, regions, businesses – into its ambit.

**(5)** Finally, I **recommend** UN/OHCHR to introduce and promote within the UN Country Teams a new function – that of a “Minorities Advisor” – to support the work of Human Rights Advisors and Gender Advisors. Other international inter-governmental organizations (such as the CoE, OSCE, OECD, etc.) could also consider introducing Minorities Advisors into their central and field structures. The expertise and advice of Minorities Advisors should help in advancing the awareness about the minority rights and in mainstreaming the minority dimension into the work and outputs of these organizations, as part of a broader human rights and gender-based approach.

Thank You for your attention and consideration!