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Challenges and problems encountered in the practical implementation
of the Declaration

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When considering the challenges to the implementation of the Declaration, the IPU would argue that the fundamental problem is the on-going political marginalization of minorities. By political marginalization, I am referring to the capacity of minorities to act as a political force; to influence policy-making; and to exercise sufficient power to require all political actors to include in their policy platforms measures to enhance the social, cultural and economic well-being of minorities.

That capacity remains weak in many, and arguably most, States. How can political marginalization be measured? And how can it be reduced?

One way to think about the status of minorities in political life is to look at parliament. This is a natural approach for the IPU. But it is also of

particular significance when we consider the Declaration, whose Article 1.2 says that "States shall adopt appropriate legislative and other measures to achieve" the ends set out in the Declaration.

Parliament, as the institution that makes laws, therefore has a primary role and responsibility in the implementation of the Declaration. It is therefore important to examine how parliament has carried out this duty, and more generally how parliament addresses the issue of minority rights.

There are two approaches, which are related to some degree. One is to look at descriptive representation in parliament. Essentially, the premise is that the number of parliamentarians from minority groups should be in proportion to their presence in the overall population. The second is to look at the substantive representation of minorities. By this, we mean the extent to which parliamentarians are attentive to and supportive of minority rights, whatever their own personal background.

The IPU investigated both aspects as part of a joint project with UNDP from 2008 to 2011. The findings were rarely encouraging.

Considering the descriptive representation, we encountered significant obstacles to collecting empirical data on the number of parliamentarians from minority groups. These obstacles varied among countries and regions. Broadly speaking, however, they can be classified in the following groups:

In some instances, parliaments were either unwilling or unable to provide the data. Simply put, many parliaments do not know how many of their members come from minority groups. Either because they have

never thought to ask the question, or because they faced ethical, political or other barriers to gathering this information.

~~More worryingly, some parliaments declined to answer requests for~~
information, considering that the issue was too politically sensitive.

Meanwhile, many parliamentarians from minority backgrounds decline to be labelled as a 'minority', for fear of being limited to a role of spokesperson for a certain group. They hold, and rightly so, that parliamentarians are elected as representatives of the nation, and as such are beholden to speak on behalf of all citizens, regardless of their background. This is a strong argument, and which must be respected under the principle of the right to choose one's own identity.

Therefore, relatively little data could be collected from authoritative sources. The alternative route, which many researchers have been forced to take, is to make estimations of the number of minority parliamentarians from other sources and using other methodologies, which lack the status of official sources.

The result is that it is difficult to bring a comprehensive answer to the question of the status of descriptive representation of minorities in parliament. The IPU hopes to continue work to establish an accurate and authoritative global picture in coming years.

Considering the substantive representation of minorities in parliament, we proceeded by carrying out interviews and case studies at national level, some of which have been published. The case studies described the ways in which minority rights continue to be a marginal issue in many parliaments.

In some parliaments, such as the Central African Republic, parliamentarians from the majority groups felt that it was for the members from minorities to promote and protect the interests of minority groups. The presence of one or two minority members in parliament meant that the majority felt they did not need to engage with the issues.

In others, formal structures had been created in parliament, such as the Committee on Minorities in Viet Nam, but were not very effective, due to lack of resources and political will. In Peru, a single committee dealt with issues relating to Amerindians, Afro-Peruvians and the environment, leading to competition among political priorities, often to the detriment of minorities.

Yet other parliaments simply did not manifest any particular interest in minority rights, as in Cambodia, considering the priority to be ever greater integration with the majority Khmer culture.

The overall picture that emerged was one where minorities tended to be marginalized in parliament in terms of their substantive representation. How can this situation be turned around?

The first answer, which is perhaps a precondition, is for minority groups to increase their relative political strength in society. Only when they do so will actors from the majority discover a political incentive to be attentive to the interests of minorities. Increasing political strength requires participation: registering to vote, getting involved in local politics, organizing to push for common interests. It requires leadership, and a willingness to engage with other political forces. Very quickly, it raises the question of whether minority interests can be defended most

effectively by a political party specifically created as a vehicle for these interests; or by integrating existing mainstream political parties. These are difficult questions that can only be addressed within each national context.

Secondly, international pressure can support the efforts of minority groups. The work of the Independent Expert on Minority Issues and the international human rights treaty mechanisms can help to identify problems, nurture dialogue where it is blocked, and propose solutions.

Thirdly, as marginalization decreases and minority groups gradually become a political force, the question of the formation of alliances, coalitions and other strategic partnerships with existing political parties arises. Such alliances may carry risks. The identification of a minority with one side of the political divide may lead to exclusion, even reprisals, when the other side is in power. On the other hand, when a party needs the support of a minority group to exercise power, there is an opportunity to secure support for legislative measures that enhance minority interests. As one politician told us, the number of calls he received increased sharply when his party was part of the government coalition, and dropped away just as quickly after power changed hands.

Throughout this process, it is fundamental to keep in mind the need for internal democracy within the political movements of minority groups. Organizations of whatever type that exclude women, stifle free speech or capture leadership positions for personal interests will rarely prosper. Democracy requires the development of a democratic culture at all levels, from the State down to the smallest association of like-minded individuals.

The extent to which minority groups are able to develop their political strength will be a determining factor in the implementation of the Declaration in coming years. Much progress has been made; but so much more remains to be done. I wish to restate the IPU's on-going commitment to continue to support minority groups, and parliaments, in working towards these goals.

Thank you.