

## **Intervention at the 2<sup>nd</sup> UN Forum on Minority Issues, Geneva, 12 November 2009**

**Mark Lattimer, Executive Director, Minority Rights Group International**

*Madam Chair, distinguished delegates,*

Many serious obstacles to the effective political participation of minorities have already been mentioned this morning, from voting restrictions to the inaccessibility of polling stations, from language barriers to levels of extreme poverty. Some communities with which Minority Rights Group International works – Dalits in South Asia, for example, or the Batwa in Central Africa – have many members whose births were never registered and who lack identity papers, both essential preconditions to voter registration.

But I want to draw attention to a particular obstacle faced by minorities that is not yet highlighted in the otherwise excellent set of draft recommendations from this Forum: the problem of insecurity. Up to 20 states around the world are currently experiencing violent conflict; some 20 more are in transition from conflict. Recent events in the Afghan elections have emphasized the difficulties of exercising the right to political participation in a society torn by war, and these difficulties weigh especially heavily on vulnerable minorities. Last year, for example, Minority Rights Group International was involved on the issue of reserved seating for minority communities in provincial elections in Iraq. The question was raised: shouldn't Iraq be attempting to move away from sectarian approaches? However, in some areas of Northern Iraq, such as Ninewa and Kirkuk, for a member of a minority to stand for election immediately places that person in danger. To attempt to canvass for support outside his or her own community is tantamount to a death sentence. A system of reserved seating for vulnerable minorities may therefore be necessary at a given stage of a state's attempted transition from conflict, to avoid minorities being completely excluded from political participation.

However, at another stage of transition, arrangements based on ethnicity or religion may be less appropriate. In Bosnia and Herzegovina, another country where MRG works, the constitution established under the Dayton peace agreement effectively divides the polity between three 'constituent peoples': Bosniaks, Croats and Serbs. One consequence of these arrangements is that neither Jews nor the Roma are eligible to stand for election to the upper house of the Bosnian parliament, let alone the presidency. Such discrimination must be hard to justify, 14 years after the end of the Bosnian war.

In both Iraq and Bosnia and Herzegovina, constitutional and electoral arrangements were drawn up with international advice, international pressure and, at certain times, international force. Yet the international community clearly still has a lot to learn about the use of different electoral mechanisms in divided societies.

The recommendations arising from this Forum should therefore include the need for a contextual approach to constitutional and electoral mechanisms at different stages of a country's transition from conflict; a duty on international election monitoring and electoral assistance missions to ensure their staff are adequately trained in minority rights standards; and recognition of the

overwhelming importance in transitional societies of security for the effective enjoyment of the right of political participation for members of minorities.

Thank you