EUROPEAN CENTRE FOR MINORITY ISSUES

Informal International Consultative Meeting in the Area of Minority Issues

Flensburg, Germany 17-18 September 2004

Colleen French

ECMI Report # 51

October 2004

EUROPEAN CENTRE FOR MINORITY ISSUES (ECMI) Schiffbrücke 12 (Kompagnietor Building) D-24939 Flensburg Germany
☎ +49-(0)461-14 14 9-0 fax +49-(0)461-14 14 9-19 e-mail: info@ecmi.de internet: http://www.ecmi.de

ECMI Report # 51

European Centre for Minority Issues (ECMI)
Director: Marc Weller

Published in October 2004 by the European Centre for Minority Issues (ECMI)

CONTENTS

I. Rationale for the meeting

In September 2002, senior representatives of intergovernmental and major non-governmental institutions addressing minority issues gathered in Flensburg for a consultative meeting which sought to facilitate an informal exchange between the different organizations on emerging issues and strategies. As a follow up measure, the European Centre of Minority Issues (ECMI) held a second 'Informal International Consultative Meeting of Major Actors in the Area of Minority Issues', at ECMI Headquarters, Flensburg, Germany on 17 and 18 September 2004.

Minority issues continue to gain prominence within the context of EU accession and within the context of the United Nations (UN)'s promotion of a human rights approach to programming and the World Bank's focus on 'Inclusion'. Over the past decade, a deep interest in majority-minority relations has been shown at local levels, through the growth in the number of active civil society groups and non-governmental organizations, the European level (such as the Office of the OSCE High Commissioner on National Minorities, and the Advisory Committee of the European Framework Convention for the Protection of National Minorities), as well as at the universal level, (through the United Nations Working Group on Minorities and other UN agency programmes which focus on the interests of disadvantaged groups, including minorities).

Each of these institutions has a different mandate and a different role. However, there is a commonality of interest and a common need to avoid overlaps in action, to increase synergies between these groups and to improve upon current programming practices.

The initial meeting in 2002 allowed an identification of emerging issues and future areas of interest within the field of minority issues, and provided for an exchange of information on strategy. The 2004 meeting built on these strategies and advanced the agenda of the previous meeting. In particular, the most recent consultations:

- considered existing methodology, approaches to needs assessments, programming and project evaluation as they relate to programmes in the field of minority-majority relations;
- allowed an exchange of experiences and good practice by agencies and other organizations active in this area; and
- considered whether a cross-agency, and inter-organizational joint methodology, or a Guide to Good Practice, could be generated for minority-related projects over time.

The hope is to follow up this consultative meeting in the summer of 2005 with a meeting of intergovernmental organizations, major non-governmental organizations and stakeholders, to reflect upon the outcomes of the discussions of this year's meeting and their possible impact on NGOs and civil society, to further develop the methodological discussion of September and to assess the Guide to Good Practice project.

II. Definitional Problems: Who is a Minority?

For the purposes of this meeting, the term 'national minority' was not defined in concrete terms. In general we assumed that it referred to excluded, non-dominant ethnic, linguistic, cultural and religious groups when considering projects on governance. In this area, it is important to engage both minority groups and the government in order to garner a shared understanding of what is needed; a shared understanding of concepts and common projects is necessary.

Though the meeting addressed issues relating to needs assessment, programming, and monitoring and evaluation in separate discussions, many of the meeting's outcomes emerged from points discussed in all three sessions. Correspondingly, this report has been formulated to bring these points to the surface in a cohesive manner.

A. Self-identification

Participants agreed that establishing who constituted a minority, and in what circumstances, was one of the most difficult methodological constraints, especially given debates over self-identification. As of yet, there are no clear solutions to this issue. Creative data collection techniques may be required to gain a degree of confidence in responses that are gathered and to eliminate inconsistencies from changing self-identification. UNDP programmes out of its Bratislava office, for example, have adopted the use of a series of indirect, open questions, leading to questions of language and ethnicity in order to gain a greater confidence in the consistency of responses provided by members of minority communities.

The promotion of *voluntary* self-identification is paramount in any situation where identity criteria are disputed. As upheld by international bodies such as the Council of Europe Advisory Committee on the Framework Convention on National Minorities, self-identification may not be an absolute right; it does, however, have strong implications for the observance of human rights principles such as non-discrimination, freedom of religious affiliation, and freedom of association. As such, self-identification must be considered in connection with other incontrovertible human rights principles.

The question then is one of balancing self-identification with the freedom of association and self-identification with public participation as concerns state definitions of community belonging. Regardless of whether these are in line with national, ethnic, linguistic, religious distinctions, or more sociological ones, some participants maintained that programming by international agencies must follow suit, modifying their policies accordingly.

B. State Recognition of Minority Status

Another significant impediment in the area of minority programming was formal government recognition of certain groups that identify themselves as a minority. Without official recognition from the State and its authoritative bodies, their particular needs and vulnerabilities may go unaddressed. This is especially true for groups such

as Roma in the Balkans and Southeast Europe where states, and the majority of their populations, define this 'group' according to one set of standards, while Roma are often known to identify themselves using different sets of criteria. Furthermore, the non-recognition of any minorities on the basis of ethnic, national, religious or linguistic distinctions by states, as practiced in France and Turkey, means that alternate indicators must be used to highlight the vulnerabilities and problems faced by groups otherwise distinguished in these categories. The World Bank's sociological approach to programming through 'social inclusion' and attention to 'excluded groups' is informative here. The use of geographic indicators to establish potential needs for minority groups in concentrated areas is one means of bypassing state barriers. As the Turkish government has been unwilling to discuss the 'Kurdish issue' for example, the Bank's poverty assessment has used southeastern Turkey as its focal point. Data indicators must then be adjusted according to geographic context.

C. Minorities within Minorities

There are limits to the effectiveness of programming as it intends to target minority groups. In some cases, for example, special measures taken on behalf of minorities have had little impact on the increased effectiveness of programme delivery. Moreover, it is impossible to ensure that all members of minorities are reached through these measures. Members of some groups, notably Roma, have integrated into local populations and are often underrepresented in needs assessment and data collection efforts. As a result, their continued needs may be overlooked in existing programmes that operate under a different set of identity criteria.

In other cases, people are "hit twice" by social exclusion. Not only are regional pockets of people, often members of minority groups, left out of discussions on issues that affect them, but the particular vulnerabilities of women, children, the disabled, and the aged, among others, overlap with minority group priorities. This overlap, however, is often overlooked or inadequately addressed. Programming strategies, then, need to address not minorities *per se*, but minorities as one aspect of vulnerability alongside others such as those in social (gender, age and ability), geographic (rural versus urban, resource location, resource access), or economic (access to employment) spheres.

Where the strategy of the World Bank is to look at vulnerabilities and to encourage 'inclusion' in various domains, some United Nations agencies, notably the United Nations Development Programme (UNDP), pay attention to 'disadvantaged' groups. The resulting policy focus is one of locating the most vulnerable people in given populations and to work with them to bring these vulnerabilities and resultant problems to the attention of governments. Governments can sometimes be very sensitive to these matters, but using the Rights-Based Approach allows UNDP and other groups to call on governments to account for their actions according to international commitments expressed in domestic regulations. Such an approach also avoids the use of definitional categories such as 'national minority' or 'ethnic minority' that may be politically or socially contentious.

III. Planes of Action

A. International or state levels of engagement?

At the meeting, the common view was that rather than conceiving priorities at higher levels of the respective organizations, policy decisions were being increasingly made at the level of country missions and offices. This is being done to tailor programming to specific contexts. For organizations that treat minority issues from a sociological perspective, such as the World Bank, targeting programmes towards vulnerable groups such as children, women, the disabled and the aged does not pose much of a problem. For other groups, such as the United Nations Development Programme (UNDP), grounding programmes using a Rights-Based Approach to reach the UN Millennium Development Goals (MDGs) may clash with government perspectives to a greater degree. Incorporating perspectives on national, ethnic, linguistic or religious minorities into programming then becomes more complicated, necessitating decentralized programme adjustments on a case-by-case basis.

With the need to approach the incorporation of national, ethnic, linguistic or religious minority rights in context-specific settings in mind, some of the difficulties that UNDP has faced with regards to the adoption of the Rights-Based Approach to programming, is telling. Originally, members of the agency thought that it would be

relatively easy to discuss human rights with governments on this basis, but this has not been the case. When first promoting this perspective, the UNDP offered training sessions on the Rights-Based Approach to junior professionals at the headquarters level, but realized that this was ineffective. Now the strategy is to work with staff in local offices.

In collaborating with local offices to a greater extent, the UNDP is better able to assist "duty bearers" (ie. State authorities) in fulfilling their obligations. Giving attention to minority issues through UNDP programming and the rights-based approach can be difficult, however, as the agency can only work at the invitation of a government, meaning that the state must agree with programming approaches. This situation can be even more complex when considering that up to 80% of the organization's staff are locally-hired, many having connections with local 'powers that be'. In the specific case of Bosnia-Herzegovina, it was reported that these power relations had an adverse impact on the conduct of programming with respect to Roma populations as a vulnerable group. Though staff members saw this community as needing priority attention, it was not on the list of groups slated for programming from the local office. Setting priorities in this manner was deemed acceptable as long as this type of trend can be justified where other groups are attending to pressing needs and agency action would duplicate efforts. Without close examinations as to whether the needs of vulnerable minority groups are being met, there remains a risk that these are sidelined.

The World Bank does not necessarily encounter these same difficulties as it aims to develop statewide programmes that engage entire populations, such as social assistance programmes. In addition, the Bank only agrees to finance programming and to become involved, when it has reached a formal agreement with a state government and certain conditions are met, such as the publication of disaggregated data.

B. Localized Focus of International Agencies

As mentioned above, the original targets of UNDP and other UN agency training on the rights-based approach were programme officers. After the programme had been in operation for a few months, however, it was realized that there was a greater need

to engage local staff on the principles of the rights-based approach to bring them on board. That said, other UNDP priorities for programme management, aside from tailoring programming to specific countries, is the need to include excluded and vulnerable groups in programming planning. This approach is in response to the present lack of engagement of minority groups in rights-based development programming. A third aspect of this policy outlook is an enhancement of stakeholder capacity and their involvement in the conduct of programme and project processes. Finally, the intention is to engage vulnerable and excluded stakeholders on discussions of programme and project results.

IV. Data collection

A. State-based data sources – reliability and availability

The quality and transparency of available data on minority groups and their particular needs was a concern raised. Several impediments to the reliable collection of data, with particular reference to minority groups, were noted. These included: state non-recognition of minority groups, resulting in an absence of the latter in state data sources; an absence of minorities and other vulnerable groups from data sources due to possible intimidation, discrimination or stigmatization from states or communities after these needs are recognized when officially recognized; the lack of data that can be disaggregated to pinpoint needs. In addition, existing studies may not always be transparent. In such a situation, proxy indicators may be used in assessments if access to other, more appropriate sources of information is lacking. All of these points are important when considering groups and individuals that are disadvantaged in multiple areas. Furthermore, without reliable data it is impossible to measure the impact of baseline initiatives or programmes with any degree of accuracy.

Another possible impediment noted was the extent of state cooperation needed for effective data collection. International agencies are only able to cooperate with state data collection bodies if there is formal permission granted. This means that the efforts of agencies, such as UNDP, are bilateral and national in nature, complicating initiatives on regional data collection. State agreement is also often needed for many international agencies to work in certain regions of a country. Furthermore, the need

for internationally accepted sources of data is keenly felt. Data which has not necessarily been sanctioned by international bodies, such as statistics from the UN State Department, cannot be presented in UN reports for reasons of political sensitivity. This sensitivity extends both to the source of the information presented and the form in which it is presented. Formally acknowledging minorities in a region where authorities deny their existence may be contentious, for example.

Qualitative data collection methods, such as focus group methodologies, can be used to enhance and contextualize quantitative findings, making interpretations increasingly relevant for minorities, while encouraging their increased participation in needs assessment and programming. This can further assist in pinpointing vulnerabilities that minorities face and can underscore the intensity of particular problems highlighted in other forms of data collection, such as the need for programmes targeting Romani women.

State reluctance in data sharing, especially disaggregated data, was also noted. Many governments either bar access to this data, not only to international agencies, but also to locally-based universities, researchers and non-governmental organizations. In other cases, some states publicize some information that has been gathered, restricting its circulation. A more recent tactic of some governments has been to provide microcensus data. Not only is it cumbersome to interpret, but the flood of microcensus information may distract from the determination of gaps in programming, unidentified needs, or in making viable comparisons. A recent example was World Bank financing for a household survey in Russia. Where the unique act of posting the survey's findings on the Internet was originally heralded as a good practice, the massive amounts of information were later found to be a greater burden than a help to researchers.

Finally, an unclear division of roles between national and international actors in processes of data collection was noted, with specific reference to programmes operated out of the UNDP Bratislava office. While there was disagreement as to where the boundaries of responsibility lay, there was agreement that international agencies should not be responsible for state-level data collection in the long term. Internationally-led capacity building measures to facilitate data collection and the

conduct of censuses may be required in the short term, and international agencies may even take on leading roles in areas, such as Kosovo or Georgia; however, there should be mechanisms established to ensure a smooth and efficient handover to state bodies.

B. Inter-agency information sharing

As data sharing can only be negotiated with individual states by individual agencies currently, there is a need to make data both more readily accessible and more user-friendly for a greater number of international agencies and treaty reporting bodies. With this in mind, the need for an international, inter-agency consensus on data collection was suggested to avoid programme duplication and reporting overlap.

Formal multilateral arrangements on the collection of data do not currently exist, however some partnerships do, notably between UNHCR and UNDP, OHCHR and UNDP, and the World Bank and the European Commission, though they do not necessarily address minority needs or programming specifically. Instead, the focus of these efforts is on accountability and common reporting, in addition to standards setting and the promotion of the rights-based approach across UN programming. On this point, one participant added that data gathering and sharing between UN, Council of Europe and European Union agencies on a regional level could be better managed and monitored through the coordination of efforts to devise joint conclusions. In this way, a system for recording who is using gathered information and for what purposes could be put in place. In addition to paving the way for coordinated reporting to treaty bodies as stipulated under the FCNM and CERD or with the European Commission on Racism and Intolerance (ECRI) and the Language Charter, this may offer an opportunity for the disaggregation of data and greater impetus for engaging state statistical offices towards the realization of human rights-based programming. The use of an 'Expanded Core Document', combining the elements of state-based and mandated reports into one document, can better gauge the remaining gaps, and increase agency collaboration at the same time as decreasing duplication. Another participant suggested that such a forum could also be used as a learning centre where UN bodies could learn from other key agencies, notably the OSCE, research institutions and NGOs. The CoE also expressed interest in common efforts to determine areas of greater need and gaps in programming. Such an initiative would

give the CoE clearer guidance and allow them to focus their attention on a certain number of key issues, alleviating organizational overstretch.

In view of benefits of sharing data on matters concerning minorities, the suggestion of devising a declaration to better coordinate the collection of data on national and ethnic minorities was put forward with mechanisms to monitor compliance. This could be modeled on the International Labour Organization (ILO)'s existing framework and guidelines. ECRI has this issue on its agenda, but there were questions as to how much success the organization was having in pushing the idea forward. In support, another suggestion was to have the Council of Europe Intergovernmental Committee make this recommendation to the Committee of Ministers. It was also observed that similar measures already existed under the Convention on the Rights of the Child (CRC) and the UN Committee on the Elimination of Racial Discrimination (CERD), with matters of data collection included in CERD state reports. If the obligation already exists, the question is more of how to make it more politically acceptable. The positive experiences of UNICEF in the establishment of mechanisms to collect data for the monitoring of children's rights might then be used as a model.

To enhance the coordination of these efforts among international agencies, a guide explaining data collection standards to all involved parties, including minority stakeholders, would also bolster and supplement UN system checklists which intend to highlight the gaps in programming for minorities and vulnerable groups. Useful as a means for communicating different institutional mindsets, this would enable synergies, not only between agencies, but also between the human rights and the conflict prevention approaches to programming, making it easier to convince governments of the need to commit to these ideas.

One drawback of these types of communal action was that many state bodies would not have the capacity to follow standards that had been set, and that organizational accommodations for this kind of standardization would have to be made within many of the agencies themselves. Furthermore, with the advent of an international declaration that is to be used in all reporting treaty bodies, interdepartmental and interagency miscommunication may arise. Corresponding measures to guard against communication breakdowns should be put into place. Working in concert may also

have the effect of sidelining stakeholders during needs assessment and other steps in the programme cycle. Measures should be taken to guard against this eventuality, including: project modifications according to stakeholder suggestions, donor demands, and the analysis of gaps in research conducted by expert groups.

Future discussions should address "data collection for the sake of gathering data." The amount of money spent on data collection for needs assessment far outstrips what is allocated for the incorporation of the data collected into programmes and policies. Though increased international collaboration on data collection, the sharing of data among international actors and the streamlining of reporting processes can be money-saving measures, we should also move on to look at how data gathering methods can be diversified and how these can be better incorporated into programming.

V. Protection and the Promotion of Minority Issues

As noted above, the Millennium Development Goals - the focus of many current projects - do not mention minorities or minority issues. Instead issues such as *access to services* and *institutionalization* remain the benchmarks that account for all disadvantaged populations, not only minorities. Minority programming should be initiated under these headings with a view to achieving the MDGs, among other international objectives. The incorporation of minority rights perspectives within the framework of Early Warning Reports and into policies such as the United Nations Staff College Early Warning Preventive Measures would help to identify and to prioritize issues affecting minorities in earlier phases of conflict or crisis.

Above all, divergent priorities and views within the rights-based approach need to be mediated. Links between UN country office staff and local governments need to be managed carefully, while the existing programming mindset has to change in order to foster a human rights-sensitive organizational structure. The promotion of minority issues and the dissemination of materials is a sensitive matter in this regard. As demonstrated by efforts to translate the Lund Recommendations on the Effective Participation of National Minorities in Public Life into Chinese and Arabic have shown, actions in this area need to be thought through carefully or suggested steps will not be acted upon.

Changing the organizational mindset can be achieved through a number of measures including: the strengthening of internal human rights capacities; the development and adoption of organizational human rights policies, directives and guidelines; and a balancing of local UN office staff according to national demographics. As a result of minority issues having been identified as one of three areas requiring extra attention from UN agencies, UNDP is making efforts to take the best ideas and actions from Europe for use in other areas and has proposed the development of a checklist for needs assessment, programming, and evaluation and monitoring when dealing with minorities and minority rights. UNDP called on Minority Rights Group (MRG) to write a document on minorities in development in 2003 to be developed into a practical guide. According to other participants, the production and dissemination of information on best practices is critical to the effective promotion of minority issues in the international community. Other complementary actions suggested included the appointment of an advisor with the ability to travel and speak about minorities on behalf of the UN High Commissioner for Human Rights or the establishment of a UN special mechanism to raise the profile of minority issues and to better disseminate relevant information.

VI. Recognition of Minority Needs and Encouraging Minority Participation

How international intergovernmental agencies such as the World Bank, the Council of Europe and UN agencies incorporate minority issues into the project performance targets was also addressed. Several areas of action were highlighted as priorities. With specific reference to UNDP's rights-based approach, one of the key outcomes is to assist 'claim holders' to have their rights fulfilled, those people on whose behalf state governments have an obligation to act. In areas where the rights of minority populations and minority groups are recognized by the state, programmes should target these beneficiaries and include them in this process. To complement participatory programmes and others, which propose a focus on minorities as vulnerable groups, minority participation, and awareness of beneficiary rights and state obligations need to be implemented. The absence of civil society actors in the joint implementation working groups of the International Contact Group in Kosovo is a pertinent example to be used as a springboard for future action. The use of shadow

reports, meetings and focus groups, among other methods could assist in meeting this challenge.

The question of *who* sets the political and technical standards of compliance for states, international agencies and stakeholders needs to be asked alongside questions of how standards for minority programming are devised. Lead institutional perspectives towards minorities will undoubtedly have an impact on how minority needs are catered to. One participant suggested that institutions such as ECMI, on the fringe of the intergovernmental arena, could play an important role in suggesting priorities and targets to be fostered by implementing governments and agencies. This could not only contribute to capacity building, but also to a more objective determination of relevant interlocutors. This approach would likely be more successful in addressing issues on a local level, rather than issues which have become 'global public goods' such as the environment, or the HIV/AIDS pandemic. Given the diversity of approaches and the perspectives of numerous actors, minority rights issues would fall into the former category.

The challenge, then, is in how to manage the fulfillment of international aims, such as: the MDGs and UNDP's Poverty Reduction Strategy to meet the rights of minorities in local contexts. Rather than a global objective to involve stakeholders in national processes, concrete steps need to be offered in localized contexts. Not only is achieving stakeholder participation important, but so too is the degree to which this occurs and the contexts in which this takes place. We need to think more about how participation can be increased, separately from matters of public awareness.

When seeking to increase public participation, it is also important to ensure that the "right people", legitimate stakeholder representatives, are involved to the greatest extent possible. To this end, the World Bank has adopted a policy of *deinstitutionalization*, providing education for potential stakeholders on how to look for and work with authorities. The goal here is to augment community empowerment, at the same time as establishing and entrenching risk prevention and coping mechanisms within these networks. A similar deinstitutionalization or programme operation is occurring within UNDP, but further operational guidelines for country offices on how to engage with or identify minority stakeholders are needed.

Another challenge is to manage the outsider in this process of deinstitutionalization: state governments. As sovereign duty bearers, it is they who have the responsibility to guarantee human rights, not necessarily the local community or international agencies. Local groups can identify salient issues to be addressed, but the state must take ownership both of programme operation and how local groups are formed and selected. In this respect, a human rights-based approach can bring a lot to development programming, allowing people to determine their own way forward. In the short-term, international involvement in the establishment of initiatives is good, but in the long-term the State needs to take increasing stakes in the monitoring and the promotion of consultation processes. International agencies should be aware of the risks of alienating governments when promoting this type of strategy, however. Sensitivity to government priorities should be maintained, though attempts to assist governments in priority setting should also be made, particularly where human rights are concerned.

A. Addressing Discrimination

Discrimination, along with matters of equality, was central to discussions of how to approach issues facing minorities in needs assessment, programming, and monitoring and evaluation. Like other debates over how to approach minorities, participants advocated the use of non-discrimination as a means of encompassing all views and concerns regarding minority rights. This is especially salient considering the various ways in which states either address minority issues or, on the flipside, refuse to be engaged in discussions using 'minority' terms. The caution offered here, however, was that the principle of 'non-discrimination' must be used in a way that sustains discussions of human rights and practical equality at base. The concept of *non*-discrimination should focus on *inclusion* rather than as a negative definition of the term.

VII. Does Mainstreaming Human Rights in Programming Impinge on the Promotion of Minority Rights and Issues?

In view of the political sensitivity of human rights in numerous states and their formal adoption as one of the most important aspects of development in the UN system, the question arose whether mainstreaming human rights in programming was detrimental to the protection and promotion of minority rights. Some participants felt that mainstreaming human rights would single out minority groups, with the possible effect of national governments either rejecting the entire programming agenda or turning the concept around for use to their own benefit. This may mean focusing government attention on select, state-recognized minority populations, rather than all those with vulnerabilities to be addressed.

In response to this view, some participants agreed that human rights as a programming philosophy needed to be treated delicately, but that these can be separated into specific elements highlighting *vulnerabilities* rather than the definition of specific groups. Vocabularies of 'vulnerable groups' and 'human rights', tailored to differing country contexts, overlap with aspects of minority rights as minority groups are often vulnerable groups and minority rights can be seen as a subset of human rights. Programming elements could include: the freedom of expression, non-discrimination, and equality of opportunity. These elements could form the basis of an organizational checklist to ensure that minority rights and needs are met, even if this is not the stated objective of a project or programme. In further support of this view, it was reiterated that the terminology used to describe the concepts underlying programmes was not as important as how and with what effect these programmes are achieved.

VIII. Institutional Priority-setting

It was generally acknowledged that international agencies should work together in order to determine the roles and perspectives that each one takes regarding the promotion of minority rights perspectives in programming. This view was also countered with the view that international agencies should not be setting the programming agenda themselves. Instead, country teams should spearhead efforts in

this area, with lead agencies directing the overarching approaches and perspectives that underlie these programming strategies. This type of orientation and division of responsibility has yet to be adopted. Many of the measures suggested during the course of the meeting, however, could work towards this end.

IX. Identifying Reliable Indicators

Throughout the meeting, the difficulty of pinpointing indicators and targets to measure and account for the achievement of minority rights arose. Minority rights-based programmes and the monitoring of their implementation are grounded in legal texts. As has been the experience of the Council of Europe and other organizations, however, it is difficult to determine whether legislative changes have been implemented and whether these changes, in turn, benefit the populations that they are meant to target. Another concern raised by participants was whether the standards and policies established by the international community are actually achievable. Proposed outcomes, in this case standards and policies, may not have direct links to outputs that would indicate improvements in the lives of beneficiaries. In turn, the short-term objectives of particular programmes may not be entirely consistent with the long-term goals of an initiative. Conflicting indicators may result, confusing programming processes and cycles. The ECMI Ombudsman Institutions and Minority Issues project, for instance, used a log frame to track short and long-term goals. In this case, the short-term goal was an increase in complaints filed to Offices of the Ombudsman by minorities, while the long-term goal was a decrease of complaints because the situation had improved, less discrimination being the result. As a positive indicator, the decrease in complaints took place too far into the future to be useful as an immediate, observable goal. For effective programming, clear continuity from policy-making to identifiable changes on the ground is vital, but time constraints may hamper these efforts in areas where social change is the ultimate goal.

Continuing in this line of questioning, the discovery of unattainable goals and objectives or mistaken assumptions midway through programming processes was raised. How could discrepancies be addressed? Could risks and assumptions be revisited? One suggested resolution to this problem was to make programming goals “multipurpose”, devised in a way to ensure that as contextual assumptions changed

with time, some objectives and outputs would be unattainable where others would remain cost-effective and achievable. Another alternative offered was a greater use of negative indicators, paired with examples of good practice, to determine programming progress. It was acknowledged, however, that at some point, both indicators and priorities might need reconsidering in their entirety, should a course of events make the achievement of existing goals impossible.

The decentralization of policymaking to the country level of international organizations may help to rectify issues of achievable, multipurpose goal-setting through greater contextualization and flexibility. Increased participation by beneficiary groups in planning processes, in this case minorities and minority groups, would assist in this process, leading to better management and ownership of programmes at local levels, as well as mediating possible regional differences and devising identifiable indicators using local concepts. In view of these particularities, however, the identification of indicators will remain complicated. Some participants expressed a need for locally-based non-governmental and other civil society groups to assist agencies in turning their policies on minorities and minority rights into more practical terms. Given that they are better attuned to the particular vulnerabilities and difficulties that minorities face, they will be valuable partners on the country level and could act as focal points or liaisons with beneficiary groups.

Long-term programme commitment is essential to the sustainability and success of projects. Because of short-term targeting, some implementing organizations and agencies are finding that vulnerable groups, such as minorities and minority groups, become worse off, their long-term root causes left unaddressed. The complexity of minority and indigenous issues makes the establishment of flexible, attainable programme targets difficult, while goals of long term social stability and sustainability means that the use of global, fixed targets leaves out many of the *most* vulnerable groups. Establishing longer-term outlooks, incorporating a rights-based approach into programming, and changing mindsets on multiple levels, are key to this process, but it will take time before they are common practice. In the meantime, indicators must be modest and donors must be increasingly aware of the value of declaring processes and outcome objectives, particularly in programmes engaging civil society.

Performance targets, as they are currently structured, also challenge the effective achievements of programmes for minorities. A results-based focus, for example, does not necessarily emphasize a regular examination of progress towards outputs and outcomes during programming. These periodic evaluations are steps in the programming cycle where the involvement of minorities and minority groups could prove most valuable. As most donors focus on the shorter term outcomes of programmes, rather than their longer term processes, however, the obvious, quantifiably treatable symptoms are addressed at the expense of the root problems. Any long-term procedural remedies undertaken to alleviate these causes cannot necessarily be measured in the short time allocated to many projects, meaning that actions leading to longer-term remedies are pushed aside in favour of short-term fixes.

X. Funding Issues

Fixed and limited budgets are constraints that limit all project possibilities, not only those that target minorities and minority groups. Budgeting constraints do have particular implications for minority rights programming, however. Results-based budgeting, for example, has been used for some time by the World Bank, but has been newly adopted by the UN system. The drawback of this scheme for minorities rests in the idea that additional funding is contingent on positive programme performance, where the non-achievement of targets results in programming cuts. Given that it is difficult to determine achievable and observable indicators in minority rights programming, there is a higher risk that these types of programmes will not secure funding in the longer-term. Instead of targeting programme administrators for possible bad performance, it punishes beneficiaries through the termination of shorter-term programmes that lead towards a longer-term goal, breaking the chain of steps towards change. As long-term commitment is needed to invoke dramatic changes and inclusion, this budgeting strategy works against the most vulnerable segments of a population, often minorities.

Exacerbating the effects of results-based budgeting, donors usually provide funding within a short time period with little, if any, long-term horizon, and proposed projects must accommodate these demands at the expense of overall programme effectiveness. Furthermore, donors frequently demand finite indicators once a time period has

lapsed. The result is that if observable indicators are lacking, but change is in progress, additional funding may not be forthcoming. Even if finite indicators are available, they do not guarantee that donors continue to prioritize these projects for funding, causing a break in the programme cycle. In terms of minority programming and the meeting's focus on data collection, the time and resources available for closing data gaps through the use of surveys and other labour- and time-intensive qualitative data gathering methods are limited. Steps need to be taken to ensure that the results of the data gathered are acted upon and incorporated into project planning, creating a smoother, better-funded transition from needs assessment, through to project development and programme planning. This approach could convince donors to pursue their funding priorities for longer periods of time.

XI. Conclusion

The conclusion of the meeting provided an opportunity for agree on and formulate possible future steps in the area of needs assessment, programming, and evaluation and monitoring where the interests of minorities are concerned. Major areas of discussion included:

- Interagency collaboration on minority-related programming in operations and in substance;
- Coordinated efforts in ethnic data collection;
- Filling out the rights-based approach in a manner that considers the particular vulnerabilities of minorities;
- Examinations of available indicators that pertain to minority programming and suggestions of further possible indicators that can be pinpointed
- Support for the dissemination of material where IGOs are not best placed to do so
- The generation of an arena for the exchange of information and discussion of methodological strategies pertaining to minority issues

XII. Follow up steps

Several points of action were offered:

- An *Orientation Guide on the Role of Minority-Majority Programming,* with the possible inclusion of discussions on: why minorities are relevant for programming; minorities and the rights-based approach
- A *Guide to Good Practice* with the aim of spreading knowledge and sharing competencies among key actors in the area of minority-related programming in Europe and beyond
- Draft Code on Common Principles and Practices on Ethnic Data Collection
    - Determination of data needed and how it is gathered in member states
    - Discussion of international, state, stakeholder roles in data gathering
    - Agreement on data disaggregation in matters concerning persons belonging to national or ethnic, religious or linguistic minorities
    - Agreement on the public availability of information – the content and the means of communication
    - Discussions of a possible common statistical database for general use
- Helping to fill out the concept of the rights-based approach, in particular by making available indicators for action and targets for achievement on the basis of best practices and lessons learned (even if primarily from Europe)
- Support the dissemination of material on minority programming through a web-based resource for a network of international and governmental institutions, non-governmental organizations and civil society actors that would benefit from discussion fora on key issues in the area of minority rights
- Encouraging substantive programming coordination between agencies to avoid programming overlap despite differences in policy priorities and organizational cultures
- Early Summer 2005: larger meeting of this kind to review initial progress and to continue discussion on a data collection instrument.

XIII. Annexes

A. List of participants

Name	Organization	Position/Department
Blyth-Kubota, Fiona	UN OHCHR	Working Group on Minorities
De Varennes, Fernand	Murdoch University School of Law	Senior Lecturer
Decker, Chris	ECMI	Research Associate
French, Colleen	ECMI	Special Assistant to the Director
Friedman, Eben	ECMI	Senior Research Associate, Head of Dept – Romani Integration
Gersdorff, Hermann von	World Bank	Sector Manager, Social Protection Unit Eastern Europe and Central Asia
Grin, Francois	University of Geneva	Deputy Director, Education Research Unit
Heldmann, Moritz	Deutsche Gesellschaft für Technische Zusammenarbeit	Sector Project Landmanagement
Lloydd, Marnie	ECMI	Legal Project Associate

Malloy, Tove	ECMI	Senior Research Associate, Head of Dept – EU, Accession and General Issues
Milcher, Susanne	UNDP – Bratislava	Specialist in Poverty and Economic Development
Neville, Marc	Council of Europe	Executive Secretary, Framework Convention for the Protection of National Minorities
O'Keefe, Phil	ETC UK, ALNAP	Managing Director, Founding Member
Weerelt, Patrick van	UNDP – Geneva	HURIST Programme Officer, Human Rights Advisor - BDP
Weller, Marc	ECMI	Director
Wiseberg, Laurie	Office of the Special Representative of the Secretary General, UNMIK	Minority Rights Advisor, Office of Returns and Communities

B. Meeting Agenda

Friday, 17 September 2004

9.00 **Marc Weller**, Director - European Centre for Minority Issues (ECMI)
Greeting and discussion of the impact of the September 2002 meeting

9.30 Short presentation of individual organizations, including areas of interest and discussion of principal terms to be used

10.00 – 13.00 *Session 1: Needs Assessment - Human Rights, Economic and Social Rights, Political Exclusion, Romani populations*

Eben Friedman, Senior Research Associate, ECMI
"Focus Groups as a Methodology for Assessing the Needs of Disadvantaged Populations"

Susanne Milcher, Specialist in Poverty and Economic Development, UNDP, Europe and CIS
"Quantitative data collection on the status of Roma in SEE and CEE: Methodology, Purpose, and Policy Application"

14.30 – 17.30 *Session 2: Programming - Transforming needs assessment into programming targets/setting priorities, Involving non-dominant groups in the programming process, Selection of implementation agencies, Responsiveness and timely financial provision*

Hermann von Gersdorff, Sector Manager, Social Protection Unit, Eastern Europe and Central Asia Region – World Bank
"Achieving Inclusion"

Patrick van Weerelt, Programme Officer, HUMIST (Human Rights Strengthening), OHCHR-UNDP

"UNDP and the Human Rights-based Approach to Programming:Enhanced Attention to Minorities in Development"

19.00 Dinner

Guest speaker: **Hans-Heinrich Hansen**, Bund deutscher Nordschleswiger (German minority group association in Denmark) "From Confrontation to Cooperation"

Saturday, 18 September 2004

9.00 - 12.00 *Session 3: Project Evaluation - IGOs, Governments, NGO, Civil Society, and Minority Representative Groups*

Dr François Grin, Professor of Economics at the School of Translation and Interpretation (ETI), University of Geneva
"Effectiveness of Minority Policies – a methodology for evaluation" (Criteria and Methodology for the Evaluation of Minority Policies)

Laurie S. Wiseberg, Minority Rights Advisor, Office of Returns & Communities, Office of the Special Representative of the Secretary-General United Nations Mission in Kosovo
"Setting standards, defining activities for standards, setting benchmarks and assessment – UNMIK's role in assessing standards in Kosovo"

Phil O'Keefe, Professor of Environmental Management and Economic Development at Northumbria University, Newcastle-upon-Tyne, UK and Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP)
"Evaluation and Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP)"

12.00 Concluding remarks from Marc Weller