

## General Assembly 77<sup>th</sup> session



### Side Event Consultation on the Situation of Minorities Belonging to Descent-based Communities

### 30th Anniversary of the UN Declaration on the Rights of Minorities: Challenges and Opportunities

**22nd September 2022  
1.15pm to 2.45 pm, Thursday**

The Church Center for United Nations, 2<sup>nd</sup> Floor Conference Room  
777 United Nations Plaza, New York

#### **SIDE EVENT CONCEPT NOTE**

The Inclusivity Project (TIP), the Global Forum of Communities Discriminated on Work and Descent (GFoD) and the Office of the High Commissioner for Human Rights, Geneva (OHCHR) are jointly organising a side event to the 77<sup>th</sup> session of the General Assembly to mark the commemoration of the 30th anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.<sup>1</sup> This event will examine the implementation of the Declaration in the past 30 years and project onto the future by focusing on paths toward addressing present and long-standing challenges in the protection of persons belonging to descent-based communities.

#### **Background**

Thirty years ago, on 18 December 1992, United Nations Member States came together and adopted by consensus the Declaration. It remains the key instrument at a universal level addressing the political, civil, economic, social and cultural rights of persons belonging to minorities. In its resolution 76/168, (7 January 2022) the UN General Assembly recognized that while progress has been made, the situation of persons belonging to national or ethnic, religious and linguistic minorities is critical in many parts of the world and many challenges remain to ensure the full enjoyment of their rights. It is also imperative for the achievement of the Sustainable Development Goals, that persons belonging to minorities are not left behind.

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<sup>1</sup> See General Assembly resolution [47/135](https://undocs.org/en/A/RES/47/135) of 18 December 1992 at <https://undocs.org/en/A/RES/47/135>

## **The Situation of Minorities Belonging to Descent Based Communities**

It is estimated that globally, more than 260 million people are victims of descent-based discrimination where *Dalits* (formerly known as untouchables) are the largest and most commonly known population alongside Roma, *Haratin*, *Osu*, Quilombola, *Oru*, *Barakumin*, *Baraku* and countless other communities scattered across the continents pressed by work and descent based discriminatory practices.

According to the UN Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent (2009)<sup>2</sup>, discrimination based on work and descent is ‘any distinction, exclusion, restriction, or preference based on inherited status such as caste, including present or ancestral occupation, family, community or social origin, name, birthplace, place of residence, dialect and accent that has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.’

The Committee on the Elimination of Racial Discrimination, General Recommendation No. 29 (2002) concluded that discrimination based on descent covered caste and analogous systems of inherited status or “inherited identity” and was thereby covered by the International Convention on the Elimination of All Forms of Racial Discrimination. Notwithstanding this conclusion, the Convention partly captures and addresses the rights violations experiences by Communities Discriminated on Work and lacks central elements.

In her 2016 report to the Human Rights Council, the then UN Special Rapporteur on Minority Issues, Rita Izsak, noted that while many caste-affected groups might belong to the same larger ethnic, religious or linguistic community, they often shared minority-like characteristics (A/HRC/31/56, para. 21). The current Special Rapporteur on Minority Issues, Fernand de Varennes has recently stated “ethnic minorities, through ancestry, descent, origin or lineage, can include individuals recognized because of shared physical characteristics, such as Afro-descendants, as well as social castes and similar groups, including Dalits in India (and elsewhere) and the Burakumin of Japan” (A/75/211, para. 70 (d)).

Socio-cultural believes often also shackle the mind of the oppressed, upholding systems and roles where women belonging to descent-based communities, are often confined within intricate web of intersecting discrimination that deprive them of their human rights and condemn them to lives of poverty, exclusion, and gender-based violence. CDWD are subjected to attacks, blocked from the ballot box, being stripped of citizenship, barred from obtaining legal remedies and even killed.

The 30<sup>th</sup> anniversary of the Declaration offers an opportunity for States and other stakeholders to reflect on exclusion as a cause, a manifestation and a consequence of discrimination against persons belonging to minorities and in particular, those belonging to descent-based communities and how the commemoration could serve as a catalyst for more focused attention to the Declaration and its implementation through robust engagement on the protection of minority rights.

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<sup>2</sup> See final report of Special Rapporteurs on the topic of discrimination based on work and descent A/HRC/11/CRP.3 available at <https://digitallibrary.un.org/record/655264?ln=en>

## **Goal of Consultation**

This side event consultation provides a crucial opportunity to assess the Declaration's implementation as regards descent-based communities, identify the challenges and successes, highlight examples of best practices, and identify legal and institutional gaps for the protection of minorities from descent-based communities and seeking ways to fill them through the creation of new human rights instruments or the expansion and incorporation within existing mechanism and definitions.

### **Draft Agenda: (90 mins)**

- Keynote Address: **Dr. Fernand De Verennes**, Special Rapporteur on Minority Rights
- Opening and welcome by moderator: Mr. Daniel Zavala Porras (tbc) Minister Counselor, Permanent Mission of Costa Rica to UN
- Prof. Gay McDougall, Member UN Committee for Elimination of Racial Discrimination (tbc)

### **Highlighting most important concerns of persons belonging to communities discriminated against based on work and descent from Asia, Africa, Europe and Latin America -**

- Paul Divakar Namala, Global Convener of the *Global Forum of Communities Discriminated on Work and Descent, GFOD*
- Short video interventions (3 min each) from Africa, Latin America, Asia, Europe

### **Paths toward addressing present and long-standing challenges in protecting the rights of minorities belonging to descent based communities**

- **Dr Agnès Callamard**, Secretary General at Amnesty International, UK (TBC)
- **Dr. Joshua Castelino**, Executive Director, Minority Rights Group International
- **Dr. Corinne Lennox**, Senior Lecturer, Institute of Commonwealth Studies, University of London
- **Ms. Michele Buteau**, Advisor on minority rights, OHCHR
- Kathryn Tobin, Water Aid (tbc)
- Victoria Tauli-Corpuz, Indigenous Peoples Major Group and former special rapporteur on IP (tbc)
- Tandia, Mauritanian diaspora (tbc)