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**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

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Mandate of the Independent Expert on Minority Issues

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6 October 2008

Dear Madam, Dear Sir,

In accordance with the Human Rights Council resolution 6/15, I have the pleasure to invite you to participate to the First United Nations Forum on Minority Issues that will take place on 15 and 16 December 2008 in Palais des Nations in Geneva, Room XVIII.

The President of the Human Rights Council has appointed Ms. Viktória Mohácsi to Chair the Forum, which is organized under the guidance and leadership of Ms. Gay McDougall, Independent Expert on Minority Issues.

In the above-mentioned resolution, the Human Rights Council invites States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues and non-governmental organizations to participate in the Forum.

Please note that the thematic focus of this first session is "Minorities and the right to Education". For your information, kindly find attached a concept note thereon.

The provisional agenda of the session will be made available at a later stage. As mentioned in the concept note, the outcome of the Forum will consist in action-oriented recommendations intended to all stakeholders addressing questions related to access to education for members of minority groups.

In order for us to ensure appropriate preparations for the Forum's session, we would appreciate it if your institution could advise us regarding the participation of a representative by 15 November 2008; relevant information regarding registration and accreditation can be found on the Forum's web site at the following address:
<http://www2.ohchr.org/english/bodies/hrcouncil/minority/forum.htm>.

To All National Human Rights Institutions

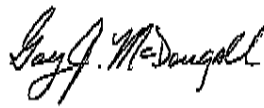
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If you would like to provide an early expression of interest in making an oral presentation sharing your experiences in the area of access to education for members of minority groups, please indicate so to the Forum on Minority Issues' Secretariat, Ms. Sylvie Saddier-Calame, Special Procedures Division, OHCHR, at the following email address: ssaddier-calame@ohchr.org, by 15 November 2008.

For further information on the Forum, you may wish to contact its Secretariat: Ms. Sylvie Saddier-Calame (Tel: +41 22 917 9331; Email: ssaddier-calame@ohchr.org), Mr. Karim Ghezraoui (Tel: +41 22 917 9147; Email: kghezraoui@ohchr.org).

Please accept, Dear Madam, Dear Sir, the assurances of my highest consideration.



Gay McDougall,
Independent Expert on
Minority Issues

Annex:

- Concept Note

Minorities and the Right to Education

United Nations Forum on Minority Issues – Inaugural Session

Dates: 15 and 16 December 2008

Venue: Palais des Nations, Geneva, Switzerland

U.N. Independent Expert on Minority Issues: Gay McDougall
Chair of Forum: Viktoria Mohacsi, Member of European Parliament

Education is a basic human right for all children. And yet in all regions of the world minority children continue to suffer disproportionately from unequal access to quality education. Failure to ensure equal opportunities and equal access to education creates new generations of those who are disadvantaged in all walks of life, who cannot fulfil their potential in employment, and cannot contribute fully to their own communities and to wider society. Lack of access to education perpetuates the cycle of poverty that is often experienced most acutely by minority communities facing discrimination and exclusion, yet conversely, education provides a vital key to sustainable poverty alleviation. Education provides a gateway to the full enjoyment of a wide array of other rights, without which individuals and societies remain economically, socially and culturally impoverished. Ensuring equal access to education is one of the most serious challenges for minorities and States alike, and also offers one of the greatest opportunities for the advancement of the full rights and freedoms of persons belonging to minorities.

Equal access to education must be understood in the holistic sense of the rights to non-discrimination and equality. The concept goes beyond issues of physical or economic accessibility to focus on the ultimate goal of equal access to achievement outcomes. Disproportionate outcomes should be considered to implicate state responsibility for the promotion and protection of these rights.

Aims and Objectives of the United Nations Forum on Minority Issues:

The aims and objectives of the Forum on Minority Issues are established in Human Rights Council resolution 6/15 which requires that under the guidance and preparation of the Independent Expert on Minority Issues, the Forum shall:

1. meet annually to provide a platform for dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities;
2. provide thematic contributions and expertise to the work of the Independent Expert on minority issues;
3. identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the U.N. Declaration on the Rights of Minorities;
4. produce thematic recommendations to be reported to the Human Rights Council by the Independent Expert;
5. contribute to efforts to improve cooperation among UN mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to minorities, including at the regional level.

The Forum offers a unique opportunity for engagement and dialogue with a wide range of stakeholders including UN Member States and bodies, Specialized Agencies, inter-governmental and regional organizations and minority representatives and civil society on minority issues. The Forum is open to the active participation of all stakeholders and will pursue creative collaborations and modalities of engagement. The Forum will seek to provide concrete and tangible outcomes in the form of thematic recommendations of practical value to all stakeholders.

In conformity with resolution 6/15, the outcome of the Forum will be thematic recommendations that will be reported to the Human Rights Council by the Independent Expert. Additionally, the Independent Expert will consult with the chairs of relevant Treaty Bodies to evaluate whether the outcome document might be considered for adoption as a General Recommendation/Comment in the area of minorities and education, taking into account the processes and working practices of the different Treaty Bodies. It is further envisaged that substantive collaboration with relevant UN Specialized Agencies will bring increased attention to minority issues within the scope of their work, and benefit them in regard to a series of thematic recommendations meaningful to their ongoing activities in the field. In relation to the thematic subject under consideration by the 2008 Forum, a particular engagement is invited with the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the United Nations Development Fund (UNDP).

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Thematic Focus of the Forum on Minority Issues:

Each year the Independent Expert makes recommendations to the Human Rights Council regarding the thematic focus of the Forum. The 2008 thematic focus of the Forum will be **minorities and the right to education**.

Within this broad thematic area, subjects for discussion will fall within the four standards considered to be "interrelated and essential features" for implementation of the right to education¹: availability, accessibility, acceptability and adaptability. Compliance with standards will also be measured against the rights to non-discrimination based on race and minority status.² (See addendum for a list of suggested topics).

On the basis of the provisions of resolution 6/15 and in the wider context of promoting implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities in all regions, the focus of discussions will be around three core elements:

- a) Identification of challenges and problems facing minorities and States;
- b) identification of good practices in relation to minorities and education; and
- c) consideration of opportunities, initiatives and solutions.

Format and Agenda:

The views of experts and participants from minority communities will be given a high priority within the proceedings.

The Forum will have a unique format which will resemble a "public hearing" on a set of draft recommendations that will be prepared and circulated prior to the Forum. The draft recommendations will be developed on the basis of information, surveys and studies received by the Independent Expert. The Forum will be devoted to brief, targeted oral interventions which comment on specific provisions of the draft recommendations, limited to 3-5 minutes each. Participants will be invited to target their contributions towards developing the draft as the subsequent outcome document.

The chosen thematic focus on minorities and access to education will be the sole substantive issue on the agenda of work for the 2008 Forum. A summary and an annotated agenda will be provided in advance of the session of the Forum.

Participation in the Forum:

Pursuant to resolution 6/15, the Forum will be open to participants of States, United Nations mechanisms, treaty bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues and non-governmental organizations in consultative status with the Economic and Social Council. The Forum shall also be open to other NGOs and organizations representing minorities whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations.

Outcomes:

- The Chairperson of the Forum is responsible for the preparation of a summary of the discussion of the Forum, to be made available to all participants;
- The Independent Expert on minority issues will include the recommendations from the Forum and a commentary on them in her annual report to the Human Rights Council

¹ See reports of the Special Rapporteur on the right to education and General Comment 13 of the Committee on Economic, Social and Cultural Rights.

² See the International Convention against all Forms of Racism, Racial Discrimination and Xenophobia and the Declaration on the Rights of Persons Belonging to Minorities.

ADDENDUM

Potential Topics for Discussion in Forum on Minorities and the Right to Education

Topics that will be considered include, but are not limited to:

- the legislative and policy framework;
- guarantees for policy implementation by local authorities;
- policies and practices of segregation in education;
 - impact of residential patterns
 - over-representation in special education programs for learning disabilities;
 - desegregation strategies
- minority languages and access to education at primary, secondary and tertiary levels;
- minority community participation in decision-making and systems granting autonomy or community control;
- schools as alien, racist and hostile environments for minorities;
 - racist or unfair patterns of disciplinary actions
- school location issues affecting access;
- pre-school programs for minorities;
- special issues regarding access to education for girls belonging to minorities;
- budgetary allocations, school finance arrangements and implications for access of minorities to education;
- special measures and affirmative action;
- data collection using quantitative and qualitative indicators;
- state responsibility for disproportionate enrolment and graduation rates;
- recruitment and training of minority teachers;
- inter-cultural training for all teachers and staff
- administrative requirements for enrolment, such as birth certificates;
- access by non-citizens including migrants;
- religion, minorities and equal education, including religious symbols in secular schools;
- inadequate means;
- curriculum content, including inter-cultural education;
- disproportionate poverty and poor living conditions;
- illiteracy rates among parents;
- parent-school relations.