

Third Session of the Forum on Minority Issues
Minorities and effective participation in economic life
(Geneva, 14 and 15 December 2010)

Statement by Dr. PÁKOZDI Csaba, Ministry for Foreign Affairs, Republic of Hungary

Madam Chair, Excellences, Ladies and Gentlemen,

The Draft Recommendations on Minorities and Effective Participation in Economic Life, prepared by Ms. Gay McDougall, independent expert on minority issues, puts the world organization in the forefront of the minority legislation. Economic life is the least responsive to about minority issues, hence the UN Human Rights Council's (HRC) recommendations are of special significance. The HRC is ahead of many states in providing guidance for achieving good governance in this regard. Such documents often serve as the basis for regional or bilateral agreements on protection of minorities and for binding international legal instruments as well. It has to be emphasized that the Draft on the Effective Participation in Economic Life deals with linguistic rights that can be a source of the direct and indirect discrimination if non-complied with.

Ladies and Gentlemen,

Paragraph 43 of the Draft Recommendations lying ahead is considered to be progressive and of high priority which states: „*Employers should aim for a workforce that reflects the ethnic, religious and linguistic diversity of the national or local population.*” We suggest to include in the Recommendation that the language rights and multilingualism must also be guaranteed at the workplaces arising from the principle of freedom of expression.

The penultimate sentence of the paragraph 26, which states that „*Governments should ensure that undue language proficiency requirements are not imposed, as such requirements can exclude minorities from public or private sector employment. Increased recognition of academic and training qualifications obtained in other countries may also reduce barriers to employment for some minorities.*” is of crucial importance, language proficiency requirements should be proportional. We recommend that the quoted statement, because of its outstanding importance, to form a separate numbered paragraph.

With regard to paragraph 12 of the Draft Recommendations we consider it particularly important that: „*Public sector employees should be provided with training on non-discrimination and cultural awareness in delivery of government services. Access by minorities to government services can be improved, for example, through the provision of services in minority languages, active outreach to minority communities, and branch offices in regions where minorities predominantly live*” However, we propose to add to the recommendations that in areas where minorities predominantly live, during employment of public sector employees knowledge of the minority language should be an asset.

We consider it also progressive in the paragraph 17 of the Draft Recommendations, according to which „*Gathering statistics that specify the race, ethnicity, language or religion of individuals should not be considered an act of discrimination, as it is only when data is available that it is possible to assess and redress inequalities*” We deem it particularly

important that „Data should be gathered on the basis of self-identification as members of the groups concerned”

We recommend to complement the draft Recommendations in order to avoid the abuse of declaration on minority status for gaining benefits (in Hungary known as "ethno-business"). A good solution would be the joint evaluation of the declarations with census data.

As stated in paragraph 25 of the Draft Recommendations, education is a key aspect of improving the economic participation of minorities, meanwhile from the aspect of self-identification of minorities the education in mother-tongue is indispensable. We recommend to add to paragraph 25 of the Draft Recommendations that the state-financed vocational and higher education in mother-tongue constitutes a positive trend in the field of assuring real equality.

Finally, it should be noted that with regard to the importance of the Draft Recommendations Hungary, as member state and (the president) of the EU (in the first half of 2011), would do everything to contribute to the practical interpretation of the regulations concerning minority protection stipulated in Article 2 of the Treaty on European Union, also known as the Lisbon Treaty. Let me also express, that Hungary fully support the work of the HRC and Ms. Gay McDougall in that issue, and we are ready to cooperate in the future.