

Political empowerment of religious minorities

Report of HRCP Expert Group
on Communities Vulnerable
because of their Beliefs



Human Rights Commission of Pakistan



Political empowerment of religious minorities

**Report of
HRCP Expert Group
on Communities Vulnerable
because of their Beliefs**

August 2013



Human Rights Commission of Pakistan

Published by
Human Rights Commission of Pakistan
Aiwan-i-Jamhoor, 107-Tipu Block, New Garden Town,
Lahore-54600

Tel: (92-42) 35864994, 35838341, 35865969

Fax: (92-42) 35883582

E-mail: hrcp@hrcp-web.org

URL: [www.hrcp-web. Org](http://www.hrcp-web.Org)

Blog: www.hrcpblog.wordpress.com

Printed at
UB Printers
1 Mission Road, Lahore

Title design and layout
Visionaries Division
visionariesdesign@yahoo.com

November 2013

ISBN 978-969-8324-68-1

Contents

Introduction	07
The Expert Group	09
Role of religious minorities in 2013 elections	11
Election-related challenges for religious minorities	16
Joint electorate hopes, reality and prospects	18
Mainstream political parties' role in recognition of minorities' political rights	20
Media, elections and questions of faith	22
Steps by the Election Commission	24
Conclusions and recommendations	25
Annexures	29

Introduction

The freedom of religious belief in Pakistan has been under the spotlight in the last few years. Recent decades have presented different challenges for members of religious minority groups in the country but this latest focus has followed multiplication of faith-based discrimination and violence. The role, willingness and ability of the state in providing protection to citizens from these religious minority groups have been questioned.

Monitoring the freedom of belief in the country and related advocacy has been an integral part of the mandate of the Human Rights Commission of Pakistan (HRCP) since its formation.

In relation to its focus on freedom of thought, conscience and religion, HRCP is guided by international human rights law, as well as the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly resolution 47/135 of 18 December 1992.¹

In 2010, HRCP established the Working Group on Communities Vulnerable because of their Beliefs a forum that brought together representatives of religious minority communities with a view to finding solutions to the challenges confronting these communities on account of their faith. The need to establish the working group was felt on account of growing incidents of violence, intolerance and discrimination towards members of minority and vulnerable communities across the country. HRCP considered 2012 a difficult year for religious minorities in the country and all indications suggested that even more difficult times lay ahead. It was in this context that it was decided that members of the affected communities should be engaged in deliberating on the

¹ Text of the declaration is appended.

issues that affect them and decide on ways to address them. In 2012 the HRCP working group transformed into a more focused expert group and continued to hold meetings to highlight the issues and concerns of religious minorities. Two reports of the HRCP working group have been published.²

This is the first report based on the deliberations of the expert group.

² Life at Risk, HRCP, 2011, <http://hrcp-web.org/publication/book/life-at-risk/>; Perils of Faith, HRCP, 2011, <http://hrcp-web.org/publication/book/perils-of-faith/>

The Expert Group

In 2013, the expert group held its first meeting in August, in Karachi. The deliberations focused on the political rights and representation of religious minorities in Pakistan, especially in the context of the May 11, 2013 general elections. The participants considered the role of religious minorities in the recent elections and discussed whether voters and candidates from religious minorities faced more problems compared to the majority during the elections. The expert group also looked at the joint electorate system; role of mainstream political parties in recognition of minorities' political rights; role of media; and steps by the Election Commission of Pakistan to facilitate members of religious minorities during the general elections.

While the words religious minority would inevitably occur repeatedly throughout this report HRCP has no intention of



The expert group met in Karachi in August 2013.

classifying any group as a minority. The aim of this report and indeed of establishing the working group is to highlight faith-based challenges of all communities in Pakistan which may or may not have been designated as religious minorities.

The expert group members and other participants familiar with issues of concerns for minority religious denominations and sects who attended the meeting included Dr. Sabir Michael, Prof. Aijaz Qureshi, Shyam Kumar, Syed Ashraf Zaidi, Inder Ahuja, Rochi Ram, Zahid Farooq, Masood Khan, Mehmood Ahmed Tahir, Sardar Krishan Singh and Chandan Kumar. Justice (r) Mehta Kailash Nath Kohli and Naeem Shakir Advocate could not attend but sent in their comments in writing. HRCP staff and council members also joined the discussion.

The observations and concerns raised by the expert group during the meeting follow.

Role of religious minorities in 2013 elections

Members of the expert group opened the discussion by stating that the reason that distances had begun to grow among various communities in the Indian Subcontinent before 1947 was rooted in the elections.

Out of that political divide emerged Pakistan, but the country's founder Muhammad Ali Jinnah had stated that now that the people had a state they should strive to become a nation.

Members of the expert group noted that the main idea had been that irrespective of ethnicity, belief or gender people would have equality of social status. But for over a decade, leaders remained engaged in arguing whether there should be a separate electorate system or a joint one. At the time 24.75 percent of Pakistan's citizens were non-Muslim, mainly in East Bengal, which was why they demanded joint electorate. In April 1958, it was approved that election would be held on the basis of joint electorate. But after 1977, policies and laws that undermined citizens' equality irrespective of religious belief and separate electorate were unveiled. The participants said that these steps had led to members of religious minority groups being treated as second-class citizens and being separated from the mainstream. The religious minority communities were granted meager quotas in education and employment but those were useless. It was common knowledge that members of these communities could not get jobs in certain institutions and departments.

The expert group lamented that Pakistan had also created new religious minorities, adding to the list of those that it had

in 1947. Until 2002, there was a separate electorate system in Pakistan and citizens from religious minorities were on a separate voters' list.

They said that political segregation caused economic segregation, which in turn led to social segregation and ghettoization. Ending political segregation would not automatically change the attitude of the general public. The economic and social status would not change overnight, but there would be movement towards political and social integration. Therefore, the decision to do away with the separate electorate in Pakistan in 2002 was considered an important step to confront social segregation.

We are acceptable neither as a minority, nor as Muslim. Ahmadis are not acceptable. Period. The European Union election monitors that had come to Pakistan could not understand the rationale for keeping only the Ahmadis on a separate electoral list when every other citizen is on a joint list. We have drawn attention towards this discrimination time and again. Talks were held with the Election Commission of Pakistan before the elections as well and we have tried to ask for a reason for this treatment. We have not received an answer because what we ask for is not against the law and nothing justifies keeping us from join joint electorate. The government must be asked to explain why this discrimination is there. Ahmadis are human beings, they are educated. The recurring faith-based killing of Ahmadis is one thing, but the state keeping us on a separate list like this is inexplicable.

This neither nor should it have anything to do with religious faith. When Sikhs, Hindus and Christians have been included in the joint list, why then should we not be accorded the same courtesy? – **A representative of the Ahmadi community**

The expert group made the following main points regarding the role of the religious minorities in the May 11 general elections:

- Members of the Ahmaddiya community still remained on a separate voters' list. With a joint electorate system in place for all citizens of Pakistan, keeping one group on a separate list purely because of their religious identity was discriminatory and something for which there could be no reasonable justification. In order to lodge protest against failure to end this discrimination, the Ahmadis had publically announced to disassociate themselves from the general elections.³ Therefore, Ahmadis did not get to play any role in the elections or to use the polls as an occasion to find ways to address their concerns. In Rabwah, which is also known as Chenabnagar, almost the entire population is Ahmadi. Under the prevalent system an Ahmadi could easily win a



Participants discuss political rights of religious minorities.

³ See in the annexures the press statement by the Ahmaddiya announcing not to participate in the elections.

provincial assembly seat or Ahmadi vote could be a significant factor in the victory of candidate from another community. In the same area, even local bodies elections had been dominated by people from communities other than the Ahmadis because the latter refused to participate in elections until their inclusion in the joint electoral.

- Where there was concentrated population of religious minority groups their interest in the recent election process had been greater and they had been approached by candidates for their votes. In Tharparkar district of Sindh, members of the Hindu community were given tickets for general seats and active participation of religious minorities in campaigning and voting was seen there. The engagement with the electoral process there was quite significant and was seen as a very positive sign. The Hindu community which had substantial population in the Sindh districts of Mirpur Khas, Umerkot and Tharparkar had enthusiastically participated in the elections and their votes had practically determined the outcome of the elections in five of the six National Assembly constituencies there. Had the Election Commission taken action after a pamphlet was distributed in Tharparkar which stated that Pakistan was made in the name of Islam and called upon Muslim voters not to vote for non-Muslim candidates the result on the sixth seat might also have been different. A candidate, Rana Hameesh Singh, was pressurised to withdraw his nomination.
- With the exception of Mirpur Khas, Umerkot and Tharparkar districts of Sindh there had been little role of voters or candidates from religious minority communities in the May 11 elections. That could

change if joint electorate was introduced in its true spirit. Some participants were of the view that there had been no role for religious minority communities in elections outside Tharparkar and that these communities had been dismayed that their issues did not feature on political parties' agenda.

- Members of the Shia community in Quetta had taken part in the elections in a very effective manner. The Hazara community had joined hands and managed to get their representative elected from Quetta.
- Members of religious minorities elsewhere were generally not so enthusiastic and some, especially in Karachi, largely stayed away from the elections. The subdued role of religious minorities outside the three districts of Sindh was also because of the security situation and harassment. In some areas, in Upper Sindh feudal land owners also harassed the voters from minority faiths, besides coercion, they also offered money to voters to side with them. Perception among members of religious minorities that no political party was committed to their rights also led to lack of interest in the electoral process.

Media, elections and questions of faith

The expert group deliberated on the role of the news media in the lead up to the May 11 elections. They considered not only the extent and manner of coverage by the media but also what was not covered. They were quick to point out disparities between regional and national media on one hand, and between print and electronic media on the other, regarding coverage of issues of concern or interest for religious minority groups. It was also highlighted that the coverage of issues or lack thereof varied greatly from one national newspaper to another.

It was pointed out that Express Tribune and Jang daily newspapers had printed a full page on religious minorities ahead of the elections. Other print media publications had also covered some issues of religious minorities before the elections. But the electronic media had largely lacked that focus. If specific issues and material was brought to media organisations' attention the coverage could be increased. Active role of civil society organisations and the religious minority communities themselves was needed. HRCP could also arrange a conference with media on issues of non-Muslims and also highlight the issues of minorities in its engagement with the media or on talk shows

The Sindhi print media was credited with raising issues of religious minorities much more frequently, but there was consensus that the national media had only done that to some extent and not to the degree that was expected.

Expert group members said that there had been little coverage of the effective exclusion of the Ahmadis from the electoral process. Only one or two newspapers had covered the issue, but at the same time but there were TV programme anchors who even uttered the word Ahmadi with hatred and contempt.

The media had become overly commercialized and during the general elections it had also been "hijacked" by a particular series of issues which was why it never got the chance to talk about the issues that citizens from religious minority groups faced during this period.

The media usually talked about non-Muslim citizens on very few occasions, such as Christmas or Independence Day. A proper effort by the electronic media was lacking even in that respect. The media should encourage political parties to name candidate from religious minority groups to contest elections.

One member of the expert group suggested that there had been some improvement in the coverage of the electronic media recently and some news programme anchors took up issues of Pakistan's religious minorities, such as forced conversions, and invited members of minority communities to present their point of view.

It was pointed out that the coverage of the minorities' issues did not give a holistic picture of the situation at times and was sweeping and generalized.

Steps by the Election Commission

Having looked at the difficulties faced by the religious minorities during the election process, the expert group found little action by the Election Commission of Pakistan (ECP) aimed at alleviating these difficulties or generally facilitating members of religious minorities in election. While it was noted that the slogan of 'one person, one vote' had been raised to motivate voters but the election authorities had failed to highlight its significance with relation to citizens of minority faiths.

It was highlighted that the religious minority community in Pakistan was disadvantaged and some affirmative action was needed. The ECP advertisements urging citizens to vote had not included any mention of or appeal to minorities. In short, no specific steps to facilitate members of religious minorities in election were in evidence.

The expert group noted that the ECP had taken no action in response to promotion of hatred and intolerance towards religious minorities, and cited inaction in response to issuance of a pamphlet in Tharparkar calling upon Muslim voters not to vote for Hindu candidates.

Conclusions and recommendations

The expert group concluded that Pakistan only had a future as a pluralistic society where citizens enjoyed equal rights irrespective of religious belief. Otherwise, no state or society could endure division ad infinitum. The struggle that the religious minorities are waging is a joint struggle with other marginalized sections of society.

The expert group noted that importance of elections in a democratic dispensation was reflected in the expression of the will of the people and the provision of legitimacy to the government. The fundamental right of vote provided the base for a democratic order. The right of vote and the principle of adult franchise which are now recognized in national documents and international conventions and declarations are the result of struggles spanning centuries. Even today's celebrated democratic states had been exercising classifications on right of vote on racial or gender basis until the last century. However, the Universal Declaration of Human Rights of 1948 and International Convention on Civil and Political Rights of 1966 have out of collective wisdom of all nations consolidated the right of vote and the right to be part of governance through elected representatives. Any state that now imposes classifications over right of vote is considered as dictatorial and an affront to the democratic norms and principles.

The expert group made the following recommendations to overcome the hurdles in ensuring political empowerment, effective representation and integration for the religious minorities.

- Religious belief of citizens does not and should not have any implications for their political rights. It is a

matter of concern that the demand for equal political rights for Ahmadi population has failed to find receptive ears. Advocates of joint electorate have rightly suggested that if pursued with the right spirit it would end regression, distances and enhance tolerance. The discrimination against the Ahmadis of keeping them on a separate electoral list must end and there should be only one joint electoral list for all citizens.

- The government and the Election Commission of Pakistan have an important role in persuading and motivating religious minorities to participate in the electoral political process. Promotion of faith-based intimidation, hatred and intolerance must be prosecuted without exception to build the confidence of religious minorities.
- Every effort should be made to make sure that all eligible citizens are registered as voters and are facilitated to exercise this important right. People from minority communities who are familiar with the names of community members and can correctly note them down should be part of the voter registration process.
- Failure to implement the joint electorate in the right spirit would jeopardize the goal of integration. Mixed reviews for this system demonstrate that the members of religious minority communities have not yet embraced it. Work needs to be done to improve the system so that the expectation of integration can be realized. Religious minorities' reservations regarding lack of effective representation because of the system of nomination to reserved seats need to be addressed. In order to make joint electorate more effective examples of other countries could be studied.

- Mainstream political parties must shoulder more responsibility for ensuring greater recognition of minorities' political rights. Some parties gave their tickets to non-Muslim candidates in the May 11 elections but many had not done so for winnable seats. The parties must bring religious minorities in the mainstream, and ensure adequate representation for them among party office-bearers and not just in minority-specific wings of the party. The political parties should also nominate candidates from religious minorities to contest elections on general seats.
- With recent moves towards devolution of power, the real power lies with the provincial government. If the right sort of local government system is introduced then religious minority communities could have a much enhanced role even at the grassroots and get their share in the decision-making process. On account of disadvantages that the country's minority communities face, some affirmative action should be considered in consultation with the stakeholders.
- The media should respond to the issues of religious minorities not just around election time but also in general and should also serve as a watchdog to hold the political parties to account regarding steps to mainstream religious minorities. HRCP should engage and sensitize electronic media anchors and ask them to do programmes on pressing issues for religious minorities.
- With the increase in the number of overall seats in the legislature and the number of seats reserved for religious minorities remaining the same, the proportion of representation for these communities has actually fallen. The seats reserved for minorities

should be increased in proportion to the rise in the number of seats in the legislature. Representation of religious minorities in the provincial and federal cabinet should be enhanced and they should be given important portfolios rather than mere symbolic ones.

- The onus is also on the minority communities themselves to learn lessons from the general elections and prepare for taking their share in the local bodies and other elections. The various religious minority communities should also strive to work together in a more organised and constant manner rather than getting together only after a crisis has necessitated collaboration. They should also regularly engage with the media and civil society and play their role in ensuring that there is proper follow-up of excesses against the minority communities covered by the media. They should also organise efforts to get their pressing issues added to the agenda of political parties.

Annexures

Annexure

HRCP election monitoring in constituencies with substantial vote of religious minorities

In order to assess the participation of religious minorities in the May 11 general elections, HRCP monitored elections in six National Assembly constituencies with the highest number of religious minority voters. In order to get an accurate view of the situation, local members of the religious minority were encouraged to come forward and lead the initiative.

The six monitored constituencies were: NA 226, NA 227, NA 228, NA 229 and NA 235 in Sindh, and NA 129 in Punjab. The HRCP election monitors made the following observations:

- Voters from religious minority communities constituted between 33% to 49% of the total registered votes in the six constituencies, yet no candidate from these communities was elected or polled substantial number of votes.
- Some political parties nominated candidates from religious minority communities on general seats. The Muttahida Qaumi Movement nominated non-Muslim candidates on National and Sindh Assembly seats, and the Pakistan People's Party in provincial (Sindh) assembly constituencies where non-Muslims had substantial vote. No other major political party offered ticket for general seats to candidates from religious minority communities in these constituencies. Some candidates from these communities contested as independents in the constituencies.

- Candidates from the majority Muslim community tried to lobby for votes from religious minority communities by offering them material benefits. In some constituencies, a split was observed in the minority vote bank as members of upper-caste Hindus joined hands with Muslim candidates to keep their hold on lower-caste voters and candidates.
- While some extremist elements at the local level opposed the idea of any non-Muslim candidate contesting election on a general seat, some Muslim candidates in a bid to gain support of religious minorities showed what could only be considered fake sympathy towards them, and approached them as if they were orphans.
- The HRCP monitors observed some complaints that deterred religious minority voters from casting their votes through different tactics, such as registering their votes in polling stations in far-flung areas, and members of the same family being registered at different polling stations.
- In some constituencies religious extremist elements actively discouraged Muslim voters from voting for non-Muslim candidates by distributing pamphlets spreading hatred against non-Muslims.
- Polling staff at some places in the five Scheduled constituencies was rude to non-Muslims. Voters from religious minority community alleged that presiding officers at some polling stations appeared to be intentionally delaying casting of votes by non-Muslims.

- Women voters from non-Muslim communities were particularly subjected to different discouraging tactics to prevent them from casting their ballot. The women voters who turned up to vote were mainly non-Muslims. Few Muslim women voters cast their vote. In a number of polling stations, non-Muslim women voters had to wait for hours to cast their vote and some found that their votes had already been cast.
- Presence of significant security forces and army personnel in the constituencies caused fear among the voters from religious minorities. The environment deterred them from leaving their homes and casting their votes freely.
- Complaints of insufficient supply of polling material, polling staff's visible tilt towards a particular candidate and non-availability of shade, drinking water and sitting arrangement for voters were common. The administration's response to these complaints was generally delayed and insufficient.

Annexure

Nazarat Umoor-e -Aama

Sadr Anjuman Ahmadiyya Pakistan, Rabwah

05-May-2013

Press Release

On the basis of religious beliefs separate voter lists specifically for Ahmadis is discrimination and against the spirit of joint electorate.

In order to register our protest Jama'at Ahmadiyya Pakistan is announcing disassociation from the General Elections 2013.

The spokesman of the Jama'at Ahmadiyya Pakistan Saleem Ud Din has said that according to the election rules the basic eligibility for a voter is Pakistani citizenship not the religious or ideological beliefs a citizen holds. The voter registration forms that Election Commission of Pakistan has issued have a special entry for religion that is specially entered in the form. In order to register for these voter forms Ahmadis have to disassociate from the Holy Prophet SAW, which no Ahmadi could ever imagine. It is important to note that for Joint electorate there is supposed to be a single voter list for everyone but against this rule in 2002 and 2008 general elections special orders were issued to prepare separate voter lists for Ahmadis.

For the 2013 general election this was not changed rather the Election Commission in its guide for voter list

preparation included the following as a special entry under clause number 12.

"Votes of Ahmadis should be added in a separate list in the initial voter lists and on top of the register page it should be written "for Ahmadis only "

Spokesperson of Jama'at Ahmadiyya Saleem Ud Din said after this order and its implementation the voter list would be like this where every Pakistani, Hindu, Christian, Sikh, Parsi, Muslim or belonging to any other religion would be together on one list while there will be a separate list for Ahmadis only. This is the worst kind of discrimination and bigotry. This is against the sayings of the founder of nation as well as the rights given in the constitution of Pakistan and specifically against the spirit of Joint electorate. It is also against the conventions on human rights that the state of Pakistan has signed. This is an intentional attempt to deprive Ahmadis who are law-abiding citizens of Pakistan from exercising their fundamental rights and to separate them from the national discourse.

The spokesperson of Jama'at has written to Election commission and has also informed the commission about these concerns in a specific meeting but unfortunately the election commission has done nothing what so ever to address the grievances and genuine concerns of Ahmadis.

Thus there is no choice left for Jama'at Ahmadiyya Pakistan and Ahmadis but to announce disassociation from general elections 2013 in order to register their protest

Annexure

A/RES/47/135
18 December 1992
47/135.

General Assembly Resolution on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious & Linguistic Minorities

[Adopted by the United Nations General Assembly Resolution 47/135 of
18 December 1992]

The General Assembly,

Reaffirming that one of the main purposes of the United Nations, as proclaimed in the Charter of the United Nations, is to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Noting the importance of the even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Welcoming the increased attention given by human rights treaty bodies to the non-discrimination and protection of minorities,

Aware of the provisions of article 27 of the International Covenant

on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Considering that the United Nations has an increasingly important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular through the relevant mechanisms of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the important achievements in this regard in regional, subregional and bilateral frameworks, which can provide a useful source of inspiration for future United Nations activities,

Stressing the need to ensure for all, without discrimination of any kind, full enjoyment and exercise of human rights and fundamental freedoms, and emphasizing the importance of the draft Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in that regard,

Recalling its resolution 46/115 of 17 December 1991 and taking note of Commission on Human Rights resolution 1992/16 of 21 February 1992, by which the Commission approved the text of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities, and Economic and Social Council resolution 1992/4 of 20 July 1992, in which the Council recommended it to the General Assembly for adoption and further action,

Having considered the note by the Secretary-General,

1. Adopts the Declaration on the Rights of Persons Belonging to

National or Ethnic, Religious and Linguistic Minorities, the text of which is annexed to the present resolution;

2. Requests the Secretary-General to ensure the distribution of the Declaration as widely as possible and to include the text of the Declaration in the next edition of Human Rights: A Compilation of International Instruments;

3. Invites United Nations agencies and organizations and intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on the Declaration and to promoting understanding thereof;

4. Invites the relevant organs and bodies of the United Nations, including treaty bodies, as well as representatives of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, to give due regard to the Declaration within their mandates;

5. Requests the Secretary-General to consider appropriate ways for the effective promotion of the Declaration and to make proposals thereon;

6. Also requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution under the item entitled "Human rights questions".

ANNEX

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States,

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic,

religious and linguistic minorities,
Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and

maintain their own associations.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever

possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory.

Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to minorities, inter alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.